



***MINUTES***  
***CITY COMMISSION MEETING***  
***TUESDAY, JULY 7, 2015***  
***7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor 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, 10 staff, and approximately 60 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor McCulloh led the Commission in the Pledge of Allegiance.

**PROCLAMATIONS**

Mayor McCulloh proclaimed July 14, 2015, ***Kiwanis International Day***. Doug Meloan, President; Victor Steiner, Treasurer; Loren Alexander, President Elect; Laurie Johnson, Secretary; and Kent Foster, Community Service, Manhattan Kiwanis Club; and Mary Scharfe, President; and Ron Williams, Secretary, Solar Kiwanis Club, were present to receive the proclamation.

Mayor McCulloh proclaimed July 25, 2015, ***Kansas All-Star Football Shrine Bowl Day***. Colton Wagner, Kansas Shrine Bowl Football participant from Manhattan, and Philip Rowe, President; Rex Boatman, Secretary; Rod Kalivoda, Treasurer; and Dave Davis and Dick Dunham, Directors, Manhattan Shrine Club; Ike Bartels, Director, Shrine Bowl; and Sarah Van Petten, Executive Director, Kansas Shrine Bowl, were present to receive the proclamation.

Mayor McCulloh proclaimed July 2015, ***Park and Recreation Month***. Eddie Eastes, Director; Angie Sutton, Community Relations Director; and Casey Smithson, Park Superintendent, City of Manhattan Parks and Recreation Department, and two youth Parks and Recreation participants were present to receive the proclamation.

## PUBLIC COMMENTS

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

## COMMISSIONER COMMENTS

Commissioner Reddi stated that she hoped that everyone had a great Fourth of July holiday and enjoyed the band performances in City Park and the regional fireworks and activities in Wamego and Junction City. She informed the community that the City of Manhattan is continuing to recruit lifeguards; so if you are interested, contact the City's Parks and Recreation Department. She also encouraged citizens to take advantage of the many activities offered by the Parks and Recreation Department and to drive safely due to the many construction projects underway in the community.

Mayor McCulloh informed the community that Manhattan offers a good balance of parks and recreational activities, camps and programs to enjoy. She highlighted activities at the Flint Hills Discovery Center including Homebrewing in the Flint Hills on Thursday, July 16, 2015; Wolf Spider Night Walk on Friday, July 17, 2015; and a Primitive Skills Workshop on Saturday, July 18, 2015. She encouraged citizens to go paperless with their water bills and to sign-up on the City's website. Finally, she encouraged those interested in learning more about the proposed electricity rate proposal from Westar Energy and solar energy use to attend the Flint Hills Renewable Energy and Efficiency Cooperative meeting on Thursday, July 16, 2015, at the Manhattan Public Library.

## CONSENT AGENDA

(\* denotes those items discussed)

### MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, June 16, 2015.

### CLAIMS REGISTER NO. 2795

The Commission approved Claims Register No. 2795 authorizing and approving the payment of claims from June 10, 2015, to June 30, 2015, in the amount of \$4,198,309.49.

## CONSENT AGENDA (CONTINUED)

### ORDINANCE NO. 7145 – AMEND PRELIMINARY DEVELOPMENT PLAN – MANHATTAN CHRISTIAN COLLEGE PUD

The Commission approved Ordinance No. 7145 amending Ordinance No. 6013 and the Preliminary Development Plan of Manhattan Christian College Planned Unit Development, generally located south of Anderson Avenue, west of North 14<sup>th</sup> Street, north of Fairchild Avenue, and generally east of North 16<sup>th</sup> Street, based on the findings in the Staff Report (*See Attachment No. 1*), subject to nine (9) conditions of approval.

### ORDINANCE NO. 7146 – REASSESS SPECIAL ASSESSMENTS – HERITAGE SQUARE SOUTH, UNIT FOUR, PUD

The Commission approved Ordinance No. 7146 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, and amending and supplementing Ordinance No. 6686 and Ordinance No. 6712.

### AGREEMENT FOR REASSESSMENT OF SPECIAL ASSESSMENTS – HERITAGE SQUARE SOUTH, UNIT FOUR, PUD

The Commission authorized the Mayor and City Clerk to execute an Agreement for Reassessment of Special Assessments and Waiver of Assessment Proceedings for Heritage Square South, Unit Four, PUD.

### ORDINANCE NO. 7147 – REASSESS SPECIAL ASSESSMENTS – HEARTLAND ADDITION

The Commission approved Ordinance No. 7147 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 and amending and supplementing Ordinance No. 6252.

### AGREEMENT FOR REASSESSMENT OF SPECIAL ASSESSMENTS – HEARTLAND ADDITION

The Commission authorized the Mayor and City Clerk to execute an Agreement for Reassessment of Special Assessments and Waiver of Assessment Proceedings for the Heartland Addition.

### PUBLIC HEARING – LEVY SPECIAL ASSESSMENTS – GENERAL OBLIGATION BOND SERIES 2015-B

Mayor McCulloh opened the public hearing.

Hearing no comments, Mayor McCulloh closed the public hearing.

## CONSENT AGENDA (CONTINUED)

### FIRST READING – LEVY SPECIAL ASSESSMENTS – GENERAL OBLIGATION BOND SERIES 2015-B

The Commission approved first reading of an ordinance 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)*.

### PUBLIC HEARING – VACATE DRAINAGE EASEMENT – LOTS 78-82 AND 97-101, SCENIC MEADOWS, UNIT THREE

Mayor McCulloh opened the public hearing.

Hearing no comments, Mayor McCulloh closed the public hearing.

### FIRST READING – VACATE DRAINAGE EASEMENT – LOTS 78-82 AND 97-101, SCENIC MEADOWS, UNIT THREE

The Commission approved first reading of an ordinance vacating a portion of the drainage easement on Lots 78-82 and Lots 97-101 in Scenic Meadows, Unit Three.

### PUBLIC HEARING – VACATE DRAINAGE EASEMENT – LOTS 1-8, DAISY MEADOW ADDITION

Mayor McCulloh opened the public hearing.

Hearing no comments, Mayor McCulloh closed the public hearing.

### FIRST READING – VACATE DRAINAGE EASEMENT – LOTS 1-8, DAISY MEADOW ADDITION

The Commission approved first reading of an ordinance vacating drainage and conservation easements on Lots 1-8 in Daisy Meadow Addition.

### RESOLUTION NO. 070715-A – SPECIAL EVENT WITH ALCOHOL PERMIT – RHYTHM AND BREWS

The Commission approved Resolution No. 070715-A authorizing the consumption of alcohol in City Park, within a restricted area, for the Rhythm and Brews Special Event to be held on July 31 and August 1, 2015.

### \* RESOLUTION NO. 070715-B – AMENDED PETITION – OLYMPIC ADDITION – STREET IMPROVEMENTS (ST1418)

Ron Fehr, City Manager, provided additional information on the item.

## CONSENT AGENDA (CONTINUED)

\* **RESOLUTION NO. 070715-B – AMENDED PETITION – OLYMPIC ADDITION – STREET IMPROVEMENTS (ST1418) (CONTINUED)**

The Commission found the amended petition sufficient, and approved Resolution No. 070715-B finding the project advisable and authorizing construction and amending Resolution No. 091614-B for the Olympic Addition Street Improvements (ST1418).

\* **AUTHORIZE – APPLICATION AND PAYMENT – SECTION 404 PERMIT – OLYMPIC ADDITION**

Ron Fehr, City Manager, provided additional information on the item.

The Commission authorized the City Engineer to complete an application for and issue payment in the amount of \$117,000.00, and execute a Section 404 permit from the United States Army Corp of Engineers (USACE) for the Olympic Addition in order to allow construction to proceed.

\* **MEMORANDUM OF AGREEMENT – SEWER EASEMENT – CENTRAL BASIN LOVER’S LANE SANITARY SEWER IMPROVEMENT PROJECT (SS1511, CIP #WW010P)**

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

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute a Memorandum of Agreement with Kansas State University concerning a sewer project easement for the Central Basin Lover’s Lane Sanitary Sewer Improvements project (SS1511).

\* **CHANGE ORDER NO. 2 – CENTRAL BASIN DENISON AVENUE/ANDERSON AVENUE SANITARY SEWER IMPROVEMENTS (SS1509, CIP #WW010P)**

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

The Commission approved and authorized the Mayor to execute Change Order No. 2 in the amount of \$33,481.00 (+4.8%) to the contract with Nowak Construction Co., Inc., of Goddard, Kansas, for the Central Basin Denison Avenue/Anderson Avenue Sanitary Sewer Improvements (SS1509), expanded to include a Lover’s Lane diversion into the Thurston Street system.

## CONSENT AGENDA (CONTINUED)

\* **NEGOTIATE CONTRACT – ATHLETIC FIELD BASE CONSTRUCTION - ANNEBERG PARK IMPROVEMENTS (CP1405, CIP #RC031P, CIP #RC033P, AND CIP #CP157P)**

Commissioner Reddi requested that the item be moved to the end of the General Agenda.

\* **AWARD CONTRACT – 2405 VAUGHN DRIVE - CDBG HOUSING REHABILITATION PROGRAM**

Commissioner Butler stated that he would abstain on the item due to a conflict of interest.

The Commission accepted the bids for 2405 Vaughn Drive; awarded the bid to the lowest responsible bidder Economy Carpentry, Painting & Concrete, of Manhattan, Kansas, in the amount of \$11,925.00; authorized the Mayor and City Clerk to enter into agreements with the contractor and property owner for expenditure of CDBG Housing Rehabilitation funds; and authorized City Administration to approve any necessary change orders.

**AMEND – ADMINISTRATIVE PLAN – CDBG HOUSING REHABILITATION PROGRAM**

The Commission amended and authorized the Mayor and City Clerk to execute the Administrative Plan for the Manhattan Community Development Block Grant Housing Rehabilitation Program.

**AGREEMENT – OUTSIDE CITY WATER SERVICES – 600 SOUTH SCENIC DRIVE**

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute an outside city limits water service connection agreement with Todd A. Stadel and Erin M. Stadel, for the property at 600 South Scenic Drive, Riley County, Kansas.

After discussion, Commissioner Reddi moved to approve the consent agenda, with Item L, NEGOTIATE CONTRACT – ATHLETIC FIELD BASE CONSTRUCTION - ANNEBERG PARK IMPROVEMENTS (CP1405, CIP #RC031P, CIP #RC033P, AND CIP #CP157P), moved to the end of the General Agenda. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item M: AWARD CONTRACT – 2405 VAUGHN DRIVE - CDBG HOUSING REHABILITATION PROGRAM, which carried 4-0-1, with Commissioner Butler abstaining on the item.

## GENERAL AGENDA

### **FIRST READING – AMEND FINAL DEVELOPMENT PLAN - LOT 5, PLATT ADDITION RESIDENTIAL PLANNED UNIT DEVELOPMENT (2113 KNOX CIRCLE)**

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He informed the Commission that the Manhattan Urban Area Planning Board recommended approval of the proposed amendment and Final Development Plan based on the findings in the Staff Report. He then responded to questions from the Commission.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

Commissioner Morse moved to approve first reading of an ordinance amending Ordinance No. 6479 and the Final Development Plan of Lot 5, Platt Addition Residential Planned Unit Development, located at 2113 Knox Circle, based on the findings in the Staff Report (*See Attachment No. 2*). Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

### **“SCENIC CROSSING” DEVELOPMENT ~ NORTHEAST QUADRANT OF THE INTERSECTION OF KIMBALL AVENUE/SCENIC DRIVE AND ANDERSON AVENUE; AND WEST ANDERSON AVENUE IMPROVEMENTS (ST0810)**

Rob Ott, Director of Public Works, presented background information and an overview of the item. He highlighted the scope of the proposed improvements; the cost estimates; the funding options to be considered; the pending development and potential benefit districts; the request to vacate a portion of the rights-of-way; and the proposed recommendations. He then responded to questions from the Commission regarding the percentage splits for a benefit district and prior discussions regarding benefitting properties.

Ron Fehr, City Manager, provided additional information on benefit districts and assessment process to benefitting properties.

Rob Ott, Director of Public Works, responded to questions from the Commission regarding the request to vacate a portion of the rights-of-way and ownership of the land.

Bill Raymond, City Attorney, informed the Commission that a title opinion was received from Charlson & Wilson and that the land in question is owned by the City.

Rob Ott, Director of Public Works, presented a map showing the rights-of-way and highlighted the proposed development area.

## GENERAL AGENDA (*CONTINUED*)

### “SCENIC CROSSING” DEVELOPMENT ~ NORTHEAST QUADRANT OF THE INTERSECTION OF KIMBALL AVENUE/SCENIC DRIVE AND ANDERSON AVENUE; AND WEST ANDERSON AVENUE IMPROVEMENTS (ST0810) (*CONTINUED*)

Ron Fehr, City Manager, responded to questions from the Commission about the potential to incorporate a Transportation Development District (TDD) to help pay for infrastructure improvements and highlighted past improvements that utilized a TDD.

Rob Ott, Director of Public Works, responded to additional questions from the Commission regarding the potential to put the property requested back on the tax rolls, drainage considerations, site lines, benefit district participation, and the intersection costs and safety considerations of a roundabout versus a signalized intersection.

Ron Fehr, City Manager, provided additional information on the item.

Jason Hilgers, Deputy City Manager, provided additional information on the TDD process, the pre-development agreement, and the potential site development.

Mayor McCulloh opened the public comments.

Rich Seidler, Commercial Real Estate Services, representing the owners of the property, provided additional information on the proposed project. He informed the Commission that Anderson Avenue has been in terrible shape for six to seven years and that this project may be the catalyst to get this road improved. He encouraged the Commission to consider transferring the rights-of-way area to square up the development and to put the land back on the tax rolls. He also provided information on the deed of the property in question and potential revenue to be generated from the use of a TDD.

Neil Horton, one of the property owners of Scenic Crossings, LLC, provided additional information on the deed to the property being requested and asked that the land go back on the tax rolls as part of the development. He informed the Commission that the traffic congestion on Anderson Avenue has been present for some time and continues to worsen due to the continued growth on the west side of Manhattan and traffic commutes. He stated that in his opinion, the traffic congestion is really a City-At-Large problem.

Rich Seidler, Commercial Real Estate Services, representing the owners of the property, provided additional information on proposed improvements needed on Anderson Avenue, reiterated the importance of the proposed infill project, and requested that the identified rights-of-way land be provided to help make this the highest and best use of the property.

## GENERAL AGENDA (*CONTINUED*)

### “SCENIC CROSSING” DEVELOPMENT ~ NORTHEAST QUADRANT OF THE INTERSECTION OF KIMBALL AVENUE/SCENIC DRIVE AND ANDERSON AVENUE; AND WEST ANDERSON AVENUE IMPROVEMENTS (ST0810) (*CONTINUED*)

Doug Hinkin, 1426 Sharingbrook Drive, physician at Stonecreek Family Physicians, stated that the development would be an excellent enhancement to the neighborhood. He provided feedback on the proposed turning lanes for Stonecreek and Pebblebrook Apartments and stated that Stonecreek had no problem with helping with their portion of the turn lane. He also discussed concerns with increased traffic on Anderson Avenue due to the development and the need to create traffic gaps to better access their business, which he believed that a traffic signal at the intersection would provide better gaps than a roundabout. He then responded to questions from the Commission regarding the benefit district and on the intersection.

After comments from the Commission, Ron Fehr, City Manager, and Rob Ott, Director of Public Works, provided additional information on the creation of a benefit district and the process.

Brad Waller, Civil Engineer, Alfred Benesch & Company, provided additional information about a traffic signal versus roundabout options. He informed the Commission that a roundabout would not help with traffic gaps and a traffic signal would provide better opportunity to create gaps for right and left turns.

Fran Swan, 1105 Wyndham Heights Drive, voiced concerns with Anderson Avenue and additional traffic that would create more congestion. She also asked about the current gas lines and utilities near the proposed development. She requested the Commission consider a broader perspective than a short-term fix.

Rob Ott, Director of Public Works, provided information on Anderson Avenue and the opportunity for additional lanes. He also responded to questions regarding utilities and stated that Kimball Avenue, Scenic Drive, and Anderson Avenue are all classified as principal arterials.

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

Rob Ott, Director of Public Works, responded to additional questions from the Commission regarding the traffic demand model, proposed pavement thickness and design, and concerns regarding congestion experienced on Anderson Avenue and challenges in making a left turn to enter Stonecreek.

## GENERAL AGENDA (CONTINUED)

### “SCENIC CROSSING” DEVELOPMENT ~ NORTHEAST QUADRANT OF THE INTERSECTION OF KIMBALL AVENUE/SCENIC DRIVE AND ANDERSON AVENUE; AND WEST ANDERSON AVENUE IMPROVEMENTS (ST0810) (CONTINUED)

After discussion and comments from the Commission, Commissioner Butler moved to improve West Anderson Avenue using the roundabout; to adopt the financing plan with the improvements as recommended by City staff; to create limited benefit districts for the turn lanes; and to vacate the rights-of-way based upon the concept that the property will go back on the tax rolls and we will get a Transportation Development District out of it as part of the negotiations. Commissioner Reddi seconded the motion.

After comments from the Commission, Commissioner Dodson stated that he preferred the proposed motion provided for this item and wanted to amend the motion as it appears under Item B. He stated that he did not want to decide on a roundabout versus a traffic signal yet.

Rob Ott, Director of Public Works, and Ron Fehr, City Manager, responded to questions from the Commission regarding designs and options for the intersection.

Ron Fehr, City Manager, provided information on the future rezoning discussion and process that would need to be considered by the Manhattan Urban Area Planning Board.

After further discussion and comments from the Commission, Commissioner Dodson requested and moved that the motion be amended to reflect the possible motion provided in the staff memorandum as appeared under Item B. Commissioner Morse seconded the proposed amendment.

Bill Raymond, City Attorney, provided clarification on the amended motion proposed and the process to address the amendment and the initial motion.

After discussion and clarification on the amended motion, the amended motion failed 3-2, with Commissioner Butler, Mayor McCulloh, and Commissioner Reddi voting against the amended motion.

After additional comments from the Commission, the initial motion (*to improve West Anderson Avenue using the roundabout; to adopt the financing plan with the improvements as recommended by City staff; to create limited benefit districts for the turn lanes; and to vacate the rights-of-way based upon the concept that the property will go back on the tax rolls and we will get a Transportation Development District out of it as part of the negotiations*) carried 3-2, with Commissioners Morse and Dodson voting against the motion.

## GENERAL AGENDA (CONTINUED)

### 2016 BUDGET REQUEST - CHAMBER OF COMMERCE AND CONVENTION AND VISITORS BUREAU

Lyle Butler, CEO/President, Manhattan Area Chamber of Commerce, introduced the item and highlighted activities and initiatives of the Chamber. He provided information on the economic development funding sources from the public and private sector, and highlighted the North Campus Corridor project and the projected number of jobs and payroll and operating budgets to be created by the National Bio and Agro-Defense Facility.

John Pagen, Vice President and Economic Development Director, presented information on the Retire to the Flint Hills program, provided labor force statistics for top 16 cities by population, and shared with the Commission several recent accolades for Manhattan.

Trent Armbrust, Director, Business Development & Strategic Initiatives, presented an update on the national employment numbers by firm size; the share of jobs added in the first through third quarters of 2015; the Gallup poll regarding confidence in U.S. institutions; the established entry and exit rate of businesses; small business employment levels; and talked about the new zip line business in Manhattan. He also provided an update on activities with the Manhattan Business Park and efforts to move away from the name Manhattan Corporate Technology Park. Finally, he provided recent net new employees with seven businesses in Manhattan.

Janet Nichols, Military Community Liaison and Leadership Manhattan Coordinator, provided an update on the Leadership Manhattan program. She also presented activities and events with the community and Fort Riley.

After comments from the Commission, Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

After comments from the Commission, no formal action was taken on the item.

### SECOND QUARTER REPORT - CONVENTION AND VISITOR'S BUREAU (CVB)

Lucy Williams, Board Chair, Manhattan Area Chamber of Commerce, informed the Commission on the importance to remain vigilant in regards to economic development and to keep the pedal to the metal and forge ahead. She provided information on the Convention and Visitors Bureau role and business development. She encouraged the Commission to protect future funds for the CVB and to not encroach on the economic development share of the sales tax for future business opportunities.

## GENERAL AGENDA (CONTINUED)

### SECOND QUARTER REPORT - CONVENTION AND VISITOR'S BUREAU (CVB) (CONTINUED)

Karen Hibbard, Vice President and Convention & Visitors Bureau Director, presented the CVB mission statement and second quarter activities and measures for the CVB including visitor spending; destination marketing association international; activity measures for conferences; performance measures for conferences; conferences hosted and estimated economic impact; destination marketing economic impact calculator; total conferences, sports, and special events from 2010 through 2015; activity measures for leisure; activity measures for special events; activity measures for amateur sports; performance measures for tourism; amateur sports groups hosted; activity and performance measures for marketing and communications, social media, inquires and fulfillment, book direct, website, and email marketing; activity measures for volunteers; average rooms occupied; average daily rate; revenue per rooms; annual room supply and demand; challenges and moving forward; Riley County visitor spending; and recognized members of the 2015 CVB Steering Committee. She then responded to questions from the Commission.

Brad Everett, Chairman, CVB Steering Committee, asked those Committee members present to stand and be recognized for their service. He stated the importance and trust that the CVB provides to local businesses and to the community. He also highlighted events and conventions held in Manhattan that attract visitors and adds to sales tax revenues.

After comments from the Commission regarding the performance measures and activities presented, there was a desire from a majority of the Commission to further review the CVB budget in greater detail and expenses related to activities and events.

No formal action was taken on the item.

At 10:12 p.m., the City Commission took a brief recess.

### REPORT - COMMUNITY HOUSE PLANNING CONVERSION STUDY

Bruce McMillan, Bruce McMillan AIA, introduced and provided background information on the item.

Dana Williamson, Associate AIA, Bruce McMillan AIA, presented the conversion planning study for the Community House; discussed the basement level plan; provided concept development for the base project and Alternate 1 and 2 concepts; and presented images of the basement conference room and second level office.

Bruce McMillan, Bruce McMillan AIA, responded to questions from the Commission regarding a common receptionist area that could serve multiple agencies. He informed the Commission that their firm has not interviewed potential agencies for specific needs.

## GENERAL AGENDA (CONTINUED)

### REPORT - COMMUNITY HOUSE PLANNING CONVERSION STUDY (CONTINUED)

Kiel Mangus, Assistant City Attorney, informed the Commission that preliminary discussions have occurred with approximately 12 agencies and that there is an interest in having a presence at the Community House. He stated that several agencies have expressed a desire to have confidential areas to meet with clients and that a centralized hub would be valued.

Bruce McMillan, Bruce McMillan AIA, responded to questions from the Commission regarding the historic integrity of the building and the potential to phase components of the project in coordination with the Parks and Recreation Department. He also presented and clarified the Preliminary Opinion of Probable Costs associated with the base project and alternates.

Tom Orazem, Orazem and Scalora Engineering, provided clarification on the proposed budget package for renovating and occupying the building. He informed the Commission that the HVAC (heating, ventilation, and air conditioning) could be phased to accommodate future decisions on private offices and zone controls.

Bruce McMillan, McMillan Architects AIA, responded to additional questions from the Commission regarding the condition of the roof, HVAC, and components of the Conversion Planning Study for the Community House.

Ron Fehr, City Manager, provided additional information on the multiple phases that would be needed and competing projects and needs for CDBG funds.

Mayor McCulloh opened the public comments.

Mel Borst, 1918 Humboldt Street, informed the Commission that he was pleased to see the plans for the Community House. He asked if the proposed improvements would include compatible trim in the building.

Bruce McMillan, McMillan Architects AIA, stated that the character showing is a conceptual rendering with basic finishing's at this point and that the final plans would depend on the nature to match the agencies needs.

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

After comments from the Commission, no formal action was taken on the item.

**ITEM REMOVED FROM CONSENT AGENDA**

**NEGOTIATE CONTRACT – ATHLETIC FIELD BASE CONSTRUCTION - ANNEBERG PARK IMPROVEMENTS (CP1405, CIP #RC031P, CIP #RC033P, AND CIP #CP157P)**

Eddie Eastes, Director of Parks and Recreation, presented an overview of the item and provided a diagram of Frank Anneberg Park with the proposed improvements.

Commissioner Reddi voiced concerns regarding the safety of artificial turf and the high price. She wanted to revisit the item and hear more on the item to ensure this is the right direction for the City.

Mayor McCulloh stated that there were articles in the news about the U.S women's soccer team being unhappy in Canada with the artificial turf. She stated that she has received calls from people with expertise that were unsure if this was the right decision and heard from players that prefer natural turf. She also stated that she had talked with the City of Lawrence regarding their turf fields.

Eddie Eastes, Director of Parks and Recreation, responded to questions from the Commission regarding safety concerns with artificial turf and informed the Commission that natural turf wears out, which is what is currently happening at Frank Anneberg Park. He stated that due to the condition of the natural turf fields at Anneberg Park, one of the soccer fields is taken out of play each year due to wear of the grass. He informed the Commission that Overland Park has one of the premier soccer complexes in the nation and is completely artificial turf. He stated that artificial turf has been installed in City playgrounds and reiterated the prior discussions regarding this item. He then responded to questions from the Commission.

Commissioner Dodson stated that the consultant talked about the importance of playability and improving the fields. He stated that this has been in the works for a long time and need to make sure the scientific analysis is there before making any changes.

Ron Fehr, City Manager, suggested that the Commission authorize City staff to negotiate the price and responded to questions on the pros and cons of artificial versus natural turf. He stated that the key factor to consider with synthetic turf is playability and the ability to host tournaments. He informed the Commission that City staff can work on providing the advantages and disadvantages of both natural and artificial turf to provide the Commission with better information.

Commissioner Butler asked that the item be tabled until the next meeting and ask City staff to renegotiate the price.

**ITEM REMOVED FROM CONSENT AGENDA**

**NEGOTIATE CONTRACT – ATHLETIC FIELD BASE CONSTRUCTION - ANNEBERG PARK IMPROVEMENTS (CP1405, CIP #RC031P, CIP #RC033P, AND CIP #CP157P) (CONTINUED)**

Ron Fehr, City Manager, responded to questions from the Commission. He asked that the Commission use the suggested action to accept the Engineer's Opinion of Probable Cost and authorize to negotiate a contract and, then bring the item back with options and additional information to the Commission.

After additional discussion, Commissioner Butler moved to accept the Engineer's Estimate (\$2,004,291.50 for athletic field base construction and \$760,360.00 for athletic field synthetic construction), to renegotiate the price (with Bayer Construction Company, Inc., of Manhattan, Kansas, for athletic field base construction), and to revisit the item at a future City Commission meeting. Mayor McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

**ADDITIONAL ITEM**

Mayor McCulloh stated that she had one more item. She said that in view of the recent U.S. Supreme Court decision about marriage and that kind of thing, she asked the City Commission to direct Ron Fehr, City Manager, to add sexual orientation to the list of non-discrimination items in the City's human resources as a policy. Commissioner Reddi seconded the motion.

Commissioner Butler said this is the City Manager's decision anyway and fits under his prerogative. He stated that the City Manager's job is to handle that, not mine. He stated that he would not direct the City Manager on what to do but, would support whatever he does and this is within his purview and would not micromanage the City Manager. He stated that he would not vote on the motion because this is already in his purview to do so.

Commissioner Dodson stated that he didn't mind supporting it, but it's just that he didn't think it has anything to do with the Supreme Court decision. He asked what is it the Mayor is asking or giving information to do.

Mayor McCulloh clarified that she wanted to add sexual orientation to the list of classes which will not be discriminated against.

Commissioner Dodson said Supreme Court case was on gay marriage.

Mayor McCulloh said yes, but it did extended marital rights to people throughout all 50 states and in turn various other things.

Commissioner Dodson asked if talking about LGBT (lesbian, gay, bisexual, and transgender).

**ADDITIONAL ITEM (CONTINUED)**

Mayor McCulloh said yes.

Commissioner Morse said her personal thinking is that all people should be treated equally and seconded the motion.

Mayor McCulloh stated the motion was already seconded by Commissioner Reddi.

Commissioner Reddi said it is high time we did it.

After comments from the Commission, on a roll call vote, motion carried 4-0-1, with Commissioner Butler abstaining on the motion.

**ADJOURNMENT**

At 11:22 p.m., the Commission adjourned.

  
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Gary S. Fees, MMC, City Clerk

## **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. 14<sup>th</sup> Street, north of Fairchild Avenue and generally east of N. 16<sup>th</sup> Street.

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

*Attachment No. 1*

- **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. 14<sup>th</sup> 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. 14<sup>th</sup> 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 14<sup>th</sup> 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. 14<sup>th</sup> Street and N. 16<sup>th</sup> Street shall be installed prior to construction of new buildings on the main campus, but not including the facilities management building.

*Attachment No. 1*

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. 14<sup>th</sup> 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. 14<sup>th</sup> 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 14<sup>th</sup> 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. 14<sup>th</sup> 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.*

*Attachment No. 1*

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. 14<sup>th</sup> 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.

*Attachment No. 1*



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.

*Attachment No. 1*

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.

*Attachment No. 1*

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. 14<sup>th</sup> 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. 14<sup>th</sup> 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. 14<sup>th</sup> 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. 14<sup>th</sup> 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. 14<sup>th</sup> 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. 14<sup>th</sup> Street and N. 16<sup>th</sup> 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. 14<sup>th</sup> Street, N. 16<sup>th</sup> 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. 14<sup>th</sup> 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. 16<sup>th</sup> Street, to be installed with the construction of the new dormitories in the second phase.

*Attachment No. 1*

A curb cut is proposed to the south of the Student Life Center onto N. 14<sup>th</sup> 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. 14<sup>th</sup> 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.

*Attachment No. 1*

New crosswalks and a curb bulb-out on N. 14<sup>th</sup> Street are proposed at the intersection of N. 14<sup>th</sup> 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 14<sup>th</sup> 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. 14<sup>th</sup> Street to N. 16<sup>th</sup> Street, and the east side of N. 16<sup>th</sup> 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. 16<sup>th</sup> Street there will be approximately 255 total spaces provided on campus and along the internal public streets.

*Attachment No. 1*

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. 1*

- 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 14<sup>th</sup> 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. 14<sup>th</sup> 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. 16<sup>th</sup> 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. 16<sup>th</sup> 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. 1*

- 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. 14<sup>th</sup> 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. 14<sup>th</sup> 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.

*Attachment No. 1*

8. Intersection improvements at N. 14<sup>th</sup> 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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## **STAFF REPORT**

### **AN AMENDMENT OF ORDINANCE NO. 6479 AND THE APPROVED FINAL DEVELOPMENT PLAN OF THE PLATT ADDITION PLANNED UNIT DEVELOPMENT.**

## **BACKGROUND**

### **The proposed amendment is required because:**

The Final Development Plan of the Platt Addition Residential Planned Unit Development limits the maximum building area for each lot within the PUD. Lot 5 is limited to a building coverage of 1,864 square feet. The current lot coverage of the existing home is 1,554 square feet with the proposed garage addition measuring 644 square feet, totaling 2,198 square feet of building coverage.

**APPLICANT:** Siegmund Meier

**OWNER:** Same

**ADDRESS:** 4464 Harbour Hills Drive

**REQUEST:** The applicant/owner has requested an amendment of Ordinance No. 6479 and the Final Development Plan for the Platt Addition PUD, for a proposed garage addition to the southwest corner of the existing single-family house on Lot 5. Other site improvements related to the amendment include improvements to the existing concrete driveway and the addition of a concrete pad located at the back porch.

**LOCATION:** 2113 Knox Circle. Generally located to the northeast of the intersection of Casement Road and Knox Lane.

**LEGAL DESCRIPTION:** Lot 5, Platt Addition, an Addition to the City of Manhattan, Riley County, Kansas.

**AREA:** 11,643 square feet (0.267 Acres)

**DATE OF NEIGHBORHOOD MEETING:** April 18, 2015.

**DATE OF PUBLIC NOTICE PUBLICATION:** Monday, May 11, 2015

**DATE OF PUBLIC HEARING: PLANNING BOARD:** Monday, June 15, 2015.  
**CITY COMMISSION:** Tuesday, June 30, 2015.

## **EXISTING PUD**

### **EXISTING PUD AFFECTING LOT 5**

#### **Ordinance No. 6479**

The Platt Residential Planned Unit Development, and Ordinance No. 6479, approved June 21, 2005, is subject to the following conditions of approval:

1. Permitted uses shall be limited to the ten (10) single-family dwelling units.
2. 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.
3. All landscaping and irrigation shall be maintained in good condition.
4. Signs shall allow for exempt signage described in Article VI, Section 6-104 (A)(1), (2), (4), (7) and (8); and, Section 6-104 (B) (2). *See Article VI, Section 6 -102 (A)(2) under the amended sign regulations for exempt signage.*
5. Drainage easements in the Platt Addition shall be privately maintained by the property owner, or owners, who shall be responsible for maintaining the easement to remain free and clear of any improvement, debris, structure, or any other type of obstacle, natural or manmade, that would impede flow of surface water run-off.
6. The drainage swales shall include concrete liners as per the recommendations in the Drainage Study submitted with the application. The applicant may also investigate utilizing an underground storm sewer as an alternative to, or in combination with concrete liners. *Concrete liners were included in the Final Development Plan for the Platt Residential PUD.*

#### **Permitted Uses**

Ordinance No. 6479 limits the PUD to the ten (10) single-family dwelling units.

## **PROPOSED AMENDMENT**

The applicant/owners have proposed to construct a garage addition to the southwest side of the existing single-family home on Lot 5, Platt Addition. The proposed garage will be approximately 644 square feet in area. According to the applicant's site plan, the existing driveway is to be widened to accommodate the additional garage bay. The addition is proposed to be setback ten (10) feet from the south property line and approximately fourteen (14) from the property line to the west. A concrete pad located at the back porch is proposed in addition to the garage.

## **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 proposed amendment is consistent with the intent and purpose of the approved PUD. The Platt PUD is a residential subdivision with ten (10) single-family residential homes. The proposed amendment is minor in nature and consistent with the character of residential development. The amendment reflects an efficient development pattern consistent with the intent and purpose of the 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 applicant indicates that, “the proposed amendment is made necessary because of the proposed garage bay addition to the home on Lot 5. The addition of the garage exceeds the maximum lot coverage allowed (16%) and maximum building area (1,864 square feet). The maximum lot coverage is proposed to be increased to 21% and the maximum building area to 2,300 square feet to accommodate the addition of the garage bay and associated driveway.”

**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 amendment will result in a gain to the public by allowing increased building coverage that is consistent with residential development. The amendment is necessary because the PUD is currently limited to a maximum building coverage and not because the amendment will confer a special benefit to any person.

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

**1. LANDSCAPING:** The site consists generally of manicured lawns, trees, bushes and a few foundation plantings. No significant changes are proposed with this development.

**2. SCREENING:** Screening is not required for single-family dwellings and none is proposed.

**3. DRAINAGE:** The site generally drains to the west through an existing open channel that directs run-off to the stormwater infrastructure along Casement Road. The open channel is required to be maintained by the owner and will not be maintained by the City. No changes are proposed to the site that would impact the drainage on the site or in the immediate area.

**4. CIRCULATION:** The circulation patterns throughout the Residential PUD are established. The proposed amendment does not alter circulation and adequate access is maintained for Lot 5.

**5. OPEN SPACE AND COMMON AREA:** The existing lot is 11,643-square feet and the proposed open space maintains adequate front, side and rear yards. Overall, 76.6% of Lot 5 will be maintained as landscaped open space.

**6. CHARACTER OF THE NEIGHBORHOOD:** The neighborhood is generally characterized as a low density single-family and two-family dwelling unit neighborhood. A manufactured home park is located to the south of the existing PUD. Northview Elementary School is to the northwest. Northeast Community Park is to the east along the south side of Knox Lane. The Linear Trail is to the south off Casement Road.

### **MATTERS TO BE CONSIDERED WHEN REZONING**

**1. EXISTING USE:** The Platt Residential PUD consisting of ten (10) single-family dwelling units.

**2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** The site generally drains to the west through an existing open channel located in the southwest corner of the site. An eight (8) foot drainage and utility easement runs along the west and north property lines

**3. SURROUNDING LAND USE AND ZONING:**

**(a.) NORTH:** Single-family dwellings; R-1 District

**(b.) SOUTH:** Knox Lane, single-family and two-family dwellings, vacant residential lot; manufactured home park, Linear Trail; R-2, Two-Family Residential District, R-1 District, and R-5, Manufactured Home Park District.

**(c.) EAST:** Single and two family homes and a manufactured home park, Northeast Community Park; R-2, Two-Family Residential District, R-1 District, and R-5, Manufactured Home Park District.

(d.) **WEST:** Casement Road, two-family dwellings, USD 383 Maintenance facilities, townhomes, single-family dwellings; R-2 District, R-1 District and Residential PUD.

**4. CHARACTER OF THE NEIGHBORHOOD:** See above.

**5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The existing single-family dwelling on Lot 5 has been in place since 2006 and is a permitted use within the PUD.

**6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** The proposed amendment to Lot 5 within the PUD is consistent with the established character of the area.

The amendment maintains appropriate front, side and rear yards and adequate landscaped open space. The proposed amendment to the PUD is compatible with surrounding residential zoning.

**7. CONFORMANCE WITH COMPREHENSIVE PLAN: THE FUTURE LAND USE MAP FOR THE NORTHEAST PLANNING AREA OF THE MANHATTAN URBAN AREA COMPREHENSIVE PLAN SHOWS THE ENTIRE PLATT RESIDENTIAL PUD AS RESIDENTIAL LOW/MEDIUM (RLM). THE PROPOSED AMENDMENT MAINTAINS THE SITES CURRENT SINGLE-FAMILY RESIDENTIAL USE.** The proposed rezoning conforms to the Comprehensive Plan.

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

July, 1969	Annexation south part of Lot 2, Streeter Addition
1969	Rezoned to R-1, Single-Family Residential District
October 1982	Annexation remainder of Lot 2 and Lot 1, Streeter Addition.
November, 1999	Manhattan Urban Area Planning Board approves Concurrent (Preliminary and Final) Plat of Streeter Subdivision, Unit 2.
May 16, 2000	Manhattan Urban Area Planning Board recommends approval of rezoning of Lot 2 to PUD.
June 7, 2005	City Commission approves rezoning of Lot 2 to PUD.

*Attachment No. 2*

- June 21, 2005                      City Commission approves Ordinance No. 6479 rezoning of Lot 2 to PUD.
- August 15, 2005                      Manhattan Urban Area Planning Board approves the Final Development Plan and the Final Plat of the Platt Addition.
- September 6, 2005                      City Commission accepts the easements and rights-of-ways as shown on the Final Plat of Platt 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 amendment is consistent with the intent and purpose of the Zoning Regulations.

**10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE INDIVIDUAL OWNER:** There appears to be no gain to the public that denial would accomplish. It may be a hardship to the applicant if the amendment is denied.

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

**12. OTHER APPLICABLE FACTORS:** None.

**13. STAFF COMMENTS:** City Administration recommends approval of the proposed amendment to Ordinance No. 6479 and the Final Development Plan of the Platt Addition Residential Planned Unit Development.

**ALTERNATIVES:**

1. Recommend approval of the proposed Amendment to Ordinance No. 6479 and the Final Development Plan of the Platt Addition Residential Planned Unit Development, and stating the basis for such recommendation.
2. Recommend denial of the proposed Amendment to Ordinance No. 6479 and the Final Development Plan of the Platt Addition Residential 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 to Ordinance No. 6479 and the Final Development Plan of the Platt Addition Residential Planned Unit Development, based on the findings in the Staff Report.

**PREPARED BY:** Chase Johnson, Planner

**DATE:** July 16, 2015

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