



MINUTES
CITY COMMISSION MEETING
TUESDAY, DECEMBER 20, 2016
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Usha Reddi and Commissioners Linda Morse, Michael L. Dodson, Wynn Butler, and Karen McCulloh were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Kiel Mangus, City Attorney Katharine Jackson, City Clerk Gary S. Fees, 7 staff, and approximately 22 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Reddi led the Commission in the Pledge of Allegiance.

COMMISSIONER COMMENTS

Commissioner McCulloh expressed her appreciation for the wonderful Pearl Harbor Day program, music and historical presentation from Commissioner Butler that was held in Peace Memorial Auditorium. She talked about the services at the Manhattan Public Library and encouraged everyone to use the public library.

Mayor Reddi congratulated Eric Cattell for being named the new Director of Community Development for the City of Manhattan. She provided an overview of the Riley County Law Board Meeting held Monday, December 19, 2016, and an update on the recruitment efforts for mental health professionals with Pawnee Mental Health. She highlighted events being held on New Year's Eve, December 31, 2016, including activities at the Flint Hills Discovery Center, Peace Memorial Auditorium, Manhattan Arts Center, and in Aggieville.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, December 6, 2016.

CONSENT AGENDA (CONTINUED)

CLAIMS REGISTER NO. 2836

The Commission approved Claims Register No. 2836 authorizing and approving the payment of claims from November 30, 2016, to December 13, 2016, in the amount of \$4,657,068.41.

LICENSES

The Commission approved a **Fireworks Display License** for Stellar Fireworks, 4440 Southeast Boulevard, Wichita, Kansas, for December 31, 2016/January 1, 2017, at midnight for the New Year's Eve celebration in Aggieville; a **Merchant Guard Agency License** for calendar year 2017 for PBP Management Group, Inc., 2102 East 21st Street Suite C, Wichita, Kansas; Prudential Security, 20600 Eureka Road #900, Taylor, Michigan; and VendTech Enterprise, LLC, 250 North Rock Road Suite 360, Wichita, Kansas; a **Tree Maintenance License** for calendar year 2017 for Asplundh Tree Expert Company, 708 Blair Mill Road, Willow Grove, Pennsylvania; Brinker Tree Care, Inc., 2907 Jacque Circle; Capital City Tree Care, Inc., 7920 Northwest 35th Street, Silver Lake, Kansas; Don's Stump Removal and Tree Service, 3761 South 33rd Street; Sheffield Tree and Landscape, 917 Connecticut Avenue; TreeMan-MHK, 2104 Fox Meadows; Two Big Feet Tree Pruning and Removal, 1734 Kings Road; and Wright Tree Service, Inc., 5930 Grand Avenue, West Des Moines, Iowa; and an annual **Cereal Malt Beverages Off-Premises License** for Oppy's Service Inc., 605 South 3rd Street.

ORDINANCE NO. 7262 – REZONE – GENESIS HEALTH CLUB PUD

The Commission approved Ordinance No. 7262 rezoning the Genesis Health Club PUD, generally located west of the intersection of Seth Child Road and Allison Avenue, from PUD, Flint Hills Hospitality Commercial Planned Unit Development, to PUD, Commercial Planned Unit Development, based on the findings in the Staff Report (*See Attachment No. 1*) with the 15 conditions of approval recommended by the Manhattan Urban Area Planning Board.

ORDINANCE NO. 7263 – REZONE – 120 NORTH SCENIC DRIVE

The Commission approved Ordinance No. 7263 rezoning 120 North Scenic Drive from R, Single-Family Residential District with AO, Airport Overlay, to R-1, Single-Family Residential District with AO, Airport Overlay, based on the findings in the Staff Report (*See Attachment No. 2*) and the recommendation of the Planning Board.

ORDINANCE NO. 7264 – ISSUE TEMPORARY NOTES – POLISKA LANE STORM SEWER IMPROVEMENTS (SM1606)

The Commission approved Ordinance No. 7264 authorizing construction and issuing temporary notes to pay for the Poliska Lane Storm Sewer Improvements (SM1606).

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7265 – VACATE STREET – SOUTH 11TH STREET (EL PASO LANE TO FORT RILEY BOULEVARD)

The Commission approved Ordinance No. 7265 vacating that portion of 11th Street from El Paso Lane to Fort Riley Boulevard and that a utility easement within the boundaries of said vacated 11th Street is hereby dedicated to the public.

ORDINANCE NO. 7266 – LEVY SALES TAX – STREET MAINTENANCE

The Commission approved Ordinance No. 7266 levying a sales tax, for a term of 10 years (April 1, 2017, to March 31, 2027), totaling .20% for the purpose of maintaining and reconstructing city streets across the community and construction of improvements identified in the Safe Routes to School Program.

FIRST READING – NO PARKING ANYTIME AND NO PARKING ANYTIME EXCEPT SUNDAY – DICKENS AVENUE

The Commission approved first reading of ordinances amending Chapter 31 of the Code of Ordinances to include adding “No Parking Anytime” and “No Parking Anytime Except Sunday” at locations along Dickens Avenue.

RESOLUTION NO. 122016-A – CITY BOUNDARY

The Commission approved Resolution No. 122016-A establishing and defining the boundaries of the city of Manhattan, Kansas, as of December 20, 2016.

* **REQUEST FOR QUALIFICATIONS – OLD BIG BLUE RIVER STORMWATER ENHANCEMENTS, PHASE 5, AND MULTI-USE TRAIL (SM1605)**

The Commission authorized City Administration to seek qualifications for professional design services for the Old Big Blue River Stormwater Enhancements, Phase 5, and Multi-Use Trail project (SM1605), and appointed Commissioner Morse to serve on the Selection Committee.

* **REQUEST FOR QUALIFICATIONS – HOUSTON STREET/5TH STREET STORM SEWER IMPROVEMENTS (SM1701, CIP #SW052P)**

The Commission authorized City Administration to seek qualifications for professional services for the Houston Street/5th Street Storm Sewer Project (SM1701, CIP #SW052P) project, and appointed Commissioner McCulloh to serve on the Selection Committee.

REJECT - REQUEST FOR PROPOSALS – AIRPORT FOOD AND BEVERAGE CONCESSIONS

The Commission authorized City Administration to reject the one Request for Proposals (RFP) for a Food and Beverage Concession Agreement at the Manhattan Regional Airport and re-issue another more clarified RFP at a later date.

CONSENT AGENDA (CONTINUED)

NEGOTIATE CONTRACT – AIRPORT ARCHITECTURAL AND ENGINEERING CONSULTANT (2017-2021)

The Commission accepted the Selection Committee's recommendation, and authorized City Administration to negotiate a contract with Olsson Associates, of Lincoln, Nebraska, for a five-year (2017-2021) Airport Architectural and Engineering agreement.

AGREEMENT – PROFESSIONAL SERVICES – DOUGLASS COMMUNITY CENTER ARCHITECTURAL AND ELECTRICAL RENOVATIONS (CD1617)

The Commission authorized the Mayor and City Clerk to execute a contract in an amount not to exceed \$21,100.00 with BG Consultants, Inc., of Manhattan, Kansas, for professional design services for the Douglass Community Center Architectural and Electrical Renovations Project (CD1617).

AGREEMENT – PROFESSIONAL SERVICES – COLLEGE HEIGHTS AND QUIVERA STORM SEWER IMPROVEMENTS (SM1616, CIP #SW082P)

The Commission authorized the Mayor and City Clerk to execute an agreement for professional services in an amount not to exceed \$24,930.00 with Bartlett & West, Inc., of Manhattan, Kansas, for the College Heights and Quivera Storm Sewer Improvements (SM1616, CIP #SW082P).

* **CHANGE ORDER NO. 1 – 2016 STREET MAINTENANCE CONCRETE PANEL (ST1607) – TRAFFIC OPERATIONS FACILITY PARKING LOT (CIP #TR039P)**

Commissioner Morse stated that she planned to vote no on the item.

The Commission approved Change Order No. 1 for the 2016 Street Maintenance Concrete Panel Project (ST1607) by adding the Traffic Operations Facility Parking Lot (CIP #TR039P) to the contract with T&M Construction Co., of Junction City, Kansas, resulting in a net increase in the amount of \$85,438.00 (+17.39%) to the contract.

* **RESOLUTION NO. 122016-B - ISSUE TEMPORARY NOTES - TRAFFIC OPERATIONS FACILITY PARKING LOT (ST1607, CIP #TR039P)**

Commissioner Morse stated that she planned to vote no on the item.

The Commission approved Resolution No. 122016-B authorizing the project and issuing temporary notes in which to finance the Traffic Operations Facility Parking Lot (ST1607, CIP #TR039P) project.

CONSENT AGENDA (*CONTINUED*)

DEVELOPMENT AGREEMENT – PLAZA DEMARI COMMERCIAL PUD (WA1630)

The Commission authorized the Mayor and City Clerk to execute an Agreement for Construction of Public Infrastructure by the Developer, MKKM, LLC, of Kansas City, Missouri, for public water improvements for Plaza DeMaria Commercial PUD (WA1630).

CONTRACT – MANHATTAN CENTER FOR THE ARTS

The Commission approved the contract as budgeted in the 2017 City Budget, and authorized the Mayor and City Clerk to execute said contract with the Manhattan Center for the Arts.

CONTRACT – WOLF HOUSE MUSEUM

The Commission approved the contract as budgeted in the 2017 City Budget, and authorized the Mayor and City Clerk to execute said contract with the Riley County Historical Society for the Wolf House Museum.

CONTRACT – DOWNTOWN MANHATTAN, INC.

The Commission approved the contract as budgeted in the 2017 City Budget, and authorized the Mayor and City Clerk to execute said contract with Downtown Manhattan, Inc.

CONTRACT – AGGIEVILLE BUSINESS DISTRICT

The Commission approved the contract as budgeted in the 2017 City Budget, and authorized the Mayor and City Clerk to execute said contract with the Aggieville Business District.

CONTRACT – FLINT HILLS AREA TRANSPORTATION

The Commission approved the contract as budgeted in the 2017 City Budget, and authorized the Mayor and City Clerk to execute said contract with the Flint Hills Area Transportation.

CONTRACTS – SOCIAL SERVICES ADVISORY BOARD AGENCIES

The Commission approved contracts as budgeted in the 2017 City Budget, and authorized the Mayor and City Clerk to execute said contracts with the Social Services Advisory Board agencies (*See Attachment No. 3*).

CONTRACT – SPECIAL ALCOHOL FUND AGENCIES

The Commission approved contracts as budgeted in the 2017 City Budget, and authorized the Mayor and City Clerk to execute said contracts with the Special Alcohol Fund agencies (*See Attachment No. 4*).

CONSENT AGENDA (CONTINUED)

CONTRACT – AGGIEVILLE BUSINESS IMPROVEMENT DISTRICT

The Commission authorized the Mayor and City Clerk to execute the 2017 Aggieville Business Improvement District contract.

CONTRACT – DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

The Commission authorized the Mayor and City Clerk to execute the 2017 Downtown Business Improvement District contract.

* CONTRACT – PUBLIC DEFENDER

Commissioner Butler highlighted the item and voiced his appreciation for the savings realized.

Ron Fehr, City Manager, provided additional information on the item. He stated that Mr. Seaton would continue to serve as the public defender, but his status would shift from City employee to independent contractor.

The Commission approved and authorized the Mayor and City Clerk to execute a public defender contract in the amount of \$55,000.00/year with Richard Seaton, Jr., for a term of January 1, 2017, to December 31, 2018, with six additional one-year terms.

AGREEMENT – FHDC EXHIBIT – BE THE DINOSAUR: LIFE IN THE CRETACEOUS

The Commission authorized the Mayor and City Clerk to execute an agreement in the amount of \$50,000.00 with Eureka Exhibits, from Greer, South Carolina, for the exhibition of *Be the Dinosaur: Life in the Cretaceous* at the Flint Hills Discovery Center for the period of May 12, 2018, through September 3, 2018.

REJECT BIDS – FIRE DEPARTMENT – UNIT #119 BRUSH TRUCK (CIP #FR012E)

The Commission rejected all bids and directed City Administration to resubmit the purchase of Fire Unit #119 brush truck (CIP #FR012E) in a future budget year.

BOARD APPOINTMENTS

The Commission approved the following appointments by Mayor Reddi to various boards and committees of the City:

Downtown Business Improvement District Advisory Board

Appointment of Barry Schmidt, 227 Blue Earth Place Suite 205, to fill the unexpired term of Chris Spaw. Mr. Schmidt's term begins immediately, and will expire December 31, 2017.

CONSENT AGENDA (*CONTINUED*)

BOARD APPOINTMENTS (*CONTINUED*)

Parks and Recreation Advisory Board

Appointment of Brian Thomason, 1204 Stoneridge Court, to fill the unexpired term of David Dzewaltowski. Mr. Thomason's term begins immediately and will expire June 30, 2019.

Mayor Reddi announced that Commissioner Morse would serve on the Selection Committee for Item K: Request for Qualifications - Old Big Blue River Stormwater Enhancements, Phase 5, and Multi-Use Trail; and, Commissioner McCulloh would serve on the Selection Committee for Item L: Request for Qualifications - Houston Street/5th Street Storm Sewer Improvements.

After comments from the Commission, Commissioner McCulloh moved to approve the consent agenda. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item Q: CHANGE ORDER NO. 1 - 2016 STREET MAINTENANCE CONCRETE PANEL - TRAFFIC OPERATIONS FACILITY PARKING LOT, and RESOLUTION NO. 122016-B - ISSUE TEMPORARY NOTES - TRAFFIC OPERATIONS FACILITY PARKING LOT, which carried 4-1, with Commissioner Morse voting against the item.

GENERAL AGENDA

PEACE MEMORIAL FOYER DESIGN - AUTHORIZATION TO BID (SP1206)

Bruce McMillan, Bruce McMillan AIA Architects, P.A., presented an overview of the item. He highlighted the elevation drawings prepared for the east and west side of the foyer, discussed the kiosk and interactive display item, and reviewed the preliminary Opinion of Probable Cost items and modifications proposed for the Peace Memorial Lobby project. He then responded to questions from the Commission regarding the names that will be recognized on the plaque, and stated that the Friends of Peace Memorial Auditorium Committee is in concurrence with the project scope and preliminary Estimate of Probable Cost.

Dave Fiser, 1732 Westbank Way, President, Friends of Peace Memorial Auditorium, thanked everyone that has worked hard on this project and wished the City Commission and City staff a Merry Christmas. He stated that it has been a pleasure working with the City and Bruce McMillan on this project. He provided additional information on the project, presented an update on fundraising efforts, and encouraged anyone interested in donating to the project to contact the Greater Manhattan Community Foundation or a member of the Friends of Peace Memorial Auditorium. He asked the Commission to approve the motion to continue with this important project.

GENERAL AGENDA (*CONTINUED*)

PEACE MEMORIAL FOYER DESIGN - AUTHORIZATION TO BID (SP1206) (*CONTINUED*)

Bruce McMillan, Bruce McMillan AIA Architects, P.A., responded to additional questions from the Commission regarding future maintenance and highlighted the materials selected for this project. He then provided a project timeline with bids anticipated in early February 2017 and the construction schedule to follow in coordination with Parks and Recreation activities.

Mayor Reddi and the Commission expressed their appreciation to the Friends of Peace Memorial Auditorium members and to all the volunteers that have worked so diligently to keep the history alive with improvements to the foyer and the auditorium.

Dave Fiser, 1732 Westbank Way, President, Friends of Peace Memorial Auditorium, expressed his appreciation to the Commission and especially the Committee members in attendance and those working with the Friends of Peace Memorial Auditorium.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

After discussion and comments from the Commission, Commissioner McCulloh moved to approve the Peace Memorial Auditorium foyer design and authorize City Administration to bid the foyer improvement project (SP1206). Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READINGS - ANNEX AND REZONE - THE HIGHLANDS AT GRAND MERE

Chad Bunger, Senior Planner, presented an overview of the item. He highlighted the site map of the subject property, the Comprehensive Land Use Plan map, and informed the Commission that the Manhattan Urban Area Planning Board recommended approval of the annexation and rezoning. He then responded to questions from the Commission regarding the future development and connectivity to Marlatt Road and discussed the Seth Child and K-113 Corridor Study.

Rob Ott, Director of Public Works, provided additional information on the connection to Marlatt Road and discussions with the Riley County Public Works staff.

Mayor Reddi opened the public comments.

GENERAL AGENDA (CONTINUED)

FIRST READINGS - ANNEX AND REZONE - THE HIGHLANDS AT GRAND MERE (CONTINUED)

Tim Schultz, Applicant, Schultz Real Estate Development, provided additional information on the site and proposed development. He then responded to questions from the Commission.

Hearing no comments, Mayor Reddi closed the public comments.

After discussion and comments from the Commission, Commissioner Dodson moved to approve first reading of an ordinance annexing the Highlands at Grand Mere, a 64.19 acre tract of land generally located north of the dead end of Grand Mere Parkway, based on conformance with the Manhattan Urban Area Comprehensive Plan, the Growth Vision, and the Capital Improvements Program; and approve first reading of an ordinance rezoning the Highlands at Grand Mere from Riley County Residential Planned Unit Development District, to R-1, Single-Family Residential District, and R-2, Two-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 5*) and the recommendation of the Planning Board. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

2016 CHAMBER OF COMMERCE YEAR-END REPORTS - 2017 CONTRACTS - FUNDING REQUEST

Lyle Butler, President and Chief Executive Officer (CEO), Manhattan Area Chamber of Commerce, introduced the item and informed the Commission that the Chamber staff works closely with City staff. He also provided an overview of the Chamber Board of Directors and the annual audit conducted by the Chamber.

Karen Hibbard, Director, Manhattan Convention & Visitors Bureau (CVB), and Evan Grier, Chair, Convention Visitors Bureau (CVB) Advisory Board, presented their fourth quarter CVB report. They highlighted the Smith Travel Research for occupancy percentages and revenues; presented the number of annual visitors to Manhattan; discussed the current and future bookings for room nights; highlighted several key happenings and offerings in 2017; recapped the Festival of Lights activities and Tree Lighting Ceremony; and presented a Minute in Manhattan video. They responded to questions from the Commission regarding the new IMAX and Manhattan Conference Center as well as the potential opportunities for facility use and expansion considerations.

Ron Fehr, City Manager, responded to questions from the Commission regarding Airbnb's and the challenges to require them to charge and remit a bed tax.

GENERAL AGENDA (*CONTINUED*)

2016 CHAMBER OF COMMERCE YEAR-END REPORTS - 2017 CONTRACTS - FUNDING REQUEST (*CONTINUED*)

Karen Hibbard, Director, Manhattan Convention & Visitors Bureau (CVB), stated their Association is keeping an eye on Airbnb's too and impact on the lodging industry.

Bernie Hayen, Director of Finance, responded to questions from the Commission regarding transient guest tax revenues and correlation with the sales tax revenues.

Evan Grier, Chair, CVB Advisory Board, responded to questions from the Commission and stated that the Return on Investment is important and to quantify is sometimes difficult, but as a business owner, he wanted to see the promotion efforts to promote the community continue.

Lyle Butler, President and CEO, Manhattan Area Chamber of Commerce, presented information on the economic development funding sources and informed the Commission that 70 percent of the revenue received in 2016 was provided from private source. He also highlighted the economic development funding trends from the private and public sector and stated that inclusive growth requires integrated approaches.

Janet Nichols, Military Community Liaison, Manhattan Area Chamber of Commerce, provided an update on the activities with Fort Riley. Highlighting the events included Military Appreciation Day, Big Red One 100th Anniversary Celebration, Veterans Day parade and celebration in partnership with the Flint Hills Veteran's Coalition, USO No Dough Dinner event, Great American Defense Community recognition, and the Hidden Hero's campaign. She responded to questions from the Commission and provided additional information on Victory Week in 2017 as well as meetings and events that she attends at Fort Riley and Manhattan.

Ron Fehr, City Manager, conveyed his appreciation to Janet Nichols for her leadership and the Military Affairs team.

John Pagen, Vice President and Economic Development Director, presented the core initiatives for Advantage Manhattan "Power Our Potential" Campaign; discussed the global food systems corridor; provided labor force statistics for the top cities in Kansas by population; highlighted Manhattan retail sales; and provided data on annual new building permit values.

Trent Armbrust, Director, Business Development and Strategic Initiatives, provided information on what was learned from the November elections; highlighted the article by Steve Case in the Wall Street Journal, October 21, 2016; discussed the three P's, people, partnerships and purpose; highlighted Manhattan's innovation ecosystems; and provided updated information on tenants at the Kansas Entrepreneurial Center. He then responded

GENERAL AGENDA (CONTINUED)

2016 CHAMBER OF COMMERCE YEAR-END REPORTS - 2017 CONTRACTS - FUNDING REQUEST (CONTINUED)

to questions from the Commission regarding the importance to have a trained workforce, the need to focus on our local strengths, and challenges and opportunities for lab space.

Ron Fehr, City Manager, provided additional information regarding the availability and expense associated to construct adequate lab space.

Trent Armbrust, Director, Business Development and Strategic Initiatives, and Lyle Butler, President and CEO, Manhattan Area Chamber of Commerce, responded to questions from the Commission regarding marketing efforts and removal of covenants associated with the Manhattan Business Park.

Lyle Butler, President and CEO, Manhattan Area Chamber of Commerce, provided an overview of the community vision program being proposed with Market Street Services. He stated the Chamber plans to form a steering committee in the next few weeks with 25 to 30 leaders from the public, private and nonprofit sectors. He informed the Commission that Market Street Services has developed plans for more than 25 years in 164 communities including Austin, Texas, as one of its first success stories. He highlighted the five phases of the plan and requested that the City consider a contribution of \$15,000.00 to this project with Market Street Services.

After comments from the Commission, Lyle Butler, President and CEO, Manhattan Area Chamber of Commerce, and Ron Fehr, City Manager, provided additional information and discussed the benefits of a community vision and economic development analysis program.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

After additional discussion and comments from the Commission, Commissioner Morse moved to authorize the Mayor and City Clerk to execute the Economic Development, Fort Riley Promotion, and Tourism and Convention contracts for 2017 with the Manhattan Area Chamber of Commerce, and approve the funding request in the amount of \$15,000.00 from the Chamber for a community vision and economic development analysis, to be paid from the 2012-2022 Economic Development Fund. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

At 9:45 p.m., the Commission took a brief recess.

GENERAL AGENDA (CONTINUED)

FIRST READING - AMEND MANHATTAN URBAN AREA COMPREHENSIVE PLAN - ADOPT AND INCORPORATE THE PROPOSED BIG BLUE AND KANSAS RIVERS FLOODPLAIN MANAGEMENT PLAN

Chad Bunger, Senior Planner, presented an overview of the item. He highlighted the action items and reiterated the recommendation of approval from the Manhattan Urban Area Planning Board and City staff. He then responded to questions from the Commission and provided additional information regarding the Floodplain Management Plan timeline and action items.

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

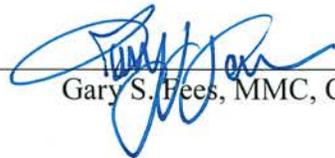
Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

After discussion and comments from the Commission, Commissioner Butler moved to approve first reading of an ordinance amending the Manhattan Urban Area Comprehensive Plan by adopting and incorporating by reference the Big Blue and Kansas Rivers Floodplain Management Plan, dated November 2016, and incorporating the necessary citation in Chapter 4, as proposed. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 10:10 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

APPLICATION TO REZONE PROPERTY TO PLANNED UNIT DEVELOPMENT DISTRICT

BACKGROUND

FROM: PUD, Flint Hills Hospitality Commercial Planned Unit Development

TO: PUD, Genesis Health Club Commercial Planned Unit Development

OWNERS: AFAD, Inc., Russ Briggs

APPLICANT: Rodney Steven, Genesis Health Club

DATE OF NEIGHBORHOOD MEETING: August 25, 2016

DATE OF PUBLIC NOTICE PUBLICATION: October 17, 2016

DATE OF PUBLIC HEARING: PLANNING BOARD: November 7, 2016
CITY COMMISSION: December 6, 2016

LEGAL DESCRIPTION: Lots 1 and 2, Flint Hills Hospitality Addition and an unplatted tract of land that was vacated K-18/Ft. Riley Boulevard right-of-way

LOCATION: Generally located approximately 350 feet to the west of the intersection of Seth Child Road (K-113) and Allison Avenue, on the north side of Allison Avenue

AREA: 223,706 square feet (5.14 acres)

PROPOSED USES: Genesis Health Club, a 24-hour fitness and health club

(Note: The existing City of Manhattan's East Stagg Hill Water Booster Pump Station (BPS) is not included in the rezoning request. The municipal facility is on a separate lot that was platted in 2010 with the previous Flint Hills Hospitality PUD. The municipal facility is a potable water pumping station, which boosts water pressures for both the western part of the City and the water tower west of Miller Ranch subdivision. A chlorinating facility is part of the facility to ensure adequate disinfection is maintained in the municipal water system.)

Attachment No. 1

The location of the pump station building and other site improvements are shown on the PUD application site plans because of the need for City Administration to evaluate impacts of the proposed PUD development on this existing City infrastructure.

An existing access easement is provided off Allison Avenue for access to the BPS site. A temporary gravel driveway extends to the station from an existing curb cut located approximately 400 feet of the station to the east off Allison Avenue. The existing access easement was established with the 2010 Final Plat. The temporary gravel driveway will remain in place until adjacent property is developed, at which time access will be obtained from an access easement that will be located within a driving aisle of the proposed off-street parking lot.

PROPOSED BUILDINGS AND STRUCTURES: A two-story health and fitness club is proposed on the site. The building, with a 48,500 square foot building footprint, will house 3 tennis courts, a 5-lane, 25-yard lap swimming pool, strength and conditioning areas, yoga studio, running track, basketball court, childcare center, locker rooms and offices.

The building will have a modern design, with a glass wall face and metal architectural panels on the northern façade (front façade). Metal siding and architectural panels will be used on the east, west and south facades. The tallest portion of the building will be an architectural tower, which will be approximately 50-feet tall. The portion of the building housing the tennis courts will have a roof line at approximately 43-feet.

PROPOSED LOT COVERAGE

Use	Square Feet	Percentage
Building	48,500 sq ft	22.0%
Paved Area (Parking & Driveways)	92,700	41.0
Total Open Space	82,506	37.0
Total Impervious	141,200	59.0

PROPOSED SIGNS

The applicant has proposed a pylon sign at the entrance to the site, a pylon sign on the northwest corner of the development site, and walls signs on the proposed building.

The building wall signs will be internally illuminated and are at the following locations and consist of the following dimensions:

Location

East facing façade
North side of architectural tower
North building façade
West facing façade
South side of architectural tower

Dimensions

Circle Business Logo –8’-8” by 9’4” (appr. 62 sq. ft.)
Circle Business Logo –8’-8” by 9’4” (appr. 62 sq. ft.)
Business Name – 3’-3” by a total of 94’ wide (282 sq. ft.)
(Note: total dimensions include spacing between the words)
Circle Business Logo –8’-8” by 9’4” (appr. 62 sq. ft.)
Circle Business Logo –8’-8” by 9’4” (appr. 62 sq. ft.)

The pylon sign at the site entrance is to be approximately 10-feet tall and 7-feet wide. The business logo will be approximately 6-foot tall by 7-feet wide (approximately 42 square feet in area). The base of the pylon sign will have metal skirting and will be located in a grassy area near the entrance.

The pylon sign at the northwest corner of the development site is to be 30-feet tall and consist of 2 signs. The business logo will be on top of the sign and be approximately 15-foot tall by 13-feet wide (approximately 150 square feet in area). A digital graphic sign is proposed below the business logo. This digital graphic LED sign is proposed to be approximately 15-feet tall and 9-feet for a total of 150 square feet in area. The total area of this pylon sign will be 300-square feet in area. The base of the sign will be a metal skirting.

City Administration has reviewed the proposed signage plan for the development and recommends approval of the wall signs and pylon sign at the entrance to the development as shown in the application materials. City Administration recommends that the north pylon sign for the development follow the sign regulations for the C-5, Highway Service Commercial District (Section 6-208). The Sign Regulations for the C-5 District allows for wall and pylon signs, with a total square footage of all signs on a street frontage not to exceed 4-square feet of each linear foot of street frontage, provided that no sign is larger than 260 square feet in area. The subject site has approximately 1,100 linear feet of frontage along Ft. Riley Boulevard, where a majority of the proposed signage faces. Up to 4,400 square feet of signage is allowed, as long as any sign is not larger than 260 square feet in area. Additionally, the signage regulations for the C-5 District limit digital signs to digital graphic signs or electronic changeable copy signs that are no larger than 32-square feet in area. The sign message for both of these sign types shall remain static for a period of not less than 60-seconds. The digital sign proposed by the applicant for the development is a digital graphic sign, which provides a static display of words and graphics, with no animation during the display of the message or during the transition.

All proposed signs would comply with these sign size regulations, with the exception of the digital graphic sign, which is shown to be 150-square feet in area.

Attachment No. 1

The proposed 150-square foot digital sign exceeds the limitations that the Community, Manhattan Urban Area Planning Board and the City Commission agreed upon through the 2-year process to discuss, update and adopt the new Sign Regulations. The City of Manhattan's desire to limit the maximum digital sign size and display characteristics was passed based on concerns over vehicular, pedestrian and bicycle traffic safety and aesthetics. There was specific discussion about prohibiting large digital signs and the desire of the community to proceed cautiously by permitting smaller digital signs. The size and location of the proposed pylon sign with the digital graphic sign could potentially impact the vehicle traffic along Ft. Riley Boulevard (State Highway K-18); a 4-lane divided State Highway. The applicant provided a diagram and discussion that claims that based on vehicular speeds and site distances for Ft. Riley Boulevard, the digital sign would be safe and a larger sign would provide more time to view the content and thus would be safer for the driving public.

This proposed sign's size, location, and design characteristics would also have a detrimental impact on the residential neighborhood to the north, across Ft. Riley Boulevard. The proposed size will be visible from homes along Arbor Drive, which backs on to Ft. Riley Boulevard and will be out of character with the area, including the other commercial businesses on the other quadrants of the interchange of Ft. Riley Boulevard and Seth Child Road (State Highway K-113), and will be out of character with what the community has determined is appropriate for digital signage.

PROPOSED LIGHTING: LED lights mounted to 22-foot tall poles are proposed throughout the off-street parking lot. Pedestrian scaled lighting and security lighting will be provided around the building and its entrances. A photometric analysis of the parking lot lighting was provided with the application. This analysis shows that no direct lighting should occur off of the development site. As required by the Zoning Regulations, the site lighting shall be shielded and full cut-off design.

SIX REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS

1. **LANDSCAPING:** The landscape plan shows a variety of deciduous and evergreen trees, bushes and ornamental grasses, lawn areas and other ground cover throughout the site, including the sites entrance off of Allison Avenue. A significant stances of volunteer deciduous and evergreens have been established over time along Allison Avenue. The applicant states that this tree line will be preserved as best as possible to provide additional landscape cover and offer screening for the neighborhood. The proposed landscape plan is functional for the site.
2. **SCREENING:** A trash dumpster enclosure is located on the west side of the building within the proposed off-street parking lot. A note on the site plan states that the

Attachment No. 1

The east sub-basin is 2.26 acres in area and drains to the east towards Seth Child Road, where it enters the stormwater water infrastructure for the state highway, ultimately draining to an open ditch along Ft. Riley Boulevard north of Briggs Auto Center where it is directed to Wildcat Creek.

The applicant’s consultant, Baughman Company, P.A., conducted a drainage plan, dated October, 2016. The drainage plan shows that through grading of the site, the sub-basin on the site will be altered so that the east sub-basin will be decreased to 1.2 acres in area. The west sub-basin will increase to 3.1 acres in area. The drainage plan shows that stormwater runoff will be collected by area inlets throughout the off-street parking lot and directed to underground detention chambers. The western sub-basin will have intermediate small grass depressions within the off-street parking lot before the stormwater runoff reaches the underground detention chambers. These grass basins will provide marginal detention area and provide water quality measures.

Two (2) separate underground detention chamber areas are proposed under the off-street parking lot. Both areas will consist of interconnected half-circle plastic chambers that will collect the stormwater runoff and meter the release of the stormwater runoff to the outflow pipes proposed in the respective sub-basins. The chambers will be backfilled with compacted fill and the off-street parking lots will be constructed overtop of the area. Additional water quality benefits are provided by the underground chamber systems through a number of inlet filters that separate trash, debris and oils from exiting the site and entering the area’s drainage ways. Normally, these underground chambers provide the opportunity for water to percolate into the groundwater. But due to the bedrock on the site, this will not be an option.

The drainage plan analyzed the pre- versus post-development rate of runoff conditions per the City’s drainage policies. The following is the analysis results

West Sub-Basin		
Storm Event	Pre-Development Rate of Runoff	Post-Development Rate of Runoff
2-Year	1.8 cfs	1.9 cfs
10-Year	5.2 cfs	3.0 cfs
100-Year	13 cfs	5.4 cfs

East Sub-Basin		
Storm Event	Pre-Development Rate of Runoff	Post-Development Rate of Runoff
2-Year	1.9 cfs	3.8 cfs
10-Year	5.7 cfs	6.5 cfs
100-Year	14 cfs	14 cfs

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Through the re-grading of the site and the proposed underground detention chambers, the west sub-basin relatively maintains the rate of runoff for the 2-year storm and reduces the rate of runoff for the larger, less frequent storm events.

The proposed drainage plan does increase the rate of runoff to the west towards Ft. Riley Boulevard and Seth Child Road for the 2-year and 10-year storms. The rate of runoff for 100-year storm is maintained. The increase in post-development rate of runoff compared to the pre-development conditions does not conform to the City's stormwater policies (Item No. 10.7 of Amendment 10, City of Manhattan Standard Specifications), which states:

The stormwater detention requirement has changed for the post development condition on new subdivisions and infill projects that are 0.5 acres or larger. Previously the Stormwater Management Master Plan (SWMMP) established maximum allowable release rates on page 19 for the 2 year, 10 year and 100 year storm events on a per acreage basis. The new criteria for both new subdivisions and infill developments shall provide stormwater detention on site and the post development condition shall have stormwater release rates equal to or less than the predeveloped condition. Developers should continue to have licensed professional engineers prepare drainage studies on all new developments and infill projects to determine the impact and mitigating methods to keep post developed conditions for the 2 year, 10 year, and 100 year storm equal to or less than the pre-developed condition.

The City Engineer and the City's Stormwater Engineer have reviewed the drainage study for the development (see attached memo). The City Engineer notes that the proposal does not conform to the City's stormwater policy and is requiring that the drainage plan be amended at the time of the submittal of the Final Development Plan to comply with the policy that states that the post-development rate of runoff is equal to or less than the pre-development conditions. The City Engineer is also requiring that with the Final Development Plan, the downstream structures in the KDOT right-of-way are analyzed by the applicant's consultant to ensure that the capacity exists in these structures to handle the added runoff.

Additionally, the City Engineer is requiring a restrictive covenant be created and agreed upon at the time of City Commission's acceptance of easements and right-of-way on the Final Plat that specifies maintenance and inspection of the on-site stormwater infrastructure.

Conditions of approval are proposed by City Administration based on the comments and requirements of the City Engineer.

StormTech SC-310 Chamber

Designed to meet the most stringent industry performance standards for superior structural integrity while providing designers with a cost-effective method to save valuable land and protect water resources. The StormTech system is designed primarily to be used under parking lots thus maximizing land usage for commercial and municipal applications.



StormTech SC-310 Chamber (not to scale)

Nominal Chamber Specifications

Size (L x W x H)	85.4" x 34.0" x 16.0" (2170 x 864 x 406 mm)
Chamber Storage	14.7 ft ³ (0.42 m ³)
Min. Installed Storage*	31.0 ft ³ (0.88 m ³)
Weight	37.0 lbs (16.8 kg)

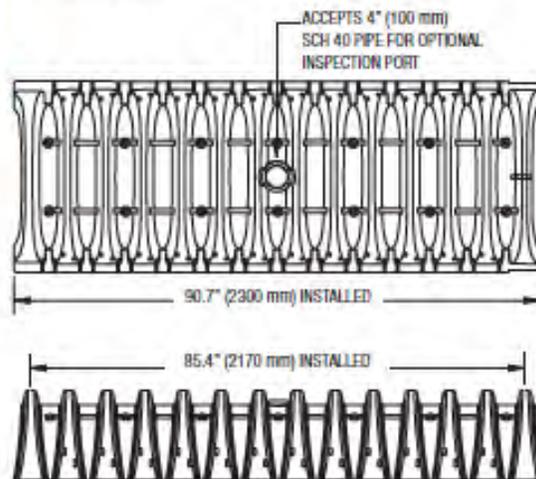
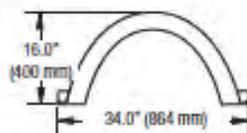
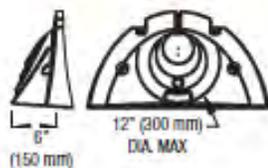
*Assumes 6" (150 mm) stone above, below and between chambers and 40% stone porosity.

Shipping

41 chambers/pallet

108 end caps/pallet

18 pallets/truck



4. CIRCULATION:

Access to site is currently a gravel driveway onto Allison Avenue, a minor collector street, which is approximately 60 feet to the west of Ridgewood Drive, a local residential street. The site's access point is to be shifted to the east so that it directly aligns with Ridgewood Drive.

The internal circulation plan provides for safe, convenient and efficient movement of motorists and pedestrians. Internal conflicts between motorists and pedestrians are minimized.

Traffic Study

Schwab-Eaton, P.A. originally created a Traffic Impact Study for the proposed development in August, 2015 (see attached). The applicant's current consultant, Baughman Company, P.A. has reviewed the original study and found it to be complete. A total of 211 trips are anticipated to be generated by the proposed health and fitness club on the site in the PM peak hour. The Traffic Impacted Study stated that the focus was on the PM peak hour, as the AM peak house was anticipated to be less than half for the health and fitness club.

The study determined that the Allison Avenue and the surrounding intersections, including the local residential streets, currently have a level of service (LOS) A. The inclusion of the trips generated by the new use will not diminish level of service in the area. The need for left and/or right turn lanes were evaluated for the site's entrance and was determined not to be needed, although the Manhattan Area Transportation Strategies policy states that a left turn lane should be included on all local collector streets at non-residential entrances.

The Traffic Impact Study devoted attention to sight distances at the site entrance on Allison Avenue and found them to be adequate following minimal grading at the entrance.

The City Engineer has reviewed the Traffic Impact Study and accepts its comments.

Off-Street Parking

Two-hundred and sixty eight (268) off-street parking spaces are proposed throughout the site.

Off-street parking is based on net floor area, with space such as mechanical rooms, storage and hallways deducted, or the design occupancy of a space, and on different ratios for the separate uses. The proposed floor plans for the combined uses would generally require a total of 219 off-street parking spaces to serve the mix of uses. It is a reasonable assumption that the entire facility will not be at maximum capacity at any

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period during the hours of operation. In addition, at design occupancy, the health club component would be occupied in some rooms by equipment reducing occupancy and equivalent parking demand.

The total is based the following building uses and area or occupancy calculations:

Room Use	Area	Occupancy	Requirement	Parking Sub-total
Offices	500 sq ft	6	1 per 300 sq ft	2
Strength, Cardio & Fitness Areas	25,155 sq ft	503	1 per 3 occupants	168
Basketball Courts	3,015 sq ft	60	1 space for each player	20
Swimming Pool Area	3,365 sq ft	68	1 space per 4 occupants	17
Tennis Courts	19,170 sq ft	192	4 spaces per court	12
Total Minimum Parking Required				219

For the purposes of determining an applicable number, tennis court, basketball courts and the lap swimming pool are considered separately as each is less likely to be occupied at an occupancy rate similar to rooms. In this instance the tennis courts are considered as each having a doubles occupancy or four persons per court. The basketball is considered to have a 5 on 5 person game occurring on each half of the full size court. The pools, for lap swimming and group exercise are considered at one space per four persons as the pools are not equivalent in use to pools for general swimming.

For the health club component, the Manhattan Zoning Regulations would require 1 parking space per three persons based on designated occupancy, or $503/3=168$ and an occupancy of the pools $68/4=17$.

The daycare area is assumed to be for the convenience of parents working out at the health and fitness club and is not considered a standalone day care center. Therefore, the area devoted to this use is not counted towards the total off-street parking requirements.

Based on the requirements of the Manhattan Zoning Regulations, the proposed off-street parking should be adequate to serve the separate uses of the proposed PUD.

Bicycle and Pedestrian Access

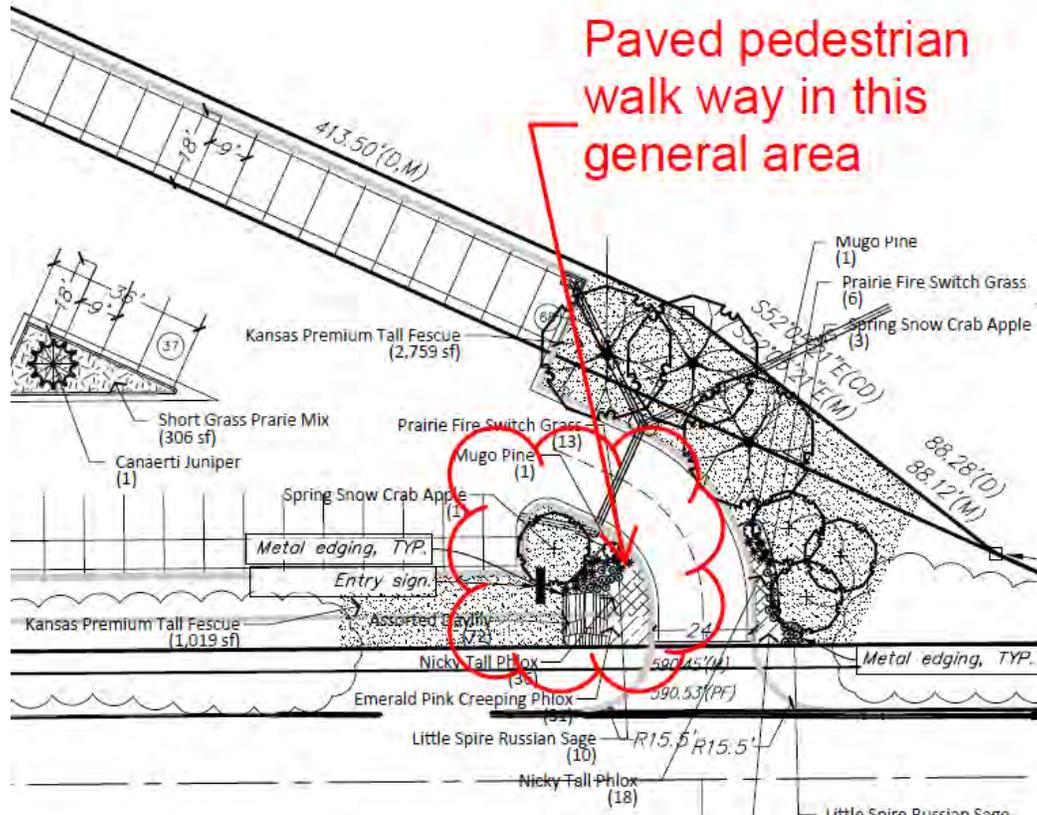
Internal sidewalks are proposed throughout the site to provide clients and guests to the proposed health and fitness club pedestrian friendly routes to the entrances of the building.

Currently, sidewalks do not exist throughout the area. This is primarily due to the era of the existing residential development the south and west of the site. At the time these subdivisions were being developed in the 1960's, 1970's and 1980's sidewalks were not required along arterial, collector or local streets by the City's Subdivision Regulations.

The Preliminary Development Plans do not show a sidewalk in the right-of-way of Allison Avenue. City Administration is recommending that a minimum 5-foot wide sidewalk be installed and maintained by the applicant within the north side of the Allison Avenue road right-of-way from the east side of the development to point where Allison Avenue turns to the south. The installation of the sidewalk will begin to provide a much needed pedestrian connectivity for the area. The required sidewalk will then connect to a new sidewalk that is proposed to be installed with the Ft. Riley Boulevard and Seth Child Road diverging diamond interchange that is to begin construction in 2018. The development of the sidewalk connectivity throughout the residential neighborhoods to the south will most likely occur over time through City infrastructure projects and/or redevelopment projects.

With the sidewalk requirement along Allison Avenue, a paved accessible pedestrian route shall be installed from the public sidewalk at the driveway into the site to provide for a safe pedestrian accessible route to the building.

City Administration recommends a conditional approval addressing both of these sidewalk topics.



5. **OPEN SPACE AND COMMON AREA:** Landscape space reflects the open space on the developable portion of the property. The natural ravine on the west side of the site is also to remain as open space.
6. **CHARACTER OF THE NEIGHBORHOOD:** The site is located in the southwestern quadrant of the major street intersection of Ft. Riley Boulevard and Seth Child Road. Development consists primarily of service commercial on the southeast and northwest corners and a municipal facility (Riley County Police Department) on the northeast corner. The southwest corner consists of the undeveloped PUD site and established low to high density residential neighborhoods.

The southwest corner of the Seth Child Road/Allison Avenue intersection is accessed from Allison Avenue, a minor collector street. Intersecting streets, Canyon Drive and Ridgewood Drive (local streets) serve the single-family and two-family residential neighborhoods to the south of Allison Avenue. Near the intersection of Allison Avenue and Crestwood Drive are several multiple-family developments, some of

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which are in the Crestwood Apartment complex. Further to the south on Allison Avenue, Dondee Drive and DeHoff Drive is a residential neighborhood with a mix of single-family dwelling and two-family dwellings throughout the neighborhood.

The proposed PUD site is on a prominent elevated plateau above Ft. Riley Boulevard, which is to the north and is very visible from both Ft. Riley Boulevard and Seth Child Road.

THIRTEEN MATTERS TO BE CONSIDERED WHEN CHANGING ZONING DISTRICTS

1. **EXISTING USE:** Vacant ground and Ft. Riley Boulevard ROW that was recently vacated and deeded to the property owner. The Flint Hills Hospitality Commercial PUD was approved for the subject site in 2010 to develop 2 hotels and off-street parking lots. Both tracts have been vacant since annexation.
2. **PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** The majority of the site is generally flat except for those portions adjoining Allison Avenue along the southern boundary and the extreme west side of the site. The site is at the same approximate grade as Allison Avenue at the eastern point and approximately 20-feet below grade of Allison Avenue where Allison Avenue turns at a right angle to the south. The northern boundary of the site adjoins Ft. Riley Boulevard right-of-way. The majority of the interior of the site has been graded and there are scattered trees along the southern boundary. There is a large and deep natural and heavily treed ravine on the western edge of the site. The site currently drains to the north and northeast.

Access is from an existing concrete curb cut located approximately 60-feet west of the Ridgewood Drive and curb cut intersection. The current internal access to the Booster Pump Station is via a gravel driveway. The existing curb cut is on a generally flat part of Allison Avenue. The site plan indicates Allison Avenue up to the proposed curb cut directly across from Ridgewood Drive is a 15% grade, which flattens to a 4% grade and inclines to 11% before flattening at the western boundary of the site at the top of the hill.

3. SURROUNDING LAND USE AND ZONING:

- a) **NORTH:** Ft. Riley Boulevard, off ramp to Seth Child Road and Ft. Riley Boulevard signalized intersection, divided four lane expressway; restaurant and single family dwellings, all north of Ft. Riley Boulevard, and Seth Child Road; R District and PUD.

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- b) **SOUTH:** Allison Avenue, a 60 foot wide minor collector street, multiple-family, two-family and single-family dwelling units; R-3, Multiple-Family Residential District and R-2, Two-Family Residential District.
 - c) **EAST:** Ft. Riley Boulevard and Seth Child Road signalized intersection; auto dealership, multiple-family dwelling unit, restaurant, and group day care; R-1 District, C-5, Highway Service Commercial District, and C-1, Restricted Business District.
 - d) **WEST:** Single-family residential dwelling units and church; R District.
4. **CHARACTER OF THE NEIGHBORHOOD:** See above under Review Criteria for Planned Unit Development, number 6.
5. **SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The site has remained vacant since annexation into the City. In March, 2010, the City Commission approved the Flint Hills Hospitality Commercial PUD to construct 2 hotels, with a total of 159 guest rooms. Ordinance No. 6821 established the Commercial PUD, including the permitted uses hotels and other development standards for the proposed development. The Final Development Plan was approved by the Manhattan Urban Area Planning Board in August, 2010. The development was never constructed and is considered to be abandoned as regulated in Section 9-107 Abandonment or Failure to Proceed.
- Because the development was never constructed, and thus the PUD is considered abandoned, the site is not suitable for its current zoning. To develop upon the site, the property owner would need to request a rezoning or the Planning Board would need to enter into the process to revoke the PUD, as described in Section 9-107(B), which has not occurred to date.
6. **COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** An increase in traffic, light and noise can be expected to occur with the proposed health and fitness club. Additional impacts may be expected due to the size and location of the building with respect to nearby residential neighborhoods.

Traffic Light and Noise Impacts

An increase in vehicular traffic will be expected from the proposed development. Based on the Traffic Impact Study for the Genesis Health Club, traffic is anticipated to generate minimal impact on the surrounding street system. Through City Administrations recommendation, pedestrian traffic will be accommodated with new sidewalks along Allison Avenue, which currently do not exist.

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With respect to light, the PUD application's photometric analysis shows that direct light will be contained on the site. The City's Zoning Regulations require that all lighting of a development be full-cutoff and downcast.

As stated, an increase in noise can be expected. The Genesis Health Club is proposed to operate on a 24-hour basis and activity can be expected throughout the daytime and evening hours and to a lesser extent at night. Noise associated with the location of the health and fitness club to the neighborhood to the south is mitigated due to the distance of the main entrance of building from Allison Avenue, which is to the north of the site. The southern portions of the building will have limited access and outdoor activity associated with the area. The off-street parking along Allison Avenue will be screened by the grade of the street and property, or the existing tree line. As discussed previously, if the existing trees cannot be adequately preserved, landscaping will be required to be installed to provide the needed screening of the site for the adjacent neighborhood.

Size, Location and Character Impacts

The building will be approximately 50-feet to the closest property line that adjoins another property. The building is approximately 43-feet in height along the south property line. The architectural tower on the northeast corner of the building is to be approximately 50 feet tall. The building is proposed to have a finished floor elevation of 1,146 feet. Based on the proposed grade adjacent to the building and street grades, the health and fitness club is approximately 27 feet below Allison Avenue street grade at the eastern point of the building and 19-feet below grade at the western point of the building. In combination with landscaping, distance, angle of the building and elevation grade differences, the height and lighting associated with the building, are not expected to adversely affect residential properties to the south of Allison Avenue.

Minimal impacts are anticipated from the use of the proposed building to the neighborhood to west of the site or to the north of Ft. Riley Boulevard. The proposed pylon sign, with the 150 square foot digital animated sign may adversely impact these neighbors. Distance does separate these 2 neighborhoods from the development site and the pylon sign location. The neighborhood to the west is separated by a tree lined ravine that is approximately 175-feet wide. The Ft. Riley Boulevard separates the development site from the neighborhood to the north, which has a distance of approximately 400-feet. Although there is considerable distance from the homes to the development site and the sign, the neighborhoods are generally on the same grade as the development site. The large, digital sign will be out of character with other commercial uses along Ft. Riley Boulevard and the nearby interchange and with what the community has determined is appropriate for digital signage. Depending on the brightness setting of the digital sign and time of day (day, night, dawn or dusk) the illumination of the sign may be impactful to these neighbors as well.

The applicant held a neighborhood meeting on August 18, 2016. Three (3) neighbors attended the meeting. According to the meeting summary, there were questions about access to the site, drainage and site lighting. The meeting summary indicates that the neighbors in attendance were satisfied with the responses and proposal.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

The site is shown on the Southwestern Future Land Use Map as RLM, Low to medium density residential. The RLM policies are as follows:

RLM policies include:

RLM-1: Characteristics

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

RLM-2: Appropriate Density Range

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

RLM-3: Location

Residential Low to Medium Density neighborhoods typically should be located where they have convenient access to and are within walking distance to community facilities and services that will be needed by residents of the neighborhood, including parks, schools, shopping areas, transit and other community facilities. Where topographically feasible, neighborhoods should be bounded by major streets (arterials and/or collectors) with a direct connection to work, shopping, and recreational activities. The Residential Low to Medium Density designation includes most established neighborhoods outside of the core area as well as future residential growth areas to the west and east.

RLM-4: Variety of Housing Styles

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

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Low to medium density developments are suggested for the site in the Comprehensive Plan. As noted in the Comprehensive Plan's policies for residential areas, retail services and office activities may be in appropriate, when properly located, scaled and in character with the residential neighborhood. These policy statements should be balanced against the policies for commercial development based on the overall character of the neighborhood.

The proposed PUD is will be a locate large, 24-hour health and fitness club on an elevated site above a major street corridor, at an intersection oriented to commercial developments, which is also immediately adjacent to an established single-family, two-family and multiple-family residential neighborhood. The proposed health and fitness center use generally conforms to policies RLM designation of the Comprehensive Plan in relationship to providing appropriate retail and service commercial uses. While its mass and scale are not the same as the low density residential uses in the neighborhood, its scale is not inconsistent with large multiple-family buildings in the same neighborhood or the commercial uses at the other quadrants of the Ft. Riley Boulevard and Seth Child Road intersection. The building location, height and mass are separated by distance, elevation, screening and building placement to the greatest extent feasible, given the shape of the land. Concerns related to its character and fit are mitigated by distance and natural screening. The overall site's location to a major street intersection lends itself to commercial development oriented towards the motoring public.

The proposed PUD is in general conformance with the Comprehensive Plan.

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

September 10, 2009 Manhattan Urban Area Planning Board tables public hearing for the proposed rezoning of the Flinthills Hospitality PUD to September 21, 2009.

September 21, 2009 Manhattan Urban Area Planning Board tables public hearing for the proposed rezoning of the Flinthills Hospitality PUD to October 19, 2009.

October 19, 2009 Manhattan Urban Area Planning Board tables public hearing for the proposed rezoning of the Flinthills Hospitality PUD to November 2, 2009.

November 2, 2009 Manhattan Urban Area Planning Board holds public hearing and fails to make a recommendation, on a vote of 3-3, on rezoning the proposed Flinthills Hospitality PUD from R-1, Single-Family Residential District, and R, Single-Family Residential

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District, to PUD, Commercial Planned Unit Development District.

- November 16, 2009 Protest Petition submitted to City Clerk's Office, subsequently found to surpass the 20% threshold to be valid.
- December 11, 2009 Bucher, Willis & Ratliff Corporation (BWR) Traffic analysis submitted to City.
- February 4, 20210 Email to City from Colin Noble, Flint Hills Hospitality LLC, summarizing events following Planning Board hearing.
- February 16, 2010 City Commission, on a vote of 4-1, overrode the Manhattan Urban Area Planning Board and approved first reading of an ordinance rezoning the Flinthills Hospitality Commercial PUD, based on the findings in the Staff Report and the BWR Traffic Analysis, with the fourteen (14) conditions of approval recommended by City Administration.
- March 23, 2010 City Commission, on a vote of 4-1, overrides the Manhattan Urban Area Planning Board and approves Ordinance No. 6821 rezoning the Flinthills Hospitality Commercial PUD, based on the findings in the Staff Report and the BWR Traffic Analysis, with the fourteen (14) conditions of approval.
- August 2, 2010 Manhattan Urban Area Planning Board approves the Final Development Plan for Lot 1 and Lot 2, Flinthills Hospitality Commercial PUD, and Final Plat of Lots 1-3, Flinthills Hospitality Addition, a Commercial Planned Unit Development, on a vote of 3-2.
- August 17, 2010 City Commission accepts the easements and rights-of-way of the Final Plat of the Flinthills Hospitality Addition, a Commercial Planned Unit Development; and, authorizes the Mayor and City Clerk to execute the Agreements regarding construction and maintenance of the storm water facilities and travel easement.

- 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 proposed PUD would rezone a site that is currently zoned PUD for 2 hotels and accessory signage and off-street parking lots.

Land use and structures within a Planned Unit Development District which, when approved by the Planning Board and Governing Body, may differ in one or more respects from the regulations that are applicable in any other zoning district. The objectives of a Planned Unit Development District shall be to promote progressive development of land and construction by encouraging Planned Unit Developments (PUD's) to achieve: a maximum choice of living environments by allowing a variety of housing and building types; a more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of commercial uses and services; a development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns; a more efficient use of land than is generally achieved through conventional development; a development pattern in harmony with land use density, transportation facilities, and community facilities; an environment which provides safe, clean, convenient and necessary residential, commercial, and industrial facilities which will afford greater opportunities for better housing, recreation, shops and industrial plants for all citizens of the community; a development plan which suits the specific needs of the site and takes into account the unique conditions of the property which may require changes of conventional bulk regulations, lot layout, or density; or results in a project that provides greater public benefit than would be provided under conventional zoning; and, a mixture of compatible uses which might not otherwise be permitted in a single district, or which may restrict the range of land uses more than in a single district.

As previously mentioned the current zoning of the site is the Flint Hills Hospitality PUD, which was approved for 2 hotels, a Candlewood Suites and a Holiday Inn Express, accessory off-street parking lots and signage. The 2 buildings were to have approximately 24,000 square feet of lot coverage and be up to 55 feet in height.

Based on the proposed development, the health and fitness club is an appropriate use of the site and consistent with the intent and purpose of the Zoning 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 INDIVIDUAL OWNER:

There appears to be no relative gain to the public that denial would accomplish. Minimal impact on the public is expected as a result of traffic and storm water. Transportation and storm water proposals are consistent with the policies of the City, based on the conditions of approval. There may be a hardship on the owner if the rezoning is denied because no public adverse impacts are expected.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES:

The City's Stagg Hill Water Booster Pump Station (BPS) is the source of water to the Miller Ranch water tower, which is the sole water storage tank serving the residents and businesses in the Stagg Hill and the Eureka Valley areas, as well as the neighborhoods along Miller Ranch Parkway. The water supply transmission main that feeds the Stagg Hill BPS currently bisects the property, and the location of the proposed Genesis building is directly over this critical piece of water infrastructure. The developer has proposed to relocate the water main to accommodate the proposed building location. The City Commission approved a development agreement with the developer on October 18, 2016, which defines the specific requirements of the relocation and construction of public infrastructure. The design and construction of the relocated main shall be done within strict accordance to all City of Manhattan Standard Specifications and all other requirements placed on the developer in order to ensure that it is completed in a manner that will minimize the risk of a loss of water service to the areas served by the Stagg Hill BPS or other form of system failure. The design of the water main is ongoing and will be subject to approval by the Public Works Department. Construction is anticipated to occur shortly after the planning process is complete. The relocated water main will be located within a Utility Easement as dedicated with the Final Plat.

There are several other important access issues with this project that will have to be addressed. The only access to the City property containing the Stagg Hill BPS is through the property being developed. Future access to the Genesis property will also be the sole access point for the City to maintain the BPS. Public Works will require that the developer provided permanent 24-hour access to the City's property. A Travel and Utility Easement will be provided with the Final Plat that should provide the necessary access. The developer must also be able to provide unrestricted 24-hour access to the BPS site during the construction phase of all PUD site improvements. In addition to providing permanent access to the City, Public Works will require that the developer shall provide permanent security measures, via a gate and/or fencing to restrict access to the BPS site from the general public that visit the Genesis property.

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Public Works staff strongly feels that construction of the proposed building and other site improvements should not be allowed to commence until the successful relocation of this water main has been completed and the Stagg Hill BPS has been returned to full operational capabilities; however, staff feels that there is no reason at this time for the Planning Board to withhold approval of the rezoning and Preliminary Development Plan.

The Manhattan Fire Department has reviewed the Preliminary Development Plan and has determined that a fire hydrant should be located on the west side of the building. The location of the hydrant is to provide better access for fire apparatus in the unfortunate event of a fire. The hydrant location can be determined with the Final Development Plan.

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS AND RECOMMENDATION: City Administration recommends approval of the proposed rezoning of the Genesis Health Club PUD from PUD, Commercial Planned Unit Development to PUD, Commercial Planned Unit Development District, based on the findings in the staff report, with the following conditions of approval:

1. The Permitted Uses shall include: Health and Fitness Clubs, as described in the application materials and shown on the Preliminary Development Plan.
2. Signage shall be limited to signs proposed in the application, with the exception of the north pylon sign.
3. The north pylon sign shall comply with the C-5, Highway Service Commercial District, where no one (1) sign is larger than 260 square feet and the digital graphic sign shall be no larger than 32 square feet.
4. The digital sign proposed on the north pylon sign shall conform to the use limitations of digital graphic signs, as described in Section 6-110(B).
5. Exempt signage described in Article VI, Section 6-102(A)(2)(a),(b),(c), (e), (h), (i), (j), (l), (m).
6. A tree preservation plan shall be provided with the Final Development for the existing tree line along Allison Avenue to ensure that adequate landscape screening of the site is provided for the neighborhood to the south. If it is determined that the existing trees cannot be preserved, the Final Landscape Plan shall be amended to provide the needed landscape screening.
7. 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.
8. All landscaping and irrigation shall be maintained in good condition.

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9. The Drainage Plan shall be amended with the Final Development Plan showing that the proposed infrastructure will conform to the City's stormwater policy. The amended drainage report shall also analyze the downstream stormwater infrastructure to ensure adequate capacity is available.
10. A Restrictive Covenant on Real Estate related to maintenance and inspection of the proposed drainage improvements shall be filed with the Final Plat.
11. A minimum 5-foot wide sidewalk be installed, concurrent with the construction of the improvements in the PUD and maintained by the applicant, within the north side of the Allison Avenue right-of-way extending from the eastern edge of the development to the point where Allison Avenue turns to the south.
12. A paved path that provides a safe pedestrian route from the Allison Avenue sidewalk to the site's internal sidewalk shall be provided.
13. A fire hydrant shall be provided on the west side of the building, as per the Manhattan Fire Department's specification.
14. The water transmission main feeding the Stagg Hill Booster Pump Station shall be relocated and operational prior to the issuances of an occupancy permit for the building.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Genesis Health Club PUD from PUD, Commercial Planned Unit Development to PUD, Commercial Planned Unit Development District, stating the basis for such recommendation, with the conditions listed in the Staff Report.
2. Recommend approval of the proposed rezoning of Genesis Health Club PUD from PUD, Commercial Planned Unit Development to PUD, Commercial Planned Unit Development District, and modify the conditions, and any other portions of the proposed PUD, to meet the needs of the community as perceived by the Manhattan Urban Area Planning Board, stating the basis for such recommendation, and indicating the conditions of approval.
3. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
4. Table the proposed rezoning to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of Genesis Health Club PUD from PUD, Commercial Planned Unit Development to PUD, Commercial Planned Unit Development District, based on the findings in the staff report, with the fourteen (14) conditions recommended by City Administration.

PREPARED BY: Chad Bunger, AICP, CFM

DATE: November 3, 2016

16023}SR}GenesisHealthClubRezone_PUD

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: R, Single Family Residential District with Airport Overlay

TO: R-1, Single Family Residential District with Airport Overlay

APPLICANT/OWNER: Aaron & Heather Tremblay – Autumn Hills, LLC

ADDRESS: 7595 Falcon Road, Riley, KS 66531

LEGAL DESCRIPTION: Stone Tract No. 1, Lot 1, Acres 2.85

LOCATION: The rezoning site is generally located approximately 150 feet south of the intersection of North Scenic Drive and Highland Ridge Drive, along the east side of North Scenic Drive.

AREA: The total area of the rezoning site is approximately 124,730 square feet in area, having a total dimensioned area of 350 feet in depth and 392 feet in length on its longest side

DATE OF NEIGHBORHOOD MEETING: October 4, 2016

DATE OF PUBLIC NOTICE PUBLICATION: October 31, 2016

DATE OF PUBLIC HEARING: PLANNING BOARD: November 21, 2016
CITY COMMISSION: December 6, 2016

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE:

The existing use of 120 North Scenic Drive is a single-family home, built in 1973. The home has an approximate square footage of 2,996. (*Note: Existing use information was obtained from the Riley County GIS web page*)

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:

The rezoning site slopes upward toward the north. The east side of the lot in particular features steep slopes. The house is roughly centered within the lot. The home is accessed via a driveway off of North Scenic Drive. The subject site features thick vegetation, particularly on the east side of the lot.

3. SURROUNDING LAND USE AND ZONING:

NORTH: The property directly to the north is an undeveloped portion of the Scenic Woods Planned Unit Development (PUD).

SOUTH: The properties to the south include the Stone Pointe Addition Unit 2 Subdivision, zoned R, Single Family Residential District, as well as Stone Pointe Townhomes Residential Planned Unit Development (PUD).

EAST: The property located directly to the east is also an undeveloped portion of the Scenic Woods Planned Unit Development (PUD).

WEST: To the west of the subject site, across North Scenic Drive, is undeveloped land which is not within the City of Manhattan. It is unincorporated Riley County land zoned AG, Agricultural District.

4. GENERAL NEIGHBORHOOD CHARACTER: The surrounding neighborhood is primarily residential. The residential uses are predominantly single family homes. However, there are some townhomes located in the Stone Pointe Planned Unit Development. An apartment complex was approved with the Scenic Woods PUD immediately to the north of the subject site. Additionally, the area to the west of Scenic Drive exhibits some rural and agricultural characteristics, particularly

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The rezoning site consists of an approximately 124,730 square foot lot, which conforms to the minimum lot size requirements for a residential lot in the R, Single Family Residential zoning district. The lot is suitable for the uses under the current R, Single Family Residential district standards.

The subject lot comprises the Stone Tract No. 1 addition, which was platted, annexed into the City of Manhattan, and rezoned to R, Single Family Residential District in October 2010. The current zoning of the property is suitable for the current use, which is a single family home. However, the applicants are proposing to convert the single family home into a “Home Plus” facility, which is essentially a small-scale nursing home. Nursing homes are a Conditional Use in the R-1, Single Family Residential District, which is the reason for the rezoning request. The R District does not allow for nursing homes as either a Permitted or Conditional Use. “Home Plus” facilities are licensed by the Kansas Department of Aging and Disability Services, and the facility would house eight (8) seniors, specifically those with Alzheimer’s disease or related dementias.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed rezoning of the site from R, Single Family Residential to R-1, Single Family Residential, would have little, if any, detrimental effects on nearby properties. The differences between the “R” and “R-1” residential zoning districts are subtle, the primary difference being the density of the two districts. R, Single Family Residential District allows no more than one dwelling unit per 10,000 square feet. R-1, Single Family Residential District allows no more than one dwelling unit per 6,500 square feet, a slightly higher density. Nursing homes are allowed in the R-1 District by approval of a Conditional Use by the Board of Zoning Appeals.

The proposed rezoning, and subsequent conversion of the existing single family house into a “Home Plus” facility, would likely cause a minimal increase in traffic to the area. However, the proposed zoning use of the land and the activities taking place at the site would be consistent with the zoning of surrounding properties. The property directly to the southeast of the subject site annexed into the City and zoned R, Single Family Residential District, in December of 2006.

If the subject property is rezoned as proposed, Autumn Hills, LLC intends apply for a Conditional Use to the Board Zoning Appeals to convert the existing single family house on the site to the “Home Plus” facility. The current owners purchased the property because of the size of the existing home that could be converted into the “Home Plus” facility, while still maintaining the house-like atmosphere.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The Future Land Use Map of the Comprehensive Plan identifies the areas east of Scenic Drive as “Residential Medium to High Density” and Preserved Open Space designation. Additionally, the site is within the Conical Zone of the Manhattan Regional Airport, which has a range of density of 11 to 19 dwelling units per net acre. The Plan defines the primary policies regarding Medium to High Density Residential as:

RMH 1: Characteristics

The Residential Medium to High Density designation should incorporate a mix of housing types in a neighborhood setting in combination with compatible non-residential land uses, such as retail, service commercial, and office uses, developed at a neighborhood scale that is compatible with the area’s residential characteristics and in conformance with policies for Neighborhood Commercial Centers. Appropriate housing types may include combination of small lot single-family, duplexes, townhomes, fourplexes on individual lots. However, under a planned unit development concept, or when subject to design and site plan standards (design review process), larger apartment or condominium buildings may be permissible as well, provided the density range is complied with.

RMH 2: Appropriate Density Range

Densities within a Residential Medium to High Density neighborhood range from 11 to 19 dwelling units per acre.

RMH 3: Location

Locate Residential Medium to High Density neighborhoods close to an arterial street and bounded by collector streets where possible with a direct connection to work, shopping, transit, and recreational activities. The Residential Medium to High Density designation includes some of the older neighborhoods in the core area of the City as well as portions of newer planned neighborhoods outside the core area.

RMH 4: Variety of Housing Styles

To avoid monotonous streetscapes, the incorporation of a variety of housing models and sizes is strongly encouraged in all new development, particularly when a single housing type (e.g., small-lot single-family or duplexes) is prevalent.

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

10-4-10: Annexed by City Commission and zoned R, Single Family Residential District.

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

The proposed rezoning is consistent with the intent and purpose of the Manhattan Zoning Regulations because the proposed lot size conforms to the minimum requirement of the R-1 District.

The R-1, Single Family Residential District is designed to provide a dwelling zone at a density no greater than one dwelling unit per 7,500 square feet. The existing single family home sits on a lot of about 124,709 square feet, and the applicants are proposing to convert this home into a small-scale nursing home facility, a Conditional Use in the proposed R-1 zoning district.

10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT: There would be no apparent gain to the public to the public health, safety, and welfare that would result from the denial for the request of the rezoning. Additionally, there are no anticipated adverse impacts to the public health, safety, and welfare that would result from the proposed rezoning.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate street, sanitary sewer and water services are available at the subject site. An existing driveway accesses the property from Scenic Drive.

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. City Administration will provide the “Notice of Potential Impact” on building permits.

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of 120 North Scenic Drive, an approximate 2.85 acre tract of land, from R, Single Family Residential District with Airport Overlay, to R-1, Highway Service Commercial District with Airport Overlay, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of 120 North Scenic Drive from R, Single Family Residential District, to R-1, Single Family Residential 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 120 North Scenic Drive from R, Single Family Residential District with Airport Overlay, to R-1, Single Family Residential District with Airport Overlay, based on the findings in the Staff Report.

PREPARED BY: Doug May, Planner

DATE: November 21, 2016

2017 Social Services Advisory Board Agency Funding

	2017	2016
<i>Basic Human Needs (food, clothing, shelter, transportation)</i>	<i>Request</i>	<i>Allocated</i>
Crisis Center (intervention/shelter programs)	\$48,800	\$48,800
MESI	\$66,768	\$66,768
Shepherd's Crossing	\$46,000	\$46,000
<i>Prevention/Intervention (Youth)</i>		
Big Brothers/Big Sisters	\$37,000	\$37,000
Boys and Girls Clubs	\$30,605	\$30,605
Circles Manhattan	\$14,000	\$14,000
Morning Star Inc., CRO	\$10,015	\$10,015
Sunflower CASA	\$38,700	\$38,700
K-State Center for Child Development	\$40,800	\$40,800
<i>Prevention/Intervention (Elderly and Disabled)</i>		
Homecare and Hospice	\$50,000	\$50,000
Kansas Legal Services	\$35,000	\$35,000
Totals	\$417,688	\$417,688

2017 Special Alcohol Committee Agency Funding

	Requested	Approved
Big Brothers/Big Sisters	\$19,000	\$19,000
Boys & Girls Club	\$29,011	\$29,011
Circles Manhattan	\$15,000	\$15,000
Friends of Recovery Association	\$25,000	\$25,000
KSU - AODES	\$46,573	\$32,826
Manhattan Area Risk Prevention Coalition (MARPC)	\$18,983	
Manhattan Emergency Shelter	\$22,194	\$22,194
Pawnee Mental Health - THERAPY SERVICES	\$76,238	\$76,238
Pawnee Mental Health - CRISIS SERVICES	\$80,666	\$40,333
Riley County Youth Court	\$5,000	\$5,000
Riley County Comm. Corrections (Juv)	\$5,000	\$5,000
Riley County Comm. Corrections (Adult)	\$22,317	\$22,317
Sunflower CASA	\$45,690	\$45,690
The Restoration Center	\$90,000	\$60,000
UFM Learning Center	\$25,500	\$25,500
Unified School Dist. #383	\$240,126	\$216,126
Total	\$766,298	\$639,235

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

APPLICATION: To rezone the Highlands at Grand Mere

FROM: County PUD, Residential Planned Unit Development

TO: Tract 1: R-1, Single-Family Residential District
Tract 2: R-2, Two-Family Residential District

APPLICANT/OWNER: LO Land Company, LLC and Schultz Construction, Tim Schultz

LEGAL DESCRIPTION: Unplatted tract of land in the Southeast Quarter of Section 34, Township 9 South, Range 7 East.

LOCATION: Generally located to the north of the dead end of Grand Mere Parkway.

AREA: THE TOTAL AREA OF REZONING IS 64.19 ACRES.

Tract 1: 47.12 acres - Rezone from County Residential PUD to R-1 District

Tract 2: 17.07 acres - Rezone from County Residential PUD to R-2 District

DATE OF NEIGHBORHOOD MEETING: October 5, 2016

DATE OF PUBLIC NOTICE PUBLICATION: November 10, 2016

DATE OF PUBLIC HEARING: PLANNING BOARD: December 5, 2016

CITY COMMISSION: December 20, 2016

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Open rangeland.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is typical Flinthills landform consisting of open range land and wooded ravines. The site generally on a ridgeline to the north of the Grand Mere neighborhoods and drains generally to the east, southeast towards Little Kitten Creek.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Range land associated with Kansas State University and range land that planned as a future residential neighborhood of Grand Mere; County AG, Agriculture District and County Residential Planned Unit Development.

SOUTH: Baltusrol Addition residential neighborhood of Grand Mere, the Colbert Hills Golf Course and Muirfield Addition residential neighborhood of Grand Mere; R-1, Single-Family Residential District, R-S, Single-Family Residential Suburban and R, Single-Family Residential District.

EAST: Large-lot single-family lots in rural Riley County; County AG, Agricultural District.

WEST: Rangeland associated with The Hartford Hills Master Plan Community; County AG, Agricultural District.

4. GENERAL NEIGHBORHOOD CHARACTER: The general area is a mixture of undeveloped land, land recently platted and in the early stages of development, Colbert Hills Golf Course and rural range land.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site was rezoned to County R-PUD in 1997. At the time of the rezoning, the golf course developer wanted assurance that when the golf course was annexed that a zoning, specifically the County R-PUD for the golf course, was attached. The rezoning to R-PUD was done primarily for the benefit of the golf course development. Those portions of Grand Mere that are not yet annexed remain County R-PUD. The current County R-PUD predated the Grand Mere Master Plan and the 2003 Manhattan Urban Area Comprehensive Plan, which currently designates the proposed development as Elder Care Facility (RMH). The Comprehensive Plan reflects that Grand Mere Master Plan's proposed land use. Development in Grand Mere is progressing to ensure attractive and orderly neighborhoods in response to changing market demand.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed rezoning request is compatible to surrounding properties. An increase in light, noise and traffic is expected, however these increases should cause minimal impact on the adjacent golf course and residential properties. The proposed rezoning is for single-family and two-family residential uses, which is similar to the surrounding area. No Preliminary Plat has been submitted at this time.

The applicant held a neighborhood meeting on October 5, 2016. According to the meeting report, 4 neighbors attended the meeting. Their questions and comments were related to preserving the existing trees and vegetation in the ravines on the property and feedback for the proposed housing types for the developments.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

The Highlands at Grand Mere is shown on the Northwest Future Land Use of the Manhattan Area 2035 Comprehensive Plan as Residential Medium/High Density, (RMH). Applicable RMH policies (*in italics*) of the Comprehensive Plan include:

Residential Medium/High Density (RLM)

RMH-1: Characteristics

The Residential Medium to High Density designation should incorporate a mix of housing types in a neighborhood setting in combination with compatible non-residential land uses, such as retail, service commercial, and office uses, developed at a neighborhood scale that is compatible with the area's residential characteristics and in conformance with policies for Neighborhood Commercial Centers. Appropriate housing types may include a combination of small lot single-family, duplexes, townhomes, or fourplexes on individual lots. However, under a planned unit development concept, or when subject to design and site plan standards (design review process), larger apartment or condominium buildings may be permissible as well, provided the density range is complied with.

RMH-2: Appropriate Density Range

Densities within a Residential Medium to High Density neighborhood range from 11 to 19 dwelling units per net acre.

RMH-3: Location

Locate Residential Medium to High Density neighborhoods close to an arterial street and bounded by collector streets where possible, with a direct connection to work, shopping, transit, and recreational activities. The Residential Medium to High Density designation includes some of the older neighborhoods in the core area of the City as well as portions of newer planned neighborhoods outside of the core area.

RMH-4: Variety of Housing Styles

To avoid monotonous streetscapes, the incorporation of a variety of housing models and sizes is strongly encouraged in all new development, particularly when a single housing type (e.g., small-lot single-family or duplexes) is prevalent.

Grand Mere Community Master Plan

The Grand Mere Community Master Plan was originally adopted in April 2000 and is included as a specific Land Use Element of the current Comprehensive Plan adopted in 2003. The Grand Mere Plan is a more detailed level neighborhood plan for the entirety of Grand Mere. The Master Plan map shows the site to be Elder Care Facility (RMH) (see below under Residential Types for Elder Care Facility and RMH description).

Applicable policies (*in italics*) for Grand Mere, a Master Planned Golf Course Community include:

PROJECT INTENT

The overall Land Use Amendment is intended to create a community designed within a park. By responding to the natural terrain, preserving natural corridors, protecting the slopes and riparian environment, a harmonious relationship with the land can be created for the community.

Grand Mere is envisioned as an upscale residential community, with the University's Colbert Hills Golf Course and preserved open space interwoven throughout the development. The community is made up of individual neighborhoods defined by open space features, topography, connection to the Grand Mere Parkway, and the golf course. A strong joint effort has integrated the golf course design (Colbert Hills) and the overall community design (Grand Mere Development). The interconnectivity of automobile circulation, pedestrian/bicycles, and open space, as well as residential neighborhood placement and overall community utility location, has created a well integrated community with both future residences and community recreation as the main focus. Flexibility is built into the land use plan to allow the development to respond to market demand.

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

5 KEY DESIGN CONCEPTS

1. Create a high quality residential community

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

2. Integrate the Natural Environment

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

3. Offer a Variety of Residential Living

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

4. Create a Pedestrian/Bicycle System

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

III. COMMUNITY CONCEPTS AND DEVELOPMENT STRATEGY

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

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

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

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

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

A. Residential Neighborhoods

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

The Elder Care Facility residential type is described as:

Residential Types:

Elder Care Facility (RMH)

An elder care complex of 68.1 acres has been located in the northern part of Grand Mere below the dominant western ridge. The site would provide enough room for a multi-phased and multiple type care facility. Building architecture and design will be in keeping with the overall design guidelines for Grand Mere.

C. Streets and Circulation System

Residential streets within Grand Mere are envisioned as a key element of "neighborhood quality," offering a place to walk and play, as well as to drive and park. The streetscape in and along the roads will reflect the quality of the community through the use of signage monumentation and landscaping depending on the location and natural conditions of the

space providing strong visual “cues” to better orient drivers to their locations and destinations.

When utilizing the approved Manhattan street system standards the hierarchy, street-widths, design speeds, and travel/parking lanes are consistent and will not compromise auto on-street parking, or bike and pedestrian access. The street layout will frame important views and vistas, including buildings, golf course, and natural features. On-street parking is available on all local streets.

The Master Planned Community will be accessed from Kimball Avenue and Marlatt Avenue. Additional access points into the Community from surrounding residential streets are shown on the Master Plan.

D. Pedestrian and Bicycle Circulation System

Connectivity with the City of Manhattan Linear Park Master Plan is our main focus for the overall trails system. A comprehensive pedestrian and bicycle system is proposed for the community to provide access to individual neighborhoods, the Club Facility and Hotel site, commercial services, and open space amenities~ Elements include both off-street and on street bike paths, natural unimproved trails, and a 17.2 acre linear park along Little Kitten Creek. An easement shall be provided for the extension of the Hudson trail northward, along the east property line to northeast corner section 3-10-7. All trail/path systems will be site- specifically designed at the time of construction. Each will be reviewed on a site-by-site basis to ensure sensitive placement and minimum disturbance. This will be coordinated with the Park & Recreation Board and the Parks and Recreation Department.

G. Golf Course Development

The Grand Mere development drainage and detention system shall be designed to work in concert with the golf course drainage and detention system. The course was designed to meet the environmental goals of the Audubon International Signature Status Program.

Bike Paths, Trails and Sidewalks

Bike paths, trails and sidewalks are provided along the internal streets and open spaces to provide internal connections between the villages where possible. See the Circulation Parks & Open Space Plan.

The Grand Mere Master Plan envisioned that this land would development for a variety of living and care facilities for the elderly population. The developer has determined that the market for such a development is not present and has proposed a single-family residential subdivision. The most appropriate future land use designation in the Comprehensive Plan is Residential Low to Medium Density and Single Family (RLM) in the Grand Mere Master Plan.

A Preliminary Plat has not been submitted; therefore the net density for the Highlands at Grand Mere development cannot not be precisely calculated at this time. The site is proposed to be rezoned to R-1, Single-Family Residential District and R-2, Two-Family Residential District. The R-1 District has a minimum lot size of 6,500 square feet and the R-2 District has a minimum lot size of 3,750 square feet. The maximum density that could occurred for the R-1 District is approximately 6.7 dwelling units per net acre. The R-2 District would have a maximum residential density of 11.61 dwelling units per net acre. This is the maximum density possible for these 2 areas and does not account for roads, public open space, etc. The net density for the residential development should be lower once these variables are known at the time of the Preliminary Plat. The Comprehensive Plan suggests less than 1 to 11 dwelling units per net acre is appropriate in the RLM category and the Grand Mere Plan suggests a range of 1-20 dwelling units per acre in individual parcels and an overall density in all of Grand Mere of 1.5 units per acre.

The proposed rezoning of the Highlands at Grand Mere conforms to the policies of the Grand Mere Community Master Plan, and the Manhattan Urban Area Comprehensive Plan.

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

August 7, 1997	Riley County Commission approved Preliminary Development Plan of Colbert Hills and the Wildcat PUD.
August 14, 1997	Riley County Commission approved Final Development Plan.
February 7, 2000	Planning Board approves resolution adopting Grand Mere Community Master Plan and amendment of Comprehensive Land Use Plan.
March 7, 2000	City Commission approved first reading of an ordinance adopting the Grand Mere Community Master Plan.
April, 2003	Comprehensive Plan adopted. Grand Mere Community Master Plan adopted as a related plan and implementation document.

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

9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent and purpose of the 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, Single-Family Residential District is designed to provide a dwelling zone at a density no greater than one dwelling unit per 7,500 square feet. The R-2, Two-Family Residential District is designed to provide a dwelling zone at a density no greater than two (2) attached dwelling units per 7,500 square feet.

No Preliminary Plat has been submitted at this time. However, the established Zoning District regulations will be applied to the future Preliminary Plat.

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 proposed rezoning conforms to the Comprehensive Plan and should not adversely impact adjacent property owners. It may be a hardship to the applicant if the rezoning is denied.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public services, sanitary sewer, water, and public streets can be extended to serve the development. The details of how the public infrastructure will be extended to the development will be established with the Preliminary Plat review.

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 the Highlands at Grand Mere from Riley County PUD, Residential Planned Unit Development, to R-1, Single-Family Residential District and R-2, Two-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of the Highlands at Grand Mere from Riley County PUD, Residential Planned Unit Development, to R-1, Single-Family Residential District and R-2, Two-Family Residential District, based on the findings in the Staff Report.

Attachment No. 5

2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
3. Table the proposed rezoning to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of the Highlands at Grand Mere, generally located to the north of the dead end of Grand Mere Parkway, from Riley County PUD, Residential Planned Unit Development, to R-1, Single-Family Residential District and R-2, Two-Family Residential District, based on the findings in the Staff Report.

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

DATE: November 16, 2016

CB/vr
16025}SR}RezoneTheHighlands_R1&R2