



MINUTES
CITY COMMISSION MEETING
TUESDAY, JUNE 16, 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 Karen McCulloh and Commissioners Usha Reddi, Linda Morse, Michael L. Dodson, and Wynn Butler 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, 8 staff, and approximately 25 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor McCulloh led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor McCulloh proclaimed June 18, 2015, *National Dump the Pump Day*. Lorene Oppy, President, Board of Directors, and Anne Smith, Director, Flint Hills Area Transportation Agency, were present to receive the proclamation and provide comments.

COMMISSIONER COMMENTS

Commissioner Morse informed the community that she attended the Manhattan Area Chamber of Commerce Military Relations Committee and the Junction City Military Affairs Council on Wednesday, June 10, 2015, for the combined Victory Week activities. She stated that there was a presentation of Fort Riley's Comprehensive Plan 2020 Update with their plans for the military and the community.

Commissioner Dodson stated that during Victory Week, a Combined Arms Demonstration was conducted at Fort Riley. He said that this was a great opportunity to see service men and women at work as they demonstrated their equipment, capabilities, and training skills.

COMMISSIONER COMMENTS (*CONTINUED*)

Commissioner Reddi reiterated that she also attended the Military Relations Committee luncheon on Wednesday, June 10, 2015, and stated that this was a collaborative effort to promote community efforts for Fort Riley and their military families. She stated that the City of Manhattan is continuing to recruit lifeguards; if you are interested, contact the Parks and Recreation Department. She reminded citizens that there are many activities at the Flint Hills Discovery Center and the Sunset Zoo this summer and encouraged everyone to check out the events and activities available on the City's website. Finally, she voiced concern with the increase in state sales taxes as a result of the recent legislative action in Topeka and with the potential increase in online shopping and concerns with small brick and mortar businesses in Manhattan.

Mayor McCulloh welcomed Commissioner Reddi's aunt and uncle from India. She stated that Arts in the Park is on Friday, June 19, 2015, at 8:00 p.m. in City Park with the Trinidad Tripoli Steel Drum Band performing, and the Juneteenth Celebration parade and activities are planned on Saturday, June 20, 2015. She updated the community on the Manhattan Area Chamber of Commerce recent qualification to apply for Association of Chamber of Commerce Executives for Chamber of the Year. She also encouraged citizens to go paperless with their water bills and to sign-up on the City's website.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, June 2, 2015.

CLAIMS REGISTER NO. 2794

The Commission approved Claims Register No. 2794 authorizing and approving the payment of claims from May 27, 2015, to June 9, 2015, in the amount of \$3,238,558.97.

LICENSE

The Commission approved a Fireworks Display License for July 3, 2015, at 9:45 p.m., for the Manhattan Country Club, 1531 North 10th Street.

FINAL PLAT – COURTYARD AT LMH RESIDENTIAL PLANNED UNIT DEVELOPMENT

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Courtyard at LMH Residential Planned Unit Development, generally located to the southwest of the intersection of Miller Parkway and Loma Ridge

CONSENT AGENDA (*CONTINUED*)

FINAL PLAT – COURTYARD AT LMH RESIDENTIAL PLANNED UNIT DEVELOPMENT (*CONTINUED*)

Drive, or 150 feet northwest of the intersection of Lochenshire Drive and Miller Parkway, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7141 – ANNEX – LEE MILL HEIGHTS, UNIT TEN AND CITY PARK LAND

The Commission approved Ordinance No. 7141 annexing the proposed Lee Mill Heights, Unit Ten and City park site, an approximate 89-acre tract of land generally located west of the end of Miller Parkway on the south side of the arterial roadway, based on conformance with the Comprehensive Plan, the Growth Vision, and the Capital Improvements Program.

ORDINANCE NO. 7142 – REZONE – LEE MILL HEIGHTS, UNIT TEN

The Commission approved Ordinance No. 7142 rezoning the proposed Lee Mill Heights, Unit Ten and City park site, from County AG, General Agriculture District, to R-1, Single-Family Residential District, with AO, Airport Overlay District, based on the findings in the Staff Report and the recommendation of the Planning Board (*See Attachment No. 1*).

AGREEMENT – REAL ESTATE TRANSFER AND EXCHANGE – CITY PARK LAND IN LEE MILL HEIGHTS, UNIT TEN

The Commission approved and authorized the Mayor and City Clerk to execute a Real Estate Transfer and Exchange Agreement swapping the tracts of real property defined in the Agreement; and accepted a \$25,000.00 charitable donation from Tim Schultz and Mill Pointe Land Company, LLC, for the general purpose of developing/establishing the City park site.

ORDINANCE NO. 7143 – AMEND – ABBOTT’S LANDING SHOPPING CENTER PUD

The Commission approved Ordinance No. 7143 amending Ordinance No. 7104 and the Preliminary Development Plan of Abbott’s Landing Shopping Center Commercial Planned Unit Development, generally located 350 feet east of the intersection of Hayes Drive and McCall Road and approved the Final Development Plan, to be known as Abbott’s Landing PUD, Unit Two, Commercial Planned Unit Development, based on the findings in the Staff Report, subject to three (3) conditions of approval (*See Attachment No. 2*).

CONSENT AGENDA (CONTINUED)

FINAL PLAT – ABBOTT’S LANDING, UNIT TWO, COMMERCIAL PUD

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Abbott’s Landing, Unit Two, Commercial Planned Unit Development, generally located approximately 350 feet to the east of the intersection of Hayes Drive and McCall Road, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7144 – CONSOLIDATE – VARIOUS PARKING ORDINANCES

The Commission approved Ordinance No. 7144 reorganizing and consolidating various parking ordinances within Chapter 31, Article III - Parking, Stopping and Standing, of the Code of Ordinances.

FIRST READING – REASSESS/RELEVY SPECIAL ASSESSMENTS – HERITAGE SQUARE SOUTH, UNIT TWO

The Commission approved first reading of an ordinance authorizing the reassessment and/or re-levy of certain special assessments applicable to the Heritage Square South, Unit Two, PUD Addition; the Heritage Square South, Unit Three, PUD Addition; and the Heritage Square South, Unit Four, PUD Addition located in the city and amending and supplementing Ordinance No. 6686 and Ordinance No. 6712.

FIRST READING – REASSESS/RELEVY SPECIAL ASSESSMENTS – GRAND MERE, UNIT 1; GRAND MERE, UNIT 4; GRAND MERE, UNIT 5; AND HEARTLAND ADDITION

The Commission approved first reading of an ordinance authorizing the reassessment and/or re-levy of certain special assessments applicable to the Grand Mere, Unit 1, Addition; the Grand Mere, Unit 4, Addition; the Grand Mere, Unit 5, Addition; and the Heartland Addition located in the city and amending and supplementing Ordinance No. 6252.

SET PUBLIC HEARING DATE – LEVY SPECIAL ASSESSMENTS (GOB 2015-A)

The Commission set July 7, 2015, as the date to hold a public hearing levying special assessments against the benefiting properties in the following eight (8) projects, which have been completed: *Western Hills Addition, Unit Fourteen – Sanitary Sewer (SS1208), Street (ST1210), and Water (WA1209)*; *Bellerive Addition – Street (ST112) and Water (WA1113)*; and *Candlewood Inn & Suites Parking Lot (Downtown Entertainment District, Unit Three, Lot 1) – Sanitary Sewer (SS1205), Street (ST1208), and Water (WA1206)*.

CONSENT AGENDA (CONTINUED)

* **AGREEMENT – PHASE 1 DESIGN-BUILD SERVICES – WATER AND SEWER MAINTENANCE FACILITY GARAGE (SS1419, CIP #WW138P)**

Ron Fehr, City Manager, responded to questions from the Commission and explained the proposed design-build facility for the Utility Maintenance Division of Public Works.

Rob Ott, City Engineer, presented additional information on the design of the proposed building facility and responded to questions from the Commission.

Ron Fehr, City Manager, responded to additional questions from the Commission and stated that the Comprehensive Plan removed the Wreath Avenue connection to the south.

The Commission accepted the Selection Committee's recommendation and authorized the Mayor and City Clerk to execute an Agreement in the amount of \$20,000.00 with Schultz Construction, Inc., of Manhattan, Kansas, for the Phase I Design-Build Services for the Water and Sewer Maintenance Facility Garage (SS1419, CIP #WW138P).

* **CHANGE ORDER NO. 1 – WELL REHABILITATION PROJECT (WA1504)**

Ron Fehr, City Manager, responded to questions from the Commission and provided additional information on the item.

The Commission approved and authorized the Mayor to execute Change Order No. 1 for the 2015 Well Rehabilitation Project (WA1504), resulting in a net increase in the amount of \$38,900.20 (+93%) to the contract with Layne Christensen Company, of Wichita, Kansas, for additional repairs required to return City of Manhattan Public Water Supply Wells 16 and 21 to service.

AWARD CONTRACT – GRAND ESTATES – SANITARY SEWER (SS1508), STREET (ST1508), AND WATER (WA1508) IMPROVEMENTS

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$578,713.40; awarded a construction contract in the amount of \$488,027.40 to Larson Construction, Inc., of Manhattan, Kansas; and authorized the Mayor and City Clerk to execute the construction contract for the Grand Estates Addition, Sanitary Sewer (SS1508), Street (ST1508), and Water (WA1508) Improvements project.

CONSENT AGENDA (CONTINUED)

AWARD CONTRACT – TATARRAX HILLS GRINDER PUMP STATION IMPROVEMENTS (SS1505, CIP #WW127E)

The Commission awarded a construction contract in the amount of \$45,490.00 to the lowest bidder, Alliance Pump, of Independence, Missouri, and authorized the Mayor and City Clerk to execute the construction contract for the Tattarrax Hills Grinder Pumps Improvements project (SS1505, CIP #WW127E), with the project to be paid from the Wastewater Fund.

AWARD CONTRACT – DENISON AVENUE CORRIDOR SIGNAL PROJECT (ST1503)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$315,445.00; awarded a construction contract in the amount of \$301,285.00 to Phillips Southern Electric Company, of Wichita, Kansas; and authorized the Mayor and City Clerk to execute the construction contract Denison Avenue Corridor Signal project (ST1503).

AMENDMENT – 2015 CITY-UNIVERSITY SPECIAL PROJECTS FUND

The Commission authorized the Mayor and City Clerk to execute an amendment to the 2015 City-University Special Projects Fund Agreement with Kansas State University for the additional costs of the Denison Avenue Corridor Signal project (ST1503).

REJECT BID – DOUGLASS COMMUNITY CENTER PARKING LOT IMPROVEMENT (CD1414)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$40,600.00 for the base bid and \$5,700.00 for Bid Alternate No. 1 for a total price of \$46,300.00, and rejected the bid from Shilling Construction Company, Inc., of Manhattan, Kansas, for the Douglass Community Center Parking Improvement Project (CD1414).

APPLICATION – FLINT HILLS REGIONAL TRANSIT ADMINISTRATION – 2015-2018 CAPITAL PROJECT FUNDING

The Commission authorized City Administration to complete and submit an application to the Flint Hills Regional Transit Administration for Capital Project funding under the Urbanized Area Formula Program – Section 5307, for Federal Fiscal Year 2015-2018 for the following nine bicycle and pedestrian connection projects:

CONSENT AGENDA (CONTINUED)

**APPLICATION – FLINT HILLS REGIONAL TRANSIT
ADMINISTRATION – 2015-2018 CAPITAL PROJECT FUNDING
(CONTINUED)**

1	College Heights & Anderson Ave - Sidewalk
2	Clafin Road - Sidewalk
3	Pioneer Lane - Multi-use Path
4	Bluemont Avenue & Tuttle Creek Boulevard - Sidewalk
5	Seth Child Road & Southwind Road - Multi-use Path
6	Fremont Street - Sidewalk
7	Hayes Drive - Multi-use Path
8	Farm Bureau Road - Multi-use Path
9	McCain Lane - Sidewalk

* **SUBORDINATION AGREEMENT – GREEK TO ME**

Commissioner Morse requested that this item be moved to end of the General Agenda for discussion.

AUTHORIZE – SUNGARD SOFTWARE UPGRADE

The Commission authorized the City of Manhattan to purchase the Naviline Public Administration product line from SunGard Public Sector, Inc., for a term of July 1, 2015, to June 30, 2016, in the amount of \$59,872.00.

**AUTHORIZE SEMI-ANNUAL PAYMENT – FLINT HILLS
METROPOLITAN PLANNING ORGANIZATION**

The Commission authorized City Administration to finalize payment in the amount of \$27,621.68 to the Flint Hills Metropolitan Planning Organization for the City's semi-annual payment contribution.

BOARD APPOINTMENTS

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

Board of Zoning Appeals

Appointment of La Barbara James Wigfall, 2602 Georgetown Place, to fill the unexpired term of Ray Thompson. Ms. Wigfall's term begins immediately, and will expire December 31, 2015.

Historic Resources Board

Appointment of Craig Hager, 2045 Plymouth Road, to a three-year History term. Mr. Hager's term begins immediately, and will expire April 30, 2018.

CONSENT AGENDA (*CONTINUED*)

BOARD APPOINTMENTS (*CONTINUED*)

Social Services Advisory Board

Re-appointment of John Ball, 3107 Harahey Ridge, to a three-year term. Mr. Ball's term will begin July 1, 2015, and will expire June 30, 2018.

After discussion and comments from the Commission, Commissioner Reddi moved to approve the consent agenda and move Item T, SUBORDINATION AGREEMENT – GREEK TO ME, to the end of the General Agenda. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

FIRST READING – AMEND PRELIMINARY DEVELOPMENT PLAN - MANHATTAN CHRISTIAN COLLEGE PLANNED UNIT DEVELOPMENT

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He highlighted the proposed amendment; the proposed buildings and structures; the landscaping and screening; the storm drainage; the circulation and parking; and informed the Commission that the Manhattan Urban Area Planning Board recommended approval of the proposed amendment and the Preliminary Development Plan subject to nine (9) conditions of approval. He then responded to questions from the Commission regarding water and stormwater capacity, parking, and residence halls.

Mayor McCulloh opened the public comments.

Lori Jo Stanfield, Vice President for Business Affairs, Manhattan Christian College (MCC), thanked the Commission for consideration of their proposal. She responded to questions from the Commission regarding parking enforcement and stated that MCC is very excited to be on the edge of moving forward with this project and constructing a student life center and gymnasium for its students and student athletes. She encouraged the Commission to support the item so the project could move forward.

Shawn Condra, Athletic Director, Manhattan Christian College (MCC), informed the Commission of the challenges associated with renting facilities for basketball and volleyball teams in the past. He provided additional information on the athletic programs and stated that this new facility would be used for the student athletes at MCC. He then responded to questions from the Commission about the potential opportunity to use the new gym space for tournaments and public activities.

GENERAL AGENDA (*CONTINUED*)

FIRST READING – AMEND PRELIMINARY DEVELOPMENT PLAN - MANHATTAN CHRISTIAN COLLEGE PLANNED UNIT DEVELOPMENT (*CONTINUED*)

LeAnn Mark, Senior, Manhattan Christian College, 1415 Fairchild Avenue, stated that this is a cool opportunity to provide a multipurpose facility for MCC students and sports teams to call their own and to host other teams. She stated the new facility would aid in the growth and ability of MCC students to make a difference. She expressed her appreciation to the Commission as they consider approval of the item.

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

After discussion and additional comments from the Commission, Commissioner Reddi moved to approve first reading of an ordinance amending Ordinance No. 6013 and the approved Preliminary Development Plan of Manhattan Christian College Planned Unit Development, generally located to the south of Anderson Avenue, west of North 14th Street, north of Fairchild Avenue and generally east of North 16th Street, based on the findings in the Staff Report (*See Attachment No. 3*), subject to the nine (9) conditions of approval. Commissioner Morse seconded the motion.

After further comments, on a roll call vote, motion carried 5-0.

ITEM REMOVED FROM CONSENT AGENDA

SUBORDINATION AGREEMENT – GREEK TO ME (GTM)

Jason Hilgers, Deputy City Manager, presented an overview of the item. He stated that the City of Manhattan previously issued Industrial Revenue Bonds (IRB's) for GTM Sportswear in three series in 2006, 2009, and 2010. He then responded to questions from the Commission regarding the maturity of the IRB's and the Subordination Agreement.

Dave Dreiling, Owner, GTM Sportswear, responded to questions from the Commission.

Ron Fehr, City Manager, provided additional information and clarification on the item. He informed the Commission that each IRB series has its own aspects and that the City is strictly a facilitator for the bonds issued on behalf of GTM.

ITEM REMOVED FROM CONSENT AGENDA (CONTINUED)

SUBORDINATION AGREEMENT – GREEK TO ME (GTM) (CONTINUED)

Jason Hilgers, Deputy City Manager, informed the Commission that the annual Economic Development Report contains information about GTM and the IRB's issued. He stated that the Economic Development Report is provided to the Commission each year and indicates the performance of each company receiving economic development dollars. He also informed the Commission that GTM has performed very well and has not reached their full amount of issuance available.

Ron Fehr, City Manager, and Jason Hilgers, Deputy City Manager, responded to additional questions from the Commission regarding the request to subordinate and stated that each IRB series is specific to an abatement period.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

After further discussion and comments from the Commission, Commissioner Morse moved to approve Item T: Subordination Agreement and authorize the Mayor and City Clerk to execute the Subordination Agreement for the Dreiling Real Estate mortgage. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

DISCUSSION ITEM: TUTTLE CREEK LAKE FLOOD CONTROL OPERATIONS AND UPDATE

Ron Fehr, City Manager, introduced the item.

Brian McNulty, Operations Project Manager, Tuttle Creek Lake, U.S. Army Corps of Engineers, presented an update and overview of the Kansas City District; the Tuttle Creek Dam project purposes; the Tuttle Creek Lake drainage basin; the Tuttle Creek Lake pool allocations; flood control and facilities; phased operation seasonal guidelines for releases; the May and June 2015 statistics for Tuttle Creek Lake; the downstream target point (Waverly, Missouri); and presented the 2015 parallel balance showing the percent of flood control pool occupied on June 16, 2015. He then responded to questions from the Commission and provided additional information on the Tuttle Creek Lake flood control operations and elevation levels.

Ron Fehr, City Manager, provided additional information on the item and background information of the 1993 flooding experienced in Manhattan. He thanked Mr. McNulty for his presentation and update.

DISCUSSION ITEM: TUTTLE CREEK LAKE FLOOD CONTROL OPERATIONS AND UPDATE (CONTINUED)

Brian McNulty, Operations Project Manager, Tuttle Creek Lake, U.S. Army Corps of Engineers, provided additional information and stated that current information for Tuttle Creek Dam can be found on the Corps of Engineers website. He then responded to additional questions from the Commission.

Ron Fehr, City Manager, and Brian McNulty, Operations Project Manager, Tuttle Creek Lake, U.S. Army Corps of Engineers, responded to questions about outflow rates, modeling, potential impact areas, and operations of Tuttle Creek Lake.

Rob Ott, Director of Public Works, provided an overview of the Tuttle Creek Dam and levee system. He highlighted the current situation; presented maps showing elevation levels for the Big Blue River at Tuttle Creek Lake; current preparations by local agencies; and modeling maps representing future releases at 16,000 cubic feet/second (cfs), 20,000 cfs, 25,000 cfs, 30,000 cfs, 36,000 cfs, 40,000 cfs, 45,000 cfs, and 50,000 cfs; photographs from the 1993 flood area; and background information on the levee system, levee flood operations, and levee certification.

Ron Fehr, City Manager, provided additional information on the item and responded to questions regarding dissemination of information to those areas that may be affected. He stated that based on the information and forecasts available from the Corps of Engineers that targeted areas threatened by potential flooding in the community would be alerted, if needed, and the City's website would be populated with general information and updated data from the Corps of Engineers regarding Tuttle Creek Dam.

Rob Ott, Director of Public Works, provided additional information on the computer modeling maps and possible release scenarios.

As this was a discussion item only, no formal action was taken.

ADJOURNMENT

At 9:06 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

APPLICATION: To rezone two (2) general areas to be the single-family residential subdivision, Lee Mill Heights, Unit 10 and an area to be dedicated as a City Park.

FROM: County AG, General Agriculture District

TO: R-1, Single-Family Residential District and AO, Airport Overlay District.

APPLICANT/OWNER: **MILL POINTE LANE COMPANY, LLC – TIM SCHULTZ**
1213 HYLTON HEIGHTS ROAD, MANHATTAN, KS 66502

CITY OF MANHATTAN – RON FEHR, CITY MANAGER
1101 Poyntz Avenue, Manhattan, KS 66502

LEGAL DESCRIPTION: Tracts of land in Section 22, Township 10 South, Range 7 East (*specific legal description is attached*)

LOCATION: Generally located **TO THE WEST OF THE DEAD-END OF MILLER PARKWAY ON THE SOUTH SIDE OF THE ARTERIAL ROADWAY**

AREA: **91.96 ACRES IN AREA, INCLUDING THE DEDICATION OF THE MILLER PARKWAY RIGHT-OF-WAY (3.83 ACRES).**

DATE OF NEIGHBORHOOD MEETING: March 18, 2015

DATE OF PUBLIC NOTICE PUBLICATION: April 27, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: May 18, 2015
CITY COMMISSION: June 2, 2015

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Open rangeland

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is covered with native grasses, scattered evergreen trees and dense deciduous tree coverage in natural drainage ravines. The site drains to the south towards the Eureka Tributary of the Kansas River. The entire site is entirely within the Conical Zone of Manhattan's Regional Airport, which requires that the AO, Airport Overlay District, be added to site. Future uses (structures and trees), which are within the limits of the Conical Zone may be required to obtain, and be granted, an Airport Compatible Use Permit prior to construction, planting or change to the structure or tree (see below under CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE for further information concerning the AO District).

3. SURROUNDING LAND USE AND ZONING:

NORTH: Future location Miller Parkway right-of-way, a major collector roadway, and rangeland: County AG, General Agriculture District

SOUTH: Developing single-family residential neighborhoods: R-1, Single-Family Residential District with AO, Airport Overlay District

EAST: Developing single-family residential neighborhoods: R-1, Single-Family Residential District with AO, Airport Overlay District and the Courtyards at LMH Residential Planned

WEST: Rangeland: County AG, General Agriculture District

4. GENERAL NEIGHBORHOOD CHARACTER: Developing single-family residential neighborhoods to the east, south and northwest. To the immediate north and west the property is rangeland and sparse rural residential homes.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is suitable as open rangeland for pasture or grazing uses. The City owned site could be used for the proposed parkland under the current zoning district. **THE CITY HAS PROPOSED TO KEEP THE PARKLAND MOSTLY IN ITS CURRENT, NATURAL STATE AND WILL PROVIDE WALKING/HIKING TRAILS FOR ADJACENT NEIGHBORHOODS AS WELL AS THE MANHATTAN REGION.** The site is bounded by urban development on the east, south and northwest, and a steep hillside on the south. The suitability of the site for County AG uses is limited by surrounding uses and steep topography. The current County AG District would not allow for the single-family development, as proposed.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The adjoining neighborhoods are low density single-family residential subdivisions. While an increase in traffic, light, and noise will occur with the change from open rangeland to single-family dwelling units, the proposed affects are consistent with the character of the neighborhoods in which the development is proposed. The proposed rezoning is compatible with nearby properties of the same zoning and no adverse affects are expected.

The proposed parkland will be an amenity to the surrounding properties and the region. The parkland may increase traffic and noise when compared to the open rangeland, but it will be consistent with the character of the surrounding neighborhoods.

The applicants held separate meetings for the residential subdivision and the future City Park. Two (2) neighbors attended the meeting for the proposed subdivision. According to the meeting summary, no concerns were raised by those in attendance.

The neighborhood meeting for the proposed City Park had 13 neighbors attend. According to the City's notes of the meeting, the questions asked at the meeting revolved around the planning of the future park and its use. No negative issues were raised at the meeting.

**7. CONFORMANCE WITH COMPREHENSIVE PLAN:
THE PROPOSED REZONING SITE IS SHOWN ON THE FUTURE LAND USE MAP IN THE SOUTHWEST PLANNING AREA. THE RESIDENTIAL PORTION OF THE REZONING AREA IS DESIGNATED AS RESIDENTIAL LOW MEDIUM (RLM). THE FUTURE LAND USE SHOWS THE CITY PARKLAND AS THE PARK AND RECREATION DESIGNATION. 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.**

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.

Miller Parkway Corridor (MPC)

Background and Intent

The Miller Parkway Corridor will continue to develop as a series of mixed-use neighborhoods. Development should be focused around an open space network created by the area's many natural drainages, preserving existing trees and vegetation and providing pedestrian and bicycle linkages between neighborhoods and Warner Park, Anneberg park and the new city park near the west end of Miller Parkway. The Miller Parkway Corridor will contain a variety of housing types and densities, including some higher density residential use, and will include a neighborhood commercial center.

Policies

MPC-1: Mixture of Housing Types

Include a mix of housing types and densities within the Miller Ranch residential neighborhoods.

MPC-2: Preservation of Drainage Areas

Incorporate drainage ways, wetlands, and other sensitive natural features into the overall design of neighborhoods as buffers and open space amenities.

MPC-3: Future ROW Preservation

Identify and preserve right-of-way for the future extension of Miller Parkway and Wreath Avenue on development proposals and through platting and other tools.

Attachment No. 1

MPC-4: Establish a Neighborhood Commercial Center

Encourage the development of a neighborhood center at the planned intersection of Miller Parkway and Scenic Drive to provide a range of services for residents of Miller Ranch and surrounding neighborhoods, and to minimize the need for cross-town trips to meet day-to-day needs.

MPC-5: Airport Air space Regulations

Ensure development is consistent with established airspace regulations for the Manhattan Regional Airport and the Airport Master Plan.

MPC-6: Multi-modal Connectivity

Continue to explore and implement opportunities to enhance multi-modal connections both within the Miller Parkway Corridor and to the rest of the Planning Area.

BASED ON A NOTE ON THE PRELIMINARY PLAT, THE PROPOSED RESIDENTIAL PORTION OF THE REZONING AREA HAS A NET DENSITY OF 1.58 DWELLING UNITS PER NET ACRE. THE DEVELOPMENT WILL PROVIDE SIDEWALK ON ONE SIDE OF ALL STREETS AND STREET ACCESS TO THE NORTH FOR CONNECTION TO PUBLIC SIDEWALKS AND STREETS, AREA CITY PARKLAND AND OTHER PARTS OF THE CITY. STEEP SLOPES ARE WITHIN CONSERVATION EASEMENTS TO PROTECT HILLSIDES FROM DEVELOPMENT. THE PROPOSED SITE IS WITHIN THE CONICAL ZONE OF THE MANHATTAN REGIONAL AIRPORT. THE AO DISTRICT WILL BE ADDED AS AN OVERLAY DISTRICT TO THE R-1 DISTRICT.

PARK LAND POLICIES:

CHAPTER 9: AN ACTIVE COMMUNITY RECOGNIZED FOR ITS QUALITY OF LIFE AND STRONG SENSE OF PLACE ADDRESSES PUBLIC AND PRIVATE PARK, TRAILS AND RECREATIONAL FACILITIES. SPECIFICALLY, THE GUIDING PRINCIPLE QL-1 AND ITS SUBSET OF GOALS AND OBJECTIVES DISCUSS THE TOPIC OF PARK LAND.

GUIDING PRINCIPLE QL-1: A variety of high-quality recreational opportunities in the form of interconnected parks, trails, recreation facilities, public spaces, and natural areas to serve existing development and planned growth

QL-1.1A: Parks and Recreation Guidelines

Ensure that park and recreation facilities provide an adequate range of recreational opportunities based on guidelines from the National Recreation and Park Association (or others developed as part of a comprehensive park planning process). Design facilities in a manner that responds to the needs of the intended users.

QL-1.1B: Park Types/Level of Service Targets

Provide a hierarchy of park types to satisfy the diverse needs of our changing community. Seek to achieve and/or maintain level of service targets established by the City's Parks and Recreation Strategic Facility Improvement Plan (to be completed early 2015) and other plans as adopted for different types of parks and recreational facilities as the community grows over time.

QL-1.1C: Distribution of Facilities

Maintain and enhance an efficient and accessible distribution of parks and recreation facilities throughout the community by encouraging development of new parks and walkable/bikeable linkages from existing parks to surrounding neighborhoods in areas experiencing high growth, targeted for future growth, or identified as having a deficiency in park facilities.

QL-1.1D: Coordinated Planning and Development

Coordinate planning and development of park improvements with other City or County Plans and public improvement projects to maximize public benefit.

QL-1.1E: Parkland Dedication

Provide for adequate open space and recreational parks, using the Parks and Recreation Service Areas Map as a guide.

QL-1.1F: Advisory Boards

Continue to support the work of the City's Parks and Recreation Advisory Board, the Douglass Center Advisory Board, and the Cemetery Board in their efforts to consider and recommend improvements to parks and recreation facilities, lands, and programs; the Douglass Center; and Sunrise and Sunset.

The City of Manhattan Comprehensive Parks Master Plan (1992) designated this site as a future site for a regional park. The Manhattan Parks and Recreation Department and the Park and Recreation Advisory Board have been working with the developer of Lee Mills Heights, Unit Ten and the area residents to create the regional park.

THE PROPOSED REZONING CONFORMS TO THE COMPREHENSIVE PLAN.

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

The site has remained undeveloped to date and zoned County AG District.

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

The R-1 District is designed to provide a single-family dwelling zone at a density no greater than one dwelling unit per 6,500 square feet. Lots shown on the R-1 District portion of the proposed Preliminary Plat of the Grand Bluffs at Mill Pointe Addition, exceed 6,500 square feet in area.

The R-1 District allows parks and playgrounds. No specific use limitations are listed for parkland in the -1 District.

The AO District “is intended to promote the use and development of land in a manner that is compatible with the continued operation and utility of the Manhattan Municipal Airport so as to protect the public investment in, and benefit provided by the facility to the region. The district also protects the public health, safety, convenience, and general welfare of citizens who utilize the facility or live and work in the vicinity by preventing the creation or establishment of obstructions or incompatible land uses that are hazardous to the airport's operation or the public welfare.”

The site is within the Conical Zone, which is, in general terms, established as an airspace that extends outward and upward in relationship to the Airport and is an approach zone height limitation on the underlying land. Future uses (structures and trees, existing and proposed) in the AO District may be required to obtain an Airport Compatible Use Permit, unless circumstances indicate that the structure or tree has less than 75 vertical feet of height above the ground and does not extend above the height limits prescribed for the Conical Zone (pages 6-9 of the AO District regulations attached).

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. The AO District requires that future uses be reviewed in order to protect airspace. The proposed Preliminary Plat conforms to the Manhattan Urban Area Subdivision Regulations. It may be a hardship to the applicant if the rezoning is denied.

Attachment No. 1

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public services, sanitary sewer, water, and public streets can be extended to serve the development.

12. OTHER APPLICABLE FACTORS: Fort Riley was notified of this rezoning, due to it being located in the Critical Area. The Fort encourages use of noise disclosure and noise reduction measures in homes, and to take into account potential effects of operational noise of the Fort on activities in the park. City Administration will provide the “Notice of Potential Impact” on building permits for this subdivision.

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of Lee Mills Heights, Unit 10 and the City parkland from County AG, General Agriculture, to R-1, Single-Family Residential District, with AO, Airport Overlay District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Lee Mills Heights, Unit 10 and the City parkland from County AG, General Agriculture, to R-1, Single-Family Residential District, with AO, Airport Overlay District stating the basis for such recommendation.
2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
3. Table the proposed rezoning to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of Lee Mills Heights, Unit 10 and the City parkland from County AG, General Agriculture, to R-1, Single-Family Residential District, with AO, Airport Overlay District, based on the findings in the Staff Report .

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

DATE: May 6, 2015

CB/vr

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STAFF REPORT

AN AMENDMENT OF ORDINANCE NO. 7104 AND THE APPROVED PRELIMINARY DEVELOPMENT PLAN FOR LOT 5, ABBOTT'S LANDING SHOPPING CENTER COMMERCIAL PLANNED UNIT DEVELOPMENT.

BACKGROUND

APPLICANT: Chip Corcoran, Renaissance Infrastructure Consulting

OWNER: Orscheln Farm and Home, LLC

LOCATION: Generally located approximately 350 feet to the east of the intersection of Hayes Drive and McCall Road.

AREA: 82,855 square feet (1.9 acres).

DATE OF NEIGHBORHOOD MEETING: April 2, 2015

DATE OF PUBLIC NOTICE PUBLICATION: April 23, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: May 18, 2015

CITY COMMISSION: June 2, 2015

EXISTING PUD

Ordinance

Ordinance No. 7104 was adopted by the City Commission on November 4, 2014 and rezoned the Abbott's Landing Shopping Center Commercial Planned Unit Development from I-2, Industrial Park District to PUD, Commercial Planned Unit Development.

Conditions of Approval

1. Permitted uses shall include permitted uses in the C-2, Neighborhood Shopping District, and C-5, Highway Service Commercial District, except that Convenience Stores with gasoline sales, and Sexually-Oriented Businesses shall be prohibited.
2. Outdoor display, storage, and sales on Lot 1 shall be limited to the outside sidewalk area along the south side of the Orscheln's building, the landscape space on the southwest corner of the lot, the parking field in front of the building and in the fenced enclosure, as shown on the application documents.

Attachment No. 2

3. The 5,400 square foot temporary outdoor seasonal storage/display area as shown on Lot 1 shall be permitted from March 1st to October 31st of each year, and shall be limited to seasonal products such as plants and landscaping materials.
4. Sidewalks shall be provided internally to the PUD site and connect to adjacent sidewalks in the McCall Road and Hayes Drive rights-of-way.
5. 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.
6. All landscaping and irrigation shall be maintained in good condition.
7. Light poles shall be provided as described in the application documents and shall be full cutoff design. Building lighting shall not cast direct light onto public or private streets or adjacent property and shall be full cut-off design.
8. Signage shall be constructed as proposed, consisting of wall signs and pylon signs.
9. The digital portion of the Arby's pylon sign proposed on McCall Road shall be limited to a Digital Graphic Sign, as follows:
 - a. Digital Graphic Sign. A sign utilizing LED (light emitting diode), LCD (liquid crystal display), plasma, projected images, or any functionally equivalent technology, and which is capable of automated, remote, or computer control to change a static image only as a "slide show" (series of images).
 - b. Duration of Message and Transitions. The sign message shall remain static for a period of not less than sixty (60) seconds. The transition from one (1) message to the next shall be direct and immediate, without any special effects including but not limited to, dissolving, fading, scrolling, starbursts, and wiping, which shall be prohibited.
 - c. Image Characteristics. Digital Graphic Signs shall have a pitch of not greater than 20 millimeters between each pixel.
 - d. Luminance. Between sunrise and sunset the maximum luminance shall be 5,000 units and between sunset and sunrise the maximum luminance shall be 500 nits. All signs with a digital display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement.

10. Temporary banner signs should be limited to no more than two (2) banner signs per lot. Exempt signage shall include signage described in Article VI, Section 6-104 (A)(1),(2),(4),(5),(7) and (8); and Section 6-104 (B)(2), of the Manhattan Zoning Regulations. Temporary sales aids and portable signs, as described in Article VI, Signs, of the Manhattan Zoning Regulations, shall be prohibited.
11. Prior to the development of Lots 4 and 5, an amendment of the PUD shall be submitted and approved, prior to issuance of any necessary permits.
12. Names of the Travel Easements shall be approved by City and Pottawatomie County Administration with the application for the Final Development Plan.
13. The existing curb cut on Lot 5 shall be eliminated.
14. No access shall be provided along McCall Road and Hayes Drive, with the exception of the proposed travel easement areas.
15. An analysis of post-construction best management practices for stormwater quality shall be conducted by the applicant at the time of application for the Final Development Plan.

PROPOSED AMENDMENT

The PUD's Preliminary Plat was approved with no development proposed on Lot 5. Condition 11 required an amendment to the PUD be submitted and approved, prior to issuance of any necessary permits for future developments.

The applicant has proposed to subdivide the recently created Lot 5 into two (2) separate lots (Lots 6 & 7, Abbott's Land, Unit Two) and construct a Dunkin Donuts drive-thru restaurant on the proposed Lot 6. No development has been proposed for Lot 7.

PROPOSED BUILDINGS, AND STRUCTURES

The PUD amendment is for an approximately 2,100 square foot Dunkin Donut drive-thru restaurant. The main entrance to the building will be on the south side. The drive-thru window will be on the west side. The building will be 17 feet to the roof line and will have an approximately 21 foot tall architectural parapets at the building entrance and drive-thru window. The exterior building materials will consist of cement board lap siding and EIFS. Corporate signage is proposed on the north, west and east walls. See the "Proposed Sign" section below.

PROPOSED SIGN:

The signage for the proposed development on Lot 6 consists of wall signs, wall mounted projecting site, a menu board, a pylon sign and directional ground signs. The direction signs, menu boards are generally exempt from the sign regulation requirements.

Building Signs			
Sign Type	Location	Dimensions	Area
Wall Sign	South Elevation	3' 10" x 8' 7"	34 sq ft
Wall Sign	South Elevation	3' 7" x 5' 6"	19 sq ft
Wall Sign	West Elevation	7' 3" x 13'	82 sq ft
Projecting Sign	West Elevation	6' x 4'	24 sq ft

Freestanding Signs			
Sign Type	Location	Dimensions	Area
Monument Sign	Southwest Entrance	4' x 8'	48 sq ft
Pylon Sign	Southeast Corner	24' tall	90 sq. ft

The pylon sign will be located on the southeast corner of the lot. The sign will be 24 feet tall and have 3 signs on it, totally 90 square feet in area.

- a 5.5 foot by 10 foot corporate sign (55 square feet),
- a 5 foot by 5 foot digital graphic sign (25 square feet),
- and a 2 foot by 5 foot sign for the drive thru (10 square feet)

Exempt sign requirements set out in Condition 10 above changed since approval of the PUD in 2014. Updated with this amendment are those exempt signs described in Article VI, Section 6-102 (A)(2)(a),(b),(c),(e),(h),(i),(j),(l), and (m) (*attached*).

PROPOSED LIGHTING:

LED lights on twenty-five (25) foot tall light poles are proposed to illuminate the site. Exterior lights on the building are also proposed to illuminate the area and to accent architectural features on the buildings. The lighting will be fully shaded and cut off at the property lines.

**MATTERS TO BE CONSIDERED WHEN AMENDING A
 PLANNED UNIT DEVELOPMENT**

1. WHETHER THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPROVED PUD, AND WILL PROMOTE THE EFFICIENT DEVELOPMENT AND PRESERVATION OF THE ENTIRE PUD: The permitted uses of the Commercial PUD was the permitted uses in the C-2, Neighborhood Shopping District, and C-5, Highway Service Commercial District, except that Convenience Stores with gasoline sales, and Sexually-Oriented Businesses shall be prohibited. The proposed drive-thru restaurant is consistent with the intent and purpose of the Commercial PUD.

2. WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN OR AROUND THE PUD, AND THE NATURE OF SUCH CONDITIONS: The proposed PUD is necessary because plans for the area of the PUD was not provided at the time of the Preliminary Development Plan. Condition #11 of the PUD required that an amendment of the PUD be submitted and approved for existing Lot 5 before development of the site can occur.

3. WHETHER THE PROPOSED AMENDMENT WILL RESULT IN A RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE OR GENERAL WELFARE, AND IS NOT GRANTED SOLELY TO CONFER A SPECIAL BENEFIT UPON ANY PERSON. The proposed PUD Amendment will result in a relative gain to the public health, safety, convenience or general welfare by providing addition retail and dining option for Manhattan. No special benefit is conferred by the proposed amendment as the public at large will benefit from the additional retail and dining options.

ADDITIONAL MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

1. LANDSCAPING: The Landscape Plan for the proposed development consists of deciduous trees on the edge of the off-street parking areas, shrubs and grasses, and lawn areas. Underground irrigation will be provided to maintain these areas.

2. SCREENING: Trash dumpster enclosures for the proposed development are shown on the application site plans. The application materials state that the trash dumpster enclosures will be constructed with masonry walls and a metal gate, and will be a minimum of six (6) feet in height. The trash enclosures will be painted to compliment the structures the enclosure is associated with.

3. DRAINAGE: The proposal development will use curb and gutters to direct stormwater runoff to area inlets in the off-street parking lots and travelways. The stormwater sewer system will then direct the stormwater to existing stormwater infrastructure along McCall Road. The City's Stormwater Engineer has reviewed the proposed development plan, accepts the design of the stormwater sewer system and has no additional comments.

The updated Flood Insurance Rate Map, effective on March 16, 2015, shows the site as being located in Zone X, Protected by Levee. The new flood zone for the site and surrounding area removes any regulatory requirement to elevate the site to protect the site from the base flood.

4. CIRCULATION: The Abbott's Landing Commercial PUD gains access from McCall Road to the south, Hayes Drive to the west and Landing Place to the east, a dedicated travel easement platted with the McCall Landing PUD. Thirty-six (36) foot wide travel easements cross the development site to connect to these adjacent roads and travel easement. The actual road way within these travel easements will be thirty (30) feet wide. The Dunkin Donut site will gain access from Alvin's Place and Hummel's Place.

The circulation pattern for the drive-thru will be for cars to travel to the north of the building and enter the single drive-thru lane with a "pass-through" lane on the west side of the building. The drive-thru lane will be able to be accessed from both curb cut on Hummel's Place and Alvin's Place.

Condition of Approval #13 of the PUD required that the curb cut on Lot 5 be eliminated. The curb cut is not proposed with the PUD Amendment.

Traffic. A traffic study was conducted with the PUD in 2014. The traffic study considered the traffic generated for the 2 drive-thru restaurants on Lots 2 & 3 and the farm and home retail store and assumed that a bank with drive-up window and a small retail shop would be located on Lot 5. The traffic study (*summary attached*) found that McCall and Hayes Drive would function at an acceptable level of service in the area with the added traffic from the proposed development. The intersection of Alvin's Place & McCall Road was projected to have an level of service F because of the issues with a vehicle leaving the site onto McCall Road and trying to attempt a left turning movement to go east on McCall Road. This poor level of service for the turning movement was accepted by the City because options exist for motorist leaving the site and wanting to go east on McCall Road.

Although the traffic study did not analysis a drive-thru restaurant on the site, the use is similar to the drive-thru bank. The City's Traffic Engineer has waived the need for an updated traffic study. The Traffic Engineer has reviewed and accepts the development plans and has no further comments.

Off-Street Parking.

The site plan for the Dunkin Donut development shows 20 off-street parking spaces. Based on the design occupancy of the building (29 occupants) and the number of full-time employees per shift (5 employees), the Manhattan Zoning Regulations would require a minimum of 15 off-street parking spaces (1 space per 3 occupants and 1 space for each employee on a single shift). The proposed site plan shows adequate off-street parking for the proposed use.

Pedestrian and Bicycle

A sidewalk is present along McCall Road, immediately to the south of the site. The Final Development Plan shows a sidewalk on the north side of the site along Hummel's Place and sidewalks connecting the proposed and existing sidewalks to the proposed building. Open space consists of lawn areas. Bicycle racks shall be provided near the proposed buildings.

5. OPEN SPACE/LANDSCAPED AND COMMON AREA: Open space consists of lawn areas and landscape areas.

6. CHARACTER OF THE NEIGHBORHOOD: The neighborhood is a mixture of highway commercial and industrial uses. The areas along McCall Road are transitioning from a historically industrial area, to a retail commercial corridor. Large box retail stores are located to east and southwest. Drive-thru restaurants are located along the five (5) lane minor arterial. There are also a number of strip mall type retail centers in the immediate area. To the north of the site, along Hayes Drive and Levee Drive and predominately industrial and office uses.

MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Vacant land following the razing of the former self-storage buildings and offices.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is relatively flat and gradually slopes to the south towards McCall Road. Before demolition of the self-storage buildings, the current site is nearly 100% developed with impervious surfaces, including buildings and concrete and gravel off-street parking lots.

3. SURROUNDING LAND USE AND ZONING:

NORTH: The proposed Orscheln Farm and Home store in the PUD, USD 383 busing facility and district kitchen, industrial business; I-2, Industrial Park District.

SOUTH: McCall Road, a 5-lane minor arterial road, Wal-mart retail store, automotive repair shop and retail strip center, industrial machine shop, fitness center, car wash, drive-thru restaurant, self-storage units and industrial research office; Wal-Mart Super Center PUD, C-5, Highway Service Commercial District and I-2 District.

EAST: Vacant commercial lot, restaurant, Menards home improvement store and retail strip center; McCall Landing PUD, Commercial Planned Unit Development.

WEST: The proposed restaurant developments in the PUD, Hayes Drive, a 2-lane local street, drive-thru restaurants, industrial research office, hotel, industrial businesses; McCall Cats PUD; C-6, Heavy Commercial District, I-2

4. CHARACTER OF THE NEIGHBORHOOD: See above under “6. CHARACTER OF THE NEIGHBORHOOD”.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site was rezoned to Commercial PUD in 2014. The proposed use is suitable for the current zoning district.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The surrounding area is transiting from an industrial area to an area concentrated with drive-thru restaurants and retail stores, some of which are big box type retail stores. The proposed development will be consistent with surrounding uses and should not adversely impact adjacent properties.

The applicant held a neighborhood meeting on August 13, 2014. According to the meeting notes, no one attended the meeting.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The Future Land Use (Northeast) map of the 2015 Manhattan Urban Area Comprehensive Plan shows the site to be Community Commercial (CC). The **PROPOSED AMENDMENT CONFORMS TO THE COMPREHENSIVE PLAN.**

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

1968	Annexation and rezoning to I-3, Light Industrial District.
1969-Present	Rezoned from I-3 District, to I-2, Industrial Park District.
October 6, 2014	Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of Abbott Landing Shopping Center from I-2, Industrial Park District, to PUD, Commercial Planned Unit District, based on the findings in the Staff Report with the fifteen (15) conditions of approval.
October 21, 2014	City Commission approves first reading of an ordinance rezoning the Abbott Landing Shopping Center from I-2, Industrial Park District, to PUD, Commercial Planned Unit District.

Attachment No. 2

- November 4, 2014 City Commission approves Ordinance No. 7104 rezoning the Abbott Landing Shopping Center from I-2, Industrial Park District, to PUD, Commercial Planned Unit District.
- January 5, 2015 Manhattan Urban Area Planning Board approves Final Plat of Abbott Landing Addition.
- January 20, 2015 City Commission accepts easements and rights-of-way as shown on the Final Plat of Abbott Landing Addition.

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. The proposed PUD is consistent with the intent and purposes of the Zoning Regulations, and the intent of the PUD Regulations, subject to the conditions of approval.

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 relative gain to the public, which denial would accomplish. No adverse impacts to the public are expected, subject to conditions of approval. Therefore, there may be a hardship to the applicant if the rezoning is denied.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: The Public Works Department – Utilities and Traffic Divisions have reviewed the proposal. Public utilities and the street network are sufficient to service the site.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS: City Administration recommends approval of the proposed amendment of Ordinance NO. 7104 and the Preliminary Development Plan of Abbott's Landing Commercial Planned Unit Development and approval of the Final Development Plan for Lot 6, Abbott's Landing Shopping Center Commercial Planned Unit Development, based on the findings in the Staff Report, subject to the following conditions of approval:

Attachment No. 2

1. Signage for shall be constructed as proposed consisting of wall signs and pylon signs.
2. The digital portion of the Dunkin Donuts pylon sign proposed on McCall Road shall be limited to a Digital Graphic Sign, as follows:
 - a. Digital Graphic Sign. A sign utilizing LED (light emitting diode), LCD (liquid crystal display), plasma, projected images, or any functionally equivalent technology, and which is capable of automated, remote or computer control to change a static image only as a “slide show” (series of images).
 - b. Duration of Message and Transitions. The sign message shall remain static for a period of not less than sixty (60) seconds. The transition from one (1) message to the next shall be direct and immediate, without any special effects including but not limited to, dissolving, fading, scrolling, starbursts and wiping, which shall be prohibited.
 - c. Image Characteristics. Digital Graphic Signs shall have a pitch of not greater than twenty (20) millimeters between each pixel.
 - d. Luminance. Between sunrise and sunset the maximum luminance shall be five thousand (5,000) nits and between sunset and sunrise the maximum luminance shall be five hundred (500) nits. All signs with a digital display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement.
3. Signs shall be provided as proposed in the application documents, and shall allow for exempt signage described in Article VI, Article VI, Section 6-102 (A)(2)(a),(b),(c),(e),(h),(i),(j),(l), and (m) of the Manhattan Zoning Regulations.

ALTERNATIVES:

1. Recommend approval of the proposed amendment of Ordinance No. 7104 and the Preliminary Development Plan of Abbott’s Landing Commercial Planned Unit Development and approval of the Final Development Plan for Lot 6, Abbott’s Landing Shopping Center Commercial Planned Unit Development, based on the findings in the Staff Report, subject to the three (3) conditions of approval.
2. Recommend denial of the proposed amendment of Ordinance No. 7104 and the Preliminary Plan of Abbott’s Landing Commercial Planned Unit Development, stating the specific reasons for denial.
3. Table the proposed Amendment to a specific date, for specifically stated reasons.

Attachment No. 2

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed amendment of Ordinance No. 7104 and the Preliminary Development Plan of Abbott's Landing Commercial Planned Unit Development and approval of the Final Development Plan for Lot 6, Abbott's Landing Shopping Center Commercial Planned Unit Development, based on the findings in the Staff Report, subject to the three (3) conditions of approval recommended by City Administration.

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

DATE: May 8, 2015

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STAFF REPORT

AN AMENDMENT OF ORDINANCE NO. 6013 AND THE APPROVED PRELIMINARY DEVELOPMENT PLAN OF MANHATTAN CHRISTIAN COLLEGE PLANNED UNIT DEVELOPMENT.

BACKGROUND

APPLICANT/OWNER: Manhattan Christian College – J. Kevin Ingram, President

ADDRESS: 1415 Anderson Avenue

LOCATION: The college campus is south of Anderson Avenue, west of N. 14th Street, north of Fairchild Avenue and generally east of N. 16th Street.

The PUD Amendment is for a vacant area of the campus northwest of the intersection of Fairchild Avenue and N. 14th Street.

AREA: 30,484 square feet (6.99 acres)

DATE OF PUBLIC NOTICE PUBLICATION: May 11, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: June 1, 2015

CITY COMMISSION: June 15, 2015

EXISTING PUD

The existing buildings and usage on the site include the following:

- **Joliffe Hall** – a 3-story building, with footprint of an approximately 5,700 square foot, that provides the campus library, lecture rooms, conference rooms and office space.
- **Donald Coffin Memorial Hall** – a 2-story structure, with a building footprint of 10,287 square feet, that is the main academic center for the Manhattan Christian College, providing classrooms and administrative offices.
- **Johnson Hall** – 3-story dormitory for men with a footprint of approximately 5,000 square feet.
- **Coffin Memorial Campus Center** – an approximately 12,000 square foot, 2-story building that is the student center with lounges, dining facilities and multi-purpose uses.

- **Kenoyer Hall** – the women’s dormitory that is approximately 7,000 square foot in area and is 3-stories tall.

Ordinance No. 6013

On July 7, 1998, the Manhattan City Commission approved the Ordinance to rezone several tracts to the Manhattan Christian College Planned Unit Development.

Ordinance No. 6107

On December 7, 1999, the Manhattan City Commission approved an Amendment to Ordinance No. 6013 and the Preliminary Development Plan to alter the approved signage and landscape plans for the PUD.

Conditions of Approval

The Conditions of Approval established by Ordinance No. 6013 are:

1. Permitted land uses shall be limited to: activities normally associated with a small college, accessory sale of textbooks and other educational supplies, food service for students, employees, guests and visitors, and the sale of tickets to the general public for college events.
2. Performance for the landscaping and irrigation shall be provided pursuant to an agreement between the City and applicant.
3. Landscaping shall be provided in accordance with the Preliminary Landscape Plan and shall be maintained in good condition.
4. A landscape berm shall be required along the entire frontage of the southern off-street parking lot along Fairchild Avenue to the curb cut along N. 14th Street, and continuous hedge plantings shall be provided along the top of the berm. The remainder of the front yard landscape space north of the curb cut along N. 14th Street shall be screened with a continuous hedge, and shall be planted at headlight height, at the time of planting. Additional street trees shall be provided along North 14th Street and Fairchild Avenue.
5. Signage shall be permitted in accordance with the proposed signage plan.
6. The proposed fire hydrants and 10 inch water mains along N. 14th Street and N. 16th Street shall be installed prior to construction of new buildings on the main campus, but not including the facilities management building.

Attachment No. 3

7. On-campus parking shall be provided on the basis of: 1 stall per 2.5 traditional students, 1 stall per full-time employee, 1 stall per MCC owned vehicle, and 1 stall per 3 part-time employees. For the purposes of determining these numbers, students, faculty and staff in the traditional Monday through Friday daytime programs shall be used.
8. All 246 proposed off-street parking spaces shall be provided at the time that the Student Life Center, Chapel-Music building, or the dormitories are constructed, regardless of enrollment levels. Before a third floor is added to the Student Life Center, parking demands shall be reassessed to determine if additional parking needs to be provided.
9. Maximum headcount enrollment shall be limited to a total headcount of 450.
10. Prior to removing existing off-street parking spaces, an equivalent number of new off-street parking spaces shall be provided on-campus, in accordance with the approved development and landscape plans.
11. The five (5) on-street parking spaces on the north side of Laramie Street shall be eliminated, the two (2) drop-off spaces for the Chapel/Music building shall be recessed to the north, and the bike lanes shall be striped and signed with appropriate bike lane signs.
12. Storm water improvements shall be privately owned, and maintained, by MCC.
13. All proposed Laramie Street improvements shall be constructed with the Chapel/Music Building, or sooner if Manhattan Christian College so chooses, including the landscaping which shall be maintained in good condition by the Manhattan Christian College.
14. The following parameters shall be taken into account by the City Engineer and the applicant's consultant in the final design of Laramie Street: maintain the eight (8) foot wide center landscape median; the two (2) drop-off spaces along the north side of Laramie Street for the Chapel/Music Building shall be recessed to the north; and, the design of the street shall incorporate space for motor vehicles, bikes, pedestrians and the angled parking on the south side of Laramie Street.
15. The City Engineer and the applicant's consultant shall consider the relocation of the facilities management building to accommodate adjacent setbacks on the north and east, and rotating the building to accommodate equal parking necessary, as an option.

The Conditions of Approval established by Ordinance No. 6107 are:

1. The signs shall be constructed as proposed in the applicant's documents.
2. Landscaping and irrigation shall be provided as proposed and shall be maintained in good condition.
3. Security for performance of the landscaping shall be provided by Agreement between the City and the applicant.

PROPOSED AMENDMENT

The applicant has proposed to amend the PUD Ordinance and the approved Preliminary Development Plan to remove the originally proposed 500-seat chapel/music hall, construct a newly designed Student Life Center, alter the layout of the off-street parking lots, slightly alter the design of the Laramie Street center landscape median, and to alter the following conditions of approval:

4. A landscape berm shall be required along the entire frontage of the southern off-street parking lot along Fairchild Avenue to the curb cut along N. 14th Street, and continuous hedge plantings shall be provided along the top of the berm. The remainder of the front yard landscape space north of the curb cut along N. 14th Street shall be screened with a continuous hedge, and shall be planted at headlight height, at the time of planting. Additional street trees shall be provided along North 14th Street and Fairchild Avenue. *The proposed landscape plan associated with the Student Life Center does not show the required landscape berm or hedge row. City Administration is recommending that the requirement be modified to accommodate the proposed stormwater detention basin near the intersection of N. 14th Street and Fairchild Avenue.*
8. All 246 proposed off-street parking spaces shall be provided at the time that the Student Life Center, Chapel-Music building, or the dormitories are constructed, regardless of enrollment levels. Before a third floor is added to the Student Life Center, parking demands shall be reassessed to determine if additional parking needs to be provided. *The applicant would like to phase in the required off-street parking spaces based on construction of Student Life Center and 2 dormitories. (See Off-street Parking Section*
9. Maximum headcount enrollment shall be limited to a total headcount of 450. *Both the applicant and City Administration have proposed to eliminate this condition of approval. The applicant has shown through the application materials that the College will most likely not reach this limit and has the physical capacity within its building and available land to have no more than approximately 450 students. City Administration has limited ways to monitor the College enrollment and has virtually no way to enforce this enrollment restriction.*

13. All proposed Laramie Street improvements shall be constructed with the Chapel/Music Building, or sooner if Manhattan Christian College so chooses, including the landscaping which shall be maintained in good condition by the Manhattan Christian College. *The Chapel/Music Building is being eliminated from the PUD plans. City Administration is proposing to remove this condition and allow the Manhattan Christian College to decide when the median should be installed.*

14. The following parameters shall be taken into account by the City Engineer and the applicant's consultant in the final design of Laramie Street: maintain the eight (8) foot wide center landscape median; the two (2) drop-off spaces along the north side of Laramie Street for the Chapel/Music Building shall be recessed to the north; and, the design of the street shall incorporate space for motor vehicles, bikes, pedestrians and the angled parking on the south side of Laramie Street. *City Administration is recommending this condition of approval be modified to state that; "The final design of the Laramie Street improvements shall be approved by the City Engineer prior to construction."*

Proposed Buildings and Structures

As previously mentioned, the 500-seat Chapel/Music Building is to be removed from the Campus Master Plan. In its place will be an off-street parking lot (reference the Off-Street Parking Section for more details).

The proposal to construct a new Student Life Center/Gymnasium will generally be in the vacant area of the campus along N. 14th Street. The building will be the campus indoor athletic center, including a full size basketball/volleyball court with seating for up to 250 spectators, 3 locker rooms, a weight room, an athletic training room, concession stand, 2 office spaces, a conference room and restrooms. Mechanical rooms and storage areas are also shown on the building plans.

The new building will be approximately 16,800 square feet in area and be 32 feet tall. The main access to the new building will be on the northwest side of Student Life Center, and another significant entrance is on the southwest corner of the building. An outdoor plaza is shown to the west of the building that will include outdoor seating and gathering areas. A loading area is shown on the southeast corner of the building.

The proposed Student Life Center's exterior material will be corrugated metal panels, insulated panels and wood trellis and limestone columns as building accents.



Other elements of the Campus Master Plan, such as the 2 future dormitories and the campus layout have not been proposed to change. The Laramie Street center median has decreased in size and scope from the approved Preliminary Development Plan.

Phasing

The application materials show the improvements shown on the Campus Master to occur in 2 phases.

Phase I

- Off-street parking lot north of Laramie Street (2015 – 2016)
- Student Life Center (2016 – 2017)

Phase II

- Housing Facilities (as fundraising accommodates)
 - Detention Pond (with construction project)
- Laramie Street Construction (as fundraising accommodates)
 - Utility Improvements (with street improvement project)
- Johnson Hall Renovations (as fundraising accommodates)

PROPOSED SIGNAGE:

The new Student Life Center will have a ground identification sign that is approximately, 5 foot by 3 foot (15 square feet) with an overall height of 6 feet.

Other signage proposed for the campus has not changed from the 1999 PUD Amendment. Signage proposed for the campus will include approximately 8-foot wide by 6-foot ground signs on a limestone base to be located on the corners of the campus and approximately 4-foot wide by 13-foot tall limestone based with a street light on top and a small MCC sign for treatment along streets within the campus.

The Exempt Sign requirements/citation set out in Condition 9 above changed since approval of the PUD in 2008. Updated with this amendment are those exempt signs described in Article VI, Section 6-102 (A)(2)(a),(b),(c),(e),(f),(g),(h),(i),(j),(k),(l),(m) of the Manhattan Zoning Regulations (*attached*).

PROPOSED LIGHTING:

The application materials state that “Campus lighting will be designed to enhance security and aesthetics. Light standards in parking areas will provide primary security lighting with lamps and fixtures elevated to provide a broad pattern of illumination for security along with directional and shielding capabilities to prevent glare on adjacent neighborhoods. Supplemental sidewalk pedestrian scale and building entry lighting with a lower level of illumination will be used.”

The site plans show the location of the proposed lighting. The Zoning Regulations require that lighting shall be shielding to prevent lighting from impacting adjacent properties.

**MATTERS TO BE CONSIDERED WHEN AMENDING A
PLANNED UNIT DEVELOPMENT**

1. WHETHER THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPROVED PUD, AND WILL PROMOTE THE EFFICIENT DEVELOPMENT AND PRESERVATION OF THE ENTIRE PUD: The PUD Amendment is to eliminate the originally proposed Chapel/Music building, replace it with an off-street parking lot, modify the originally proposed Student Life Center building and update, modify or eliminate conditions of approval of the PUD.

The proposed amendment to the PUD is consistent with the intent and purpose of the approved PUD. The Student Life Center was originally proposed with the 1998 PUD rezoning. The amendment modifies its design and size. The conditions of approval that are being required to be modified or eliminated are necessary to allow the campus to grow through student enrollment and campus needs.

2. WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN OR AROUND THE PUD, AND THE NATURE OF SUCH CONDITIONS: The proposed amendment is made necessary because the Manhattan Christian College believes it needed the Student Life Center/Gymnasium due to proposed renovations to the City Hall Auditorium. Currently the Manhattan Christian College rents the City Hall Auditorium for its volleyball, and men's and women's basketball programs. The extensive renovations proposed for the auditorium could leave them without a place to play these team sports. Other modifications, including elimination of the originally proposed Chapel/Music building and replacing it with an off-street parking lot necessitate the amendment.

The other modifications to the Campus Master Plan and original PUD's conditions of approval are based on current needs of the campus and funding availability to address the conditions of approval. Condition #8 required all 246 off-street parking spaces be provided at the time the Student Life Center is constructed, regardless of enrollment. The applicant has stated that funds are not available to construct all of the future off-street parking spaces, nor is there a need for the total parking spaces because of the current and near-future enrollment and sizes of campus activities.

3. WHETHER THE PROPOSED AMENDMENT WILL RESULT IN A RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE OR GENERAL WELFARE, AND IS NOT GRANTED SOLELY TO CONFER A SPECIAL BENEFIT UPON ANY PERSON: The proposed PUD amendment will benefit the general public by providing improvements to an existing institution of higher education in the City. A secondary benefit of facilitating the Manhattan Christian College to construct the revised Student Life Center/Gymnasium is the addition of indoor recreation space and availability to the public through the Park and Recreation Department.

The PUD amendment is necessary, in part, because of Condition #8 which requires the total off-street parking be constructed with the Student Life Center/Gymnasium, regardless of the current and near future needs of the campus.

ADDITIONAL MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

1. LANDSCAPING: A variety of deciduous and ornamental trees, evergreen trees and bushes decorative grass, ground cover and flower beds are proposed throughout the site for the Student Life Center/Gymnasium.

The 1998 PUD Ordinance required landscape berm and hedge row be planted along the southern edge of the off-street parking lot along Fairchild Avenue and along the east property line along N. 14th Street. This landscape berm and hedge row has not been installed to date.

2. SCREENING: No specific screening is proposed with the Student Life Center.

As mentioned above, the 1998 PUD required a landscape berm and hedge row be planted along Fairchild Avenue and N. 14th Street to screen/buffer the large off-street parking lot from the neighborhood. This landscape screening has not been planted. A stormwater detention basin is now proposed at the southeast corner of the campus near the intersection of Fairchild Avenue and N. 14th Street. City Administration is recommending that this original condition of approval be modified to accommodate the proposed detention basin. The recommended condition of approval is as follows:

“A 30 inch tall landscape buffer shall be required along the entire frontage of the southern off-street parking lot along Fairchild Avenue to the western edge of the stormwater detention basin and rain garden area, consisting of a landscaped berm with continuous hedge plantings along the top of the berm, or just continuous hedge plantings. The remainder of the front yard landscape space north of the stormwater detention basin along N. 14th Street shall be buffered with a continuous hedge, and shall be 30 inches tall at the time of planting. The required landscape buffers shall not encroach into any vision triangles or sight distance lines. The landscape buffer along Fairchild Avenue shall be installed at the time of the construction of the Student Life Center/Gymnasium. The landscape buffer along N. 14th Street shall be installed with the adjacent Phase II parking expansion.”

3. DRAINAGE: The applicant’s consultant, Alfred Benesch & Co., has conducted a stormwater drainage study for the proposed Campus Master Plan. The site currently drains to the surrounding public street system and utilizes street curbs and gutters and underground stormwater sewer systems along Anderson Avenue, Laramie Street, Fairchild Street, N. 14th Street and N. 16th Street.

The majority of the improvements to the campus are to be to the south of Laramie Street. The drainage study of the Campus Master Plan concluded that a 160 foot long by 30 foot wide and 2 to 3.5 foot deep above-ground detention basin should be constructed at the southeast corner of the campus to meet the City’s pre-development vs. post-development stormwater runoff rate requirements.

Pre- vs. – Post Development Stormwater Runoff Comparison			
	2-Year (cfs)	10-Year (cfs)	100-Year (cfs)
Existing Conditions	16.12	22.24	31.72
Post Construction	16.59	22.33	31.05
	0.47	0.09	-0.67

The pre- vs. post-construction comparison shows a slight increase in the rate of stormwater runoff for the 2-year and 10-year storms.

The City’s Stormwater Engineer has reviewed drainage report and accepts its findings that a stormwater detention basin is required for the Campus Master Plan. Currently the public stormwater infrastructure is under capacity and causes surges in the underground stormwater sewer system in the area at events of 5 years or less. Because of the lack of capacity in the public underground infrastructure, City Administration recommends that the detention basin shall be constructed with the housing construction proposed in Phase 2 of the Campus Master Plan. By delaying the installation of the required detention basin, it will provide time for the City to address the capacity issues in the watershed and alleviate the surcharging issues in the underground infrastructure in the area.

4. CIRCULATION: The applicant’s consultant, Alfred Benesch & Co., has conducted a traffic analysis for the proposed Campus Master Plan. Using the most comparable land uses listed in the Institute of Transportation Engineers (ITE) Trip Generation Handbook for the existing conditions and completed Campus Master Plan. The analysis assumed a reduction factor of 75% of the total trips generated for the campus because of the fact that students would be living in the campus housing options and thus not driving daily to campus for classes and meetings. The traffic analysis estimates that a net increase of 185 vehicles per day will be added to the surrounding street network, with a total of 11 trips occurring during the A.M. Peak Hour and 19 trips generated during the P.M. Peak Hour. The City’s Traffic Engineer has reviewed the traffic study and accepts its findings.

Vehicular Access. Access to the Campus parking is from a variety of curb cuts off of N. 14th Street, N. 16th Street, Fairchild Avenue and Laramie Street. No vehicular access is provided off of Anderson Avenue. The Campus Master Plan shows the new off-street parking lot north of Laramie Street will gain access from Laramie Street. The existing off-street parking lot to the south of Joliffe Hall will be removed and replaced with a Fire Department access lane that runs from the new parking lot to N. 14th Street.

A curb cut onto Fairchild Avenue currently exists for the existing parking lot near Kenoyer Hall. A curb cut is proposed to the north of the Hall onto N. 16th Street, to be installed with the construction of the new dormitories in the second phase.

Attachment No. 3

A curb cut is proposed to the south of the Student Life Center onto N. 14th Street. The proposed phasing plan for the Campus Master Plan shows the new curb cut to be constructed with the Student Life Center connecting to the existing off-street parking lot to the south of Coffin Memorial Hall. Twenty-two (22) new off-street parking spaces and the loading area associated with the new building will be provided from this curb cut. Completion of the Campus Master Plan will have the new N. 14th Street curb cut be another access point to the proposed large off-street parking lot servicing the campus.

Laramie Street Improvements. The proposed Campus Master Plan shows a revised median and raised pedestrian crossing on Laramie Street. Generally speaking, the center median has decreased in size to accommodate the narrow right-of-way (50 feet in width). Condition #14 of Ordinance No. 6013 stated:

The following parameters shall be taken into account by the City Engineer and the applicant's consultant in the final design of Laramie Street: maintain the eight (8) foot wide center landscape median; the two (2) drop-off spaces along the north side of Laramie Street for the Chapel/Music Building shall be recessed to the north; and, the design of the street shall incorporate space for motor vehicles, bikes, pedestrians and the angled parking on the south side of Laramie Street.

The drop-off area that was originally proposed has now been eliminated. The design of the street improvements have changed to show a center median that is approximately 4.5 feet wide, and a 14.5 foot driving lane on each side of the median. City Administration recommends altering the condition of approval to require that the street improvements meet all applicable City street design criteria at the time of the construction.

Condition #13 of the original PUD ordinance required that the Laramie Street improvements be installed with the Chapel/Music building. City Administration is not aware of any current factors that would dictate the construction of these street improvements beyond the Manhattan Christian College's desires. City Administration is recommending that this condition be eliminated.

Pedestrian and Bicycle Access. Sidewalks are provided throughout the campus to provide for students and the general public pedestrian access to the campus and surrounding commercial and residential areas. A marked pedestrian crossing is currently located near Coffin Memorial Campus Center. Bicycle racks are provided throughout campus at the dormitories and classroom buildings.

New crosswalks and a curb bulb-out on N. 14th Street are proposed at the intersection of N. 14th Street and Laramie Street to improve the pedestrian connectivity and safety to and from the Aggieville Business District to the east. This street improvement will be installed with the new Student Life Center. The City's Traffic Engineer has noted in his memo, dated May 19, 2015 that improvements at the intersection is needed due to poor sight distance and high volumes of pedestrians crossing at 14th Street. The Traffic Engineer states "Design for the improvements that are identified will need to be reviewed at a later date to ensure compliance with City of Manhattan design standards and specifications."

The street improvements proposed for Laramie Street during the second phase will include a raised pedestrian crossing to improve pedestrian safety across the campus.

Because of the width of the Laramie Street right-of-way (50 feet), dedicated bicycle lanes are not feasible; however, "Share the Lane" applications could be implemented with the future street improvements.

Off-Street Parking. The 1998 Manhattan Christian College PUD was approved with a parking ratio of 1 space for every 2.5 students enrolled at MCC, 1 space for each full time employee and 1 space per 3 part-time employees. The Preliminary Development Plan was approved with 246 off-street spaces shown throughout the campus.

Two-hundred and three (203) off-street parking stalls are present on the MCC campus. These parking spaces are not open to the general public and are managed by a permit system through MCC. In addition to the available off-street parking on campus, 15 on-street parking spaces exist in the orange parking permit zone, which is located on the south side of Laramie Street from N. 14th Street to N. 16th Street, and the east side of N. 16th Street from Laramie Street to Fairchild Avenue. Because of the standard City on-street parking permit process, MCC has the vast majority of parking permits for the 15 spaces (a total of 38 permits are managed by the college). Currently, a total of 218 spaces are provided on campus and on the streets within the campus.

With the reconfiguration of the campus and construction of the new off-street parking lot north of Laramie Street (39 stalls), the Student Life Center and associated parking (19 stalls), 232 spaces will be available on campus and the adjacent orange zone. With the complete build out of the proposed Campus Master Plan, 240 stalls will be provided on campus including the 16 angled stalls along the south side of Laramie Street. With additional 6 on-street stalls along the north side of Laramie Street and on-street stalls along N. 16th Street there will be approximately 255 total spaces provided on campus and along the internal public streets.

Attachment No. 3

Because of a variety of factors located in the surrounding area, parking congestion in the neighborhood to the south, west and east is a concern. The applicant's consultant has analyzed the parking requirements of the college campus to determine if the proposed number of parking stalls is adequate. The traditional student enrollment in 2014 was 262 students with 65 MCC faculty, staff and campus vehicles. One-Hundred Sixty (160) of the 262 MCC students are housed on campus in dormitories. Based on the parking ratios established by the original PUD ordinance, there is an excess of about 48 parking spaces on the campus under the current conditions.

As a point of reference, over the last 25 years, the lowest enrollment has been 208 students and the maximum enrollment was 350 students, with a simple average of 279 students. The applicant used an annual growth rate of student population of 2.5%. The applicant admittedly states that this is an aggressive growth rate, but it does provide a conservative approach to determining if the future growth of the College will cause on-street parking issues in the surrounding neighborhood. In the next 10 years, it is anticipated that 336 students will attend MCC, with 74 faculty and campus vehicles. The minimum amount of parking required in this scenario will be 209 parking spaces. Based on MCC's projected growth rate and their parking analysis and based on the assumption that the Campus Master Plan will be built out, a surplus of approximately 46 parking spaces would be available. Using the campus' historic maximum student population of 350 students and the anticipated maximum 74 faculty members, staff and campus vehicles, 214 off-street parking spaces would be needed. At the completion of the Campus Master Plan, adequate parking should be available.

City Administration evaluated if adequate parking would be available at the time of construction of the new Student Life Center in 2016. With its construction, an additional 14 spaces will be added, for a total of 232 off-street spaces around campus and on-street spaces in the orange parking zone. The growth of the campus (student populations and MCC faculty) is projected to be 283 in 2017 with 66 faculty members, staff and campus vehicles, for a minimum parking requirement of approximately 180 spaces. The applicant noted that sporting events held at the Student Life Center will generally occur in the evening hours after classes are held on campus and when traditional staff, faculty and business hours are over.

In addition to the parking analysis, the applicant noted the following factors to consider when evaluating if adequate parking is available for the campus.

- Due to classroom and building capacity in the current and proposed buildings and space limitations of the campus, a maximum of approximately 450 students can attend the campus.
- The upper class students (Junior & Senior) live off campus and many within walking distance.

Attachment No. 3

- Increase in city transit systems help with transportation needs and parking around campus.
- With the gymnasium games being primarily in the evening hours, students participating in those events will be out of class and dismissed their vehicles from the parking lot and streets.
- Public parking exists less than one block away to the east on 14th Street next to Varney's.
- Public parking exists about 2 blocks away to the southeast in City Park.

Considering the parking analysis and the stated factors, adequate parking should be available for the current and future conditions of the Manhattan Christian College.

The 1998 PUD placed a condition of approval that a maximum of 450 students can attend the campus. City Administration has limited ways to track the student enrollment and in reality has no way to effectively enforce the student enrollment cap placed by the original PUD ordinance. MCC has stated that the college's physical capacity to accommodate students is approximately 450. Because enrollment capacity will be somewhat self regulating due to physical constraints, City Administration is recommending that Condition No. 9 be eliminated.

5. OPEN SPACE/LANDSCAPED AND COMMON AREA: Being a college campus, the majority of the site is common area. Two large landscaped open spaces currently existing are the grass area surrounding the Clarion Tower and the open space to the east of Coffin Memorial Campus Center, which includes an outdoor basketball court and sand volleyball court. This open space is where the Student Life Center will be located. An outdoor plaza area is proposed on the west side of the Student Life Center.

6. CHARACTER OF THE NEIGHBORHOOD: The surrounding neighborhood is a mixture of owner occupied single-family homes, single-family rental homes, two-family dwellings, multiple-family dwellings to the south and west, the Aggieville Business District to the east and the Kansas State University campus to the north. The Anderson Village mixed-use PUD development is located immediately to the northwest of the campus.

MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: The Manhattan Christian College (MCC) campus includes administration and classroom buildings, dorms, residential structures and apartments, a student center, parking lots and open space areas. The Student Life Center will be constructed on a currently vacant portion of the campus containing an outdoor basketball court and sand volleyball court.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The campus is relatively flat and drains to the adjacent streets. The location of the new Student Life Center is currently an open space with outdoor basketball court and sand volleyball court.

3. SURROUNDING LAND USE AND ZONING:

- (a) **NORTH** - Anderson Avenue right-of-way, a 5-lane minor arterial road K.S.U. campus; U, University District
- (b) **SOUTH** – Fairchild Avenue, a local residential street and a residential neighborhood consisting of a mix of single-family homes, two-family dwellings and multiple-family dwellings; R-1/TNO, Single-Family Residential District with Traditional Neighborhood Overlay District.
- (c) **EAST** - N. 14th Street right-of-way and West end of Aggieville area including convenience store strip center, fast food restaurant; C-3, Aggieville Business District
- (d) **WEST** – N. 16th Street ROW, a local residential street, Anderson Village mixed use development and a mix of two-family and multiple-family dwellings, Anderson Village PUD, R-3/UO, Multiple-Family Residential District and University Overlay District.

4. GENERAL NEIGHBORHOOD CHARACTER: See above under **6, CHARACTER OF THE NEIGHBORHOOD.**

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The campus is zoned PUD specifically for the Manhattan Christian College. The PUD Amendment is required because of the applicant's desire to alter or remove conditions of approval from the current PUD Ordinance and to update and revise the Preliminary Development Plan (Campus Master Plan).

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed PUD Amendment of the approved Preliminary Development Plan and the conditions of approval is compatible with nearby properties. The changes to the Campus Master Plan reflect the College's current and future needs and are only minor adjustments to the original Preliminary Development Plan. The applicant's analysis of the parking needs of the students, visitors, faculty and staff shows there is adequate parking available on the campus now and in the foreseeable future. The changes to the conditions of approval to the PUD are to address the realities of the campus, while ensuring that the surrounding properties will not be adversely impacted.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The Manhattan Christian College PUD was previously found to be in conformance with the Comprehensive Land Use Plan. The Plan designates the northern block of the MCC campus as SP, Public/Semi-public, the southern block as RHD, Residential High Density, and the northeast corner of N. 16th Street and Fairchild Avenue as RMH, Residential Medium to High Density, in recognition of the educational institution and its dormitory buildings (*see attached Comprehensive Land Use Plan map*).

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

1926	B, Second Dwelling House District.
1964	Rezone to B-1, Multi-Family District.
1969	Rezoned to R-3/UO, Multiple Family Residential District with University Overlay.
1986	Manhattan Christian College rezoned to PUD (Ordinance No. 4343).
1993	MCC rezoned to a new PUD (Ordinance No. 4788).
May 5, 1997	Manhattan Urban Area Planning Board conducts public hearing for a new MCC PUD, and tables request.
August 14, 1997	MCC withdraws new PUD request.
May 4, 1998	Manhattan Urban Area Planning Board recommends approval of new MCC PUD.
May 19, 1998	City Commission approves first reading of rezoning.
November 1, 1999	Manhattan Urban Area Planning Board conducts public hearing for an amendment of the PUD's sign and landscape plans and approves Final Development Plan for sign and landscape plans.
November 16, 1999	City Commission approves first reading of the amendment.
December 7, 1999	City Commission considers approval of Ordinance No. 6107 to amend the PUD as proposed.

Attachment No. 3

- January 3, 2000 Manhattan Urban Area Planning Board approves Final Plat, Manhattan Christian College, Planned Unit Development, Unit 1 and Phase I of the Final Development Plan: Facilities Management Building.
- August 20, 2001 Manhattan Urban Area Planning Board approves Final Development Plan for Phase II: Jolliffe Hall.
- February 21, 2008 Manhattan Urban Area Planning Board approves Final Development Plan for Phase II: Jolliffe Hall (*Note: A building permit was not obtained within 18 months of approval in 2001 and new Final Plan approval was required.*)

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. The proposed PUD is consistent with the intent and purposes of the Zoning Regulations, and the intent of the PUD Regulations, subject to the conditions of approval.

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 APPLICANT: There appears to be no relative gain to the public, which denial would accomplish. Landscape screening is required to minimize visual impact from the off-street parking lots to the adjacent properties or vehicles, pedestrians or bicycles on the adjacent roadways. Storm drainage, pedestrian and traffic improvements are being addressed through the PUD proposal and conditions of approval. No adverse impacts to the public are expected. There may be a hardship to the applicant if the amendment is denied.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: ADEQUATE PUBLIC FACILITIES EXIST TO SERVICE THE CAMPUS. THE APPLICANT HAS PROPOSED TO UPGRADE AND RELOCATE EXISTING SANITARY SEWER AND WATER SERVICE TO NEW BUILDINGS AND TO MOVE IT AWAY FROM THE PROPOSED CENTER MEDIAN ON LARAMIE STREET.

Storm drainage, pedestrian and traffic improvements are being addressed through the PUD proposal and conditions of approval.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS: City Administration recommends approval of the amendment to Ordinance No. 6013 and the approved Preliminary Development Plan of the Manhattan Christian College Planned Unit Development, subject to the following conditions:

1. Replace Condition No. 4 of Ordinance No. 6013 with the following: A 30 inch tall landscape buffer shall be required along the entire frontage of the southern off-street parking lot along Fairchild Avenue to the western edge of the stormwater detention basin and rain garden area, consisting of a landscaped berm with continuous hedge plantings along the top of the berm, or just continuous hedge plantings. The remainder of the front yard landscape space north of the stormwater detention basin along N. 14th Street shall be buffered with a continuous hedge, and shall be 30 inches tall at the time of planting. The required landscape buffers shall not encroach into any vision triangles or sight distance lines. The landscape buffer along Fairchild Avenue shall be installed at the time of the construction of the Student Life Center/Gymnasium. The landscape buffer along N. 14th Street shall be installed with the adjacent Phase II parking expansion.
2. Replace Condition No. 8 of Ordinance No. 6013 with the following: Off-street parking shall be installed as described in the application documents and as shown on the phasing plans.
3. Condition No. 9 of Ordinance No. 6013 shall be eliminated as it has been determined to be unnecessary.
4. Condition No. 11 of Ordinance No. 6013 shall be eliminated as it has been determined to be unnecessary.
5. Condition No. 13 of Ordinance No. 6013 shall be eliminated as it has been determined to be unnecessary.
6. Replace Condition No. 14 of Ordinance No. 6013 with the following: Final design of the street improvements on Laramie Street shall be approved by the City Engineer.
7. The proposed stormwater detention basin shall be installed with the improvements proposed in Phase II.

8. Intersection improvements at N. 14th Street and Laramie Street shall be completed with the construction of the Student Life Center. The final design of the intersection improvements shall be approved by the City Engineer.
9. Signs shall be provided as proposed in the application documents, and shall allow for exempt signs described in Article VI, Section 6-102 (A)(2)(a),(b),(c),(e),(f),(g),(h),(i),(j),(k),(l),(m) of the Manhattan Zoning Regulations.

ALTERNATIVES:

1. Recommend approval of the proposed amendment of Ordinance No. 6013 and the approved Preliminary Development Plan of the Manhattan Christian College Planned Unit Development, based on the findings in the Staff Report with the nine (9) conditions of approval.
2. Recommend denial of the proposed amendment of Ordinance No. 6013 and the approved Preliminary Development Plan of the Manhattan Christian College Planned Unit Development, stating the specific reasons for denial.
3. Table the proposed Amendment to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed amendment of Ordinance No. 6013 and the Preliminary Development Plan of the Manhattan Christian College Planned Unit Development, based on the findings in the Staff Report, subject to the 9 conditions of approval recommended by City Administration.

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

DATE: May 22, 2015

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