

MINUTES
CITY COMMISSION MEETING
TUESDAY, DECEMBER 19, 2006
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Bruce Snead and Commissioners Tom Phillips, Mark Hatesohl, Jayme Morris-Hardeman, and Ed Klimek were present. Also present were the City Manager Ron R. Fehr, Assistant City Manager Jason Hilgers, City Attorney Bill Frost, City Clerk Gary S. Fees, Youth in Government Representative Sushu Wang, 7 staff, and approximately 36 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Snead led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Snead proclaimed December 31, 2006, *Little Apple New Year's Eve Celebration Day*. Kate Watson, Co-Founder, was present to receive the proclamation.

COMMISSIONER COMMENTS

Commissioner Klimek asked all citizens to join the festivities with the Little Apple New Year's Eve Celebration in Aggieville and wished everyone a Merry Christmas.

Mayor Snead introduced Sushu Wang, Youth in Government representative. He encouraged everyone to travel safely during the holiday season and announced the January schedule for City Commission legislative and work sessions.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, December 5, 2006.

CONSENT AGENDA (CONTINUED)

CLAIMS REGISTER NO. 2574

The Commission approved Claims Register No. 2574 authorizing and approving the payment of claims from November 29, 2006, to December 12, 2006, in the amount of \$1,725,590.36.

LICENSE – RENEWALS

The Commission approved the renewal applications for Cereal Malt Beverage, Merchant Guard Agency, and Tree Maintenance licenses for calendar year 2007. *(See Attachment No. 1)*

FINAL PLAT – UNIVERSITY TERRACE CONDOMINIUMS

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of the University Terrace Condominiums, generally located southeast of the intersection of Dickens Avenue and College Avenue, at 1510-1534 College Avenue, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 6594 – AMEND – MEADOWLARK HILLS RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD)

The Commission approved Ordinance No. 6594 amending the Final Development Plan of the Meadowlark Hills Residential Planned Unit Development, generally located north of Kimball Avenue and west of Tuttle Creek Boulevard, and Ordinance Nos. 6049, 6464, and 6528, as proposed, based on the findings in the Staff Report, with the two conditions of approval recommended by the Planning Board. *(See Attachment No. 2)*

FINAL PLAT – MEADOWLARK HILLS RETIREMENT COMMUNITY, UNIT THREE

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Meadowlark Hills Retirement Community, Unit Three, generally located north of Kimball Avenue and west of Tuttle Creek Boulevard, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 6595 – REZONE – BROOKFIELD ADDITION, UNIT SEVEN

The Commission approved Ordinance No. 6595 rezoning Lots 280 - 282, Brookfield Addition, Unit Seven, generally located south of Walters Drive along the east and west sides of Donna's Way, from R-3, Multiple-Family Residential District, to R-2, Two-Family Residential District, based on the findings in the Staff Report. *(See Attachment No. 3)*

CONSENT AGENDA (CONTINUED)

FINAL PLAT – BROOKFIELD ADDITION, UNIT NINE

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Brookfield Addition, Unit Nine, generally located south of Walters Drive, on the east and west sides of Donna's Way, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 6596 – ANNEX – KANSAS VETERANS' CEMETERY

The Commission approved Ordinance No. 6596 annexing the 90-acre Kansas Veterans' Cemetery site, generally located west of Wildcat Creek Road, based on general conformance with the Manhattan Urban Area Comprehensive Plan, the Growth Vision, and Capital Improvements Program.

ORDINANCE NO. 6597 – REZONE – KANSAS VETERANS' CEMETERY

The Commission approved Ordinance No. 6597 zoning the Kansas Veterans' Cemetery site, generally located southwest of the Manhattan Corporate Technology Park along the west of Wildcat Creek Road, to C-1, Restricted Business District, with AO, Airport Overlay District, based on the findings in the Staff Report. (*Attachment No. 4*)

* ORDINANCE NO. 6598 – STATE OWNED FACILITY REVIEW – KANSAS VETERANS' CEMETERY

George Webb, Director, Kansas Commission on Veterans Affairs, thanked the Commission, State legislatures, and Dick Jepson for their support of the Kansas Veterans' Cemetery.

The Commission found that the public interests to be served by the proposed Kansas Veterans' Cemetery outweigh the impacts upon legitimate community interests, as mitigated by the conditions of approval; and approved Ordinance No. 6598 authorizing the proposed Kansas Veterans' Cemetery, based on the findings in the Staff Report, with the three conditions of approval recommended by the Planning Board. (*See Attachment No. 5*)

FINAL PLAT – KANSAS VETERANS' CEMETERY

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of the Kansas Veterans' Cemetery Addition, generally located southwest of the Wildcat Creek Road and Corporate Drive intersection, based on conformance with the Manhattan Urban Area Subdivision Regulations.

CONSENT AGENDA (CONTINUED)

DEVELOPMENT AGREEMENT – KANSAS VETERANS’ CEMETERY

The Commission authorized the Mayor and City Clerk to execute the agreement with the Kansas Commission on Veterans’ Affairs for water and sanitary sewer infrastructure extensions related to the Kansas Veterans’ Cemetery to be located on Wildcat Creek Road.

ORDINANCE NO. 6599 – REZONE – PROPOSED MANHATTAN EMERGENCY SHELTER PLANNED UNIT DEVELOPMENT (PUD)

The Commission approved Ordinance No. 6599 rezoning the proposed Manhattan Emergency Shelter PUD, generally located at the northwest corner of South 4th Street and Yuma Street, from C-5, Highway Service Commercial District, to PUD, Residential Planned Unit Development, based on the findings in the Staff Report, with the four conditions recommended by the Manhattan Urban Area Planning Board. (*See Attachment No. 6*)

* RESOLUTION NO. 121906-A – CITY BOUNDARY

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

The Commission approved Resolution No. 121906-A establishing and defining the boundaries of the City of Manhattan, Kansas as of December 19, 2006.

RESOLUTION NO. 121906-C – LEE MILL HEIGHTS ADDITION, UNIT 3 - STREET IMPROVEMENTS (ST0626)

The Commission found the petition sufficient and approved Resolution No. 121906-C finding the project advisable and authorizing construction for Lee Mill Heights Addition, Unit 3, Street Improvements (ST0626).

RESOLUTION NO. 121906-D – LEE MILL HEIGHTS ADDITION, UNIT 3 – STORM DRAINAGE IMPROVEMENTS (SM0604)

The Commission found the petition sufficient and approved Resolution No. 121906-D finding the project advisable and authorizing construction for Lee Mill Heights Addition, Unit 3, Storm Drainage Improvements (SM0604).

RESOLUTION NO. 121906-E – LEE MILL HEIGHTS ADDITION, UNIT 3 - WATER IMPROVEMENTS (WA0625)

The Commission found the petition sufficient and approved Resolution No. 121906-E finding the project advisable and authorizing construction for Lee Mill Heights Addition, Unit 3, Water Improvements (WA0625).

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 121906-F – LEE MILL HEIGHTS ADDITION, UNIT 3 – SANITARY SEWER IMPROVEMENTS (SS0622)

The Commission found the petition sufficient and approved Resolution No. 121906-F finding the project advisable and authorizing construction for Lee Mill Heights Addition, Unit 3, Sanitary Sewer Improvements (SS0622).

AGREEMENT – ENGINEERING SERVICES – LEE MILL HEIGHTS ADDITION, UNIT 3, IMPROVEMENTS (ST0626, SM0604, WA0625, SS0622)

The Commission authorized the Mayor and City Clerk to execute an agreement with Schwab-Eaton, P.A., of Manhattan, Kansas, to perform engineering services for Lee Mill Heights Addition, Unit 3, improvements (ST0626, SM0604, WA0625, SS0622).

RESOLUTION NO. 121906-G – GRAND MERE VANESTA, UNIT 2 – SANITARY SEWER IMPROVEMENTS (SS0623)

The Commission found the petition sufficient and approved Resolution No. 121906-G finding the project advisable and authorizing construction for Grand Mere Vanesta, Unit 2, Sanitary Sewer Improvements (SS0623).

RESOLUTION NO. 121906-H – GRAND MERE VANESTA, UNIT 2 – WATER IMPROVEMENTS (WA0627)

The Commission found the petition sufficient and approved Resolution No. 121906-H finding the project advisable and authorizing construction for Grand Mere Vanesta, Unit 2, Water Improvements (WA0627).

RESOLUTION NO. 121906-I– GRAND MERE VANESTA, UNIT 2 - STREET IMPROVEMENTS (ST0629)

The Commission found the petition sufficient and approved Resolution No. 121906-I finding the project advisable and authorizing construction for Grand Mere Vanesta, Unit 2, Street Improvements (ST0629).

AGREEMENT – ENGINEERING SERVICES – GRAND MERE VANESTA, UNIT 2 (SS0623, WA0627, ST0629)

The Commission authorized the Mayor and City Clerk to execute an agreement with Schwab-Eaton, P.A., of Manhattan, Kansas, to perform engineering services for Grand Mere Vanesta, Unit 2, Improvements (SS0623, WA0627, ST0629).

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 121906-K – DAISY MEADOW – STREET IMPROVEMENTS (ST0624)

The Commission found the petition sufficient and approved Resolution No. 121906-K finding the project advisable and authorizing construction for Daisy Meadow Street Improvements (ST0624).

RESOLUTION NO. 121906-L – DAISY MEADOW – SANITARY SEWER IMPROVEMENTS (SS0620)

The Commission found the petition sufficient and approved Resolution No. 121906-L finding the project advisable and authorizing construction for Daisy Meadow Sanitary Sewer Improvements (SS0620).

RESOLUTION NO. 121906-M – DAISY MEADOW – WATER IMPROVEMENTS (WA0623)

The Commission found the petition sufficient and approved Resolution No. 121906-M finding the project advisable and authorizing construction for Daisy Meadow Water Improvements (WA0623).

AGREEMENT – ENGINEERING SERVICES – DAISY MEADOW IMPROVEMENTS (ST0624, SS0620, WA0623)

The Commission authorized the Mayor and City Clerk to execute an agreement with Ruggles & Bohm, P.A., of Wichita, Kansas, to perform engineering services for Daisy Meadow Improvements (ST0624, SS0620, WA0623).

REJECT BIDS – DAISY MEADOW IMPROVEMENTS (ST0624, SS0620, WA0623)

The Commission accepted the Engineer's Estimate in the amount of \$382,987.00 and rejected all bids associated with the November 22, 2006, bid opening related to Daisy Meadow Improvements (ST0624, SS0620, WA0623).

AWARD CONTRACT – DAISY MEADOW IMPROVEMENTS (ST0624, SS0620, WA0623)

The Commission accepted the Engineer's Estimate in the amount of \$624,472.50 and awarded a contract for Daisy Meadow Improvements (ST0624, SS0620, WA0623) in the amount of \$490,892.50 to Nowak Construction Co., Inc., of Goddard, Kansas.

CONSENT AGENDA (CONTINUED)

* **RESOLUTION NO. 121906-N – PRAIRIE LAKES, UNIT 3 – SANITARY SEWER IMPROVEMENTS (SS0617)**

Jeff Hancock, City Engineer, provided additional information on the item and informed the Commission that the petition was the same, but the dollar amount was increased in order to bid the project.

The Commission rescinded Resolution No. 110706-H, approved revised petition for sewer improvements, and approved Resolution No. 121906-N making the project advisable and authorizing construction for Prairie Lakes, Unit 3, Sanitary Sewer improvements (SS0617).

* **RESOLUTION NO. 121906-O – PRAIRIE LAKES, UNIT 3 – WATER IMPROVEMENTS (WA0619)**

Jeff Hancock, City Engineer, provided additional information on the item and informed the Commission that the petition was the same, but the dollar amount was increased in order to bid the project.

The Commission rescinded Resolution No. 110706- G, approved revised petition for water improvements, and approved Resolution No. 121906-O making the project advisable and authorizing construction for Prairie Lakes, Unit 3, Water Improvements (WA0619).

* **RESOLUTION NO. 121906-P– PRAIRIE LAKES, UNIT 3 – STREET IMPROVEMENTS (ST0619)**

Jeff Hancock, City Engineer, provided additional information on the item and informed the Commission that the petition was the same, but the dollar amount was increased in order to bid the project.

The Commission rescinded Resolution No. 110706-F, approved revised petition for street improvements, and approved Resolution No. 121906-P, making the project advisable and authorizing construction for Prairie Lakes, Unit 3, Street Improvements (ST0619).

REJECT BIDS – PRAIRIE LAKES, UNIT 3, IMPROVEMENTS (SS0617, WA0619, ST0619)

The Commission accepted the Engineer's Estimate in the amount of \$467,980.00 and rejected all bids associated with the November 22, 2006, bid opening related to Prairie Lakes, Unit 3, Improvements (SS0617, WA0619, ST0619).

CONSENT AGENDA (CONTINUED)

AWARD CONTRACT – PRAIRIE LAKES, UNIT 3, IMPROVEMENTS (SS0617, WA0619, ST0619)

The Commission accepted the Engineer's Estimate in the amount of \$659,788.50 and awarded a contract for Prairie Lakes, Unit 3, Improvements (SS0617, WA0619, ST0619) in the amount of \$565,366.90 to Meadows Construction Co., Inc., of Tonganoxie, Kansas.

RESOLUTION NO. 121906-Q – PURCHASE STREET IMPROVEMENTS (ST0516) – FOUR WINDS VILLAGE, PHASE I

The Commission found the petition sufficient and approved Resolution No. 121906-Q making findings and authorizing the purchase of Four Winds Village, Phase I, Street Improvements (ST0516).

RESOLUTION NO. 121906-R – PURCHASE SANITARY SEWER IMPROVEMENTS (SS0510) – FOUR WINDS VILLAGE, PHASE I

The Commission found the petition sufficient and approved Resolution No. 121906-R making findings and authorizing the purchase of Four Winds Village, Phase I, Sanitary Sewer Improvements (SS0510).

RESOLUTION NO. 121906-S – PURCHASE WATER IMPROVEMENTS (WA0510) – FOUR WINDS VILLAGE, PHASE I

The Commission found the petition sufficient and approved Resolution No. 121906-S making findings and authorizing the purchase of Four Winds Village, Phase I, Water Improvements (WA0510).

RESOLUTION NO. 121906-J – KDOT GEOMETRIC IMPROVEMENTS – TUTTLE CREEK BOULEVARD (US-24) AND MARLATT AVENUE

The Commission approved Resolution No. 121906-J authorizing the Mayor and City Clerk to execute Agreement No. 49-06 with the Kansas Department of Transportation for geometric improvements at the intersection of Tuttle Creek Boulevard (US-24) and Marlatt Avenue.

AWARD CONTRACT – STONE POINTE, UNIT 1, PHASE II, IMPROVEMENTS (SS0614, ST0617, WA0616)

The Commission accepted the Engineer's Estimate in the amount of \$896,000.00 and awarded a construction contract to the low bidder, Walters-Morgan Construction Company, Inc., of Manhattan, Kansas, in the amount of \$793,839.10 for Stone Pointe, Unit 1, Phase II, Improvements (SS0614, ST0617, WA0616).

CONSENT AGENDA (CONTINUED)

AWARD CONTRACT – FIRE DEPARTMENT STORAGE BUILDING (FR603P)

The Commission accepted the Engineer's Estimate in the amount of \$40,000.00 and awarded a construction contract for the Fire Department Storage Building to the low bidder, Ron Fowles Construction Company, Inc., of Manhattan, Kansas, with a total negotiated bid of \$40,000.00.

CHANGE ORDER NO. 1-FINAL – WOODLAND HILLS ADDITION, UNIT 5, PH II, AND UNIT 6, PH 1 – WATER IMPROVEMENTS (WA0517)

The Commission approved Final Change Order No. 1 for the 2005 Water Improvements (WA0517) for Woodlands Hill Addition, Unit 5, PH II, and Unit 6, PH I, resulting in a net decrease in the amount of \$2,550.00 (-3.8%) to the contract with Larson Construction Co., of Manhattan, Kansas.

CHANGE ORDER NO. 1-FINAL - WOODLAND HILLS ADDITION, UNIT 5, PH II, AND UNIT 6, PH 1 – SANITARY SEWER IMPROVEMENTS (SS0516)

The Commission approved Final Change Order No. 1 for the 2005 Sanitary Sewer Improvements (SS0516) for Woodland Hills Addition, Unit 5, PH II, and Unit, 6 PH I, resulting in a net decrease in the amount of \$3,550.00 (-1.4%) to the contract with Larson Construction Co., of Manhattan, Kansas.

* **CHANGE ORDER NO. 1-FINAL – TUTTLE CREEK BOULEVARD DETENTION POND IMPROVEMENTS (SM0405)**

Ron Fehr, City Manager, presented the item and explained the additional work necessary to complete the project.

The Commission approved Final Change Order No. 1 for the 2004 Stormwater Improvements for Tuttle Creek Boulevard Detention Pond (SM0405), resulting in a net increase in the amount of \$319,378.20 (+16.7%) to the contract with Bob Bergkamp Construction Co., of Wichita, Kansas.

AGREEMENT – ENGINEERING SERVICES – WASTEWATER TREATMENT PLANT ELECTRICAL TRANSFORMERS REPLACEMENT PROJECT

The Commission authorized the Mayor to enter into a contract with Black and Veatch Corporation, of Kansas City, Missouri, for engineering services for the Wastewater Treatment Plant Electrical Transformers Replacement Project.

CONSENT AGENDA (CONTINUED)

2007 CONTRACT – NISTAC

Item was moved to end of the agenda due to lack of a quorum.

2007 CONTRACT – CRIME STOPPERS

Item was moved to end of the agenda due to lack of a quorum.

2007 CONTRACT - MANHATTAN ARTS CENTER

Item was moved to end of the agenda due to lack of a quorum.

2007 CONTRACT – WOLF HOUSE

Item was moved to end of the agenda due to lack of a quorum.

2007 CONTRACT – DOWNTOWN MANHATTAN, INC.

Item was moved to end of the agenda due to lack of a quorum.

2007 CONTRACTS – SOCIAL SERVICES ADVISORY BOARD (SSAB) AGENCIES

Item was moved to end of the agenda due to lack of a quorum.

2007 CONTRACTS – SPECIAL ALCOHOL FUNDS AGENCIES

Item was moved to end of the agenda due to lack of a quorum.

* 2006 SSAB ALLOCATION – MANHATTAN DAY CARE AND LEARNING CENTER

Commissioner Morris-Hardeman commented on the importance of this item and the need to assist in providing funds to the Manhattan Day Care.

* 2006 SSAB ALLOCATION – MANHATTAN DAY CARE AND LEARNING CENTER (CONTINUED)

Bernie Hayen, Director of Finance, and Jeff Chapman, Chair, Social Services Advisory Board, responded to questions from the Commission. Jeff Chapman informed the Commission of the immediate need of funds to be provided to Manhattan Day Care.

The Commission approved a one-time allocation in the amount of \$15,000.00 to Manhattan Day Care and Learning Center.

CONSENT AGENDA (CONTINUED)

COMMUNITY GARDENS LEASE – UNIVERSITY FOR MANKIND COMMUNITY LEARNING CENER

The Commission authorized the Mayor and City Clerk to execute a five-year lease with University for Mankind (UFM) Community Learning Center for operation of Community Gardens.

2007 CONTRACT – AGGIEVILLE BUSINESS IMPROVEMENT DISTRICT

The Commission authorized the Mayor and City Clerk to execute the 2007 Aggieville Business Improvement District contract.

2007 CONTRACT – DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

The Commission authorized the Mayor and City Clerk to execute the 2007 Downtown Business Improvement District contract.

NEGOTIATE CONTRACT – ODOR CONTROL SYSTEM FOR THE SANITARY SEWER COLLECTION SYSTEM INVERTED SIPHON

The Commission accepted the recommendation of the Selection Committee and authorized City Administration to negotiate a contract with Camp Dresser and McKee, Inc., of Wichita, Kansas, for the design of an Odor Control System for the Sanitary Sewer Collection System Inverted Siphon.

BOARD APPOINTMENTS

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

Cemetery Board

Re-appointment of Judy Atwood, 1514 Jarvis, to a three-year term. Ms. Atwood's term will begin January 1, 2007, and will expire on December 31, 2009.

Downtown Business Improvement District Advisory Board

Re-appointment of Charlie Busch, P.O. Box 1088, 5480 West 63rd Avenue, to a two-year term. Mr. Busch's term will begin January 1, 2007, and will expire on December 31, 2008.

Re-appointment of Susan Kice, 3103 Harahey Ridge, to a two-year term. Ms. Kice's term will begin January 1, 2007, and will expire on December 31, 2008.

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS (CONTINUED)

Downtown Business Improvement District Advisory Board (CONTINUED)

Re-appointment of Brad Streeter, 100 Manhattan Town Center, to a two-year term. Mr. Streeter's term begins January 1, 2007, and will expire on December 31, 2008.

Re-appointment of Mike Thomason, 1415 Beechwood Terrace, to a two-year term. Mr. Thomason's term will begin January 1, 2007, and will expire on December 31, 2008.

Douglass Center Advisory Board

Appointment of Pat Murray, 1715 Houston Street, to fill an unexpired, At-Large term for Geraldine Jones. Ms. Murray's term begins immediately, and will expire October 2, 2008.

Neighborhood Grant Review Committee

Re-appointment of Karen DeBres, 1932 Sunset Lane, to a one-year term. Ms. DeBres's term will begin January 1, 2007, and will expire on December 31, 2007.

Riley County Law Enforcement Board

Re-appointment of Commissioner Jayme Morris-Hardeman, 1822 Laramie St., to a two-year At-Large term. Commissioner Hardeman's term will begin January 1, 2007, and will expire on December 31, 2008.

Re-appointment of Commissioner Ed Klimek, 2928 Gary Avenue, to a two-year At-Large term. Commissioner Klimek's term will begin January 1, 2007, and will expire on December 31, 2008.

Appointment of Commissioner Tom Phillips, 1530 Barrington Drive, to a two-year Commissioner term. Commissioner Phillips' term will begin January 1, 2007, and will expire on December 31, 2008.

Appointment of Commissioner Mark Hatesohl, 1206 Stacy Lane, to a two-year Alternate term. Commissioner Hatesohl's term will begin January 1, 2007, and will expire on December 31, 2008.

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS (CONTINUED)

Special Alcohol Funds Committee

Appointment of Elaine Johannes, 2500 Nutmeg, to three-year term. Ms. Johannes's term will begin January 1, 2007, and will expire on December 31, 2009.

Dee R. Ross, 2304 Brockman Street, voiced concern that the consumers are paying an additional sales tax for infrastructure improvements, when the developers should be paying for these improvements.

After discussion, Commissioner Phillips moved to approve the consent agenda. Commissioner Morris-Hardeman seconded the motion. On a roll call vote, motion carried 4-0, with the exception of Commissioner Morris-Hardeman abstaining from any portion of the motion on Item BB dealing with funding of Sunflower CASA.

(Note: Commissioner Hatesohl was absent during the consent agenda.)

GENERAL AGENDA

FIRST READING – REZONE - 615 SOUTH 11TH STREET AND 626 SOUTH 10TH STREET

Eric Cattell, Assistant Director for Planning, presented the item. He then answered questions from the Commission.

Howard Wilson, applicant and property owner, answered questions from the Commission.

Commissioner Hatesohl joined the Commission meeting at 7:40 p.m.

After discussion, Commissioner Morris-Hardeman moved to approve first reading of an ordinance rezoning Lots 441-465, Ward 5, generally located along the south side of Fort Riley Boulevard, between South 10th Street and Griffith Field/South 11th Street, and north of the Union Pacific Railroad, from I-3, Light Industrial District, to LM-SC, Light Manufacturing-Service Commercial District, based on the findings in the Staff Report. (*See Attachment No. 7*) Commissioner Phillips seconded the motion. On a roll call vote, motion carried 4-0-1, with Commissioner Hatesohl abstaining from the motion.

FIRST READING – FRANCHISE - KANSAS GAS SERVICE

Jason Hilgers, Assistant City Manager, presented the item.

GENERAL AGENDA (CONTINUED)

FIRST READING – FRANCHISE - KANSAS GAS SERVICE (CONTINUED)

Dee R. Ross, 2304 Brockman Street, informed the Commission that this proposed increase is another form of taxation and he was against adding this increase to his monthly bill.

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

After discussion, Commissioner Morris-Hardeman moved to approve first reading of the franchise agreement with Kansas Gas Service. Commissioner Phillips seconded the motion. On a roll call vote, motion carried 4-1, with Commissioner Klimek voting against the motion.

2007 CHAMBER OF COMMERCE INDUSTRIAL PROMOTION, TOURISM AND CONVENTION, AND FORT RILEY PROMOTION CONTRACTS/BUDGETS

Brian Williams, Management Intern, introduced the item.

Lyle Butler, President, Manhattan Area Chamber of Commerce, provided background information on the item.

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau, provided an update on convention and visitor information and answered questions from the Commission.

Lyle Butler, Director, Manhattan Area Chamber of Commerce, provided additional information on the budget and informed the Commission that the Chamber will be working with the City on the proposed conference center.

John Pagen, Director of Economic Development, Manhattan Area Chamber of Commerce, presented an overview of economic development activities that occurred in 2006, and provided an update on Advantage Manhattan and military relations efforts with Fort Riley.

Joelle Mausolf, Military Relations Manager, Manhattan Area Chamber of Commerce, informed the Commission of the recent Commander Tour in Manhattan and provided an update on various activities associated with Fort Riley.

Lyle Butler, Director, Manhattan Area Chamber of Commerce, informed the Commission that the Chamber would provide activities and reports associated with Fort Riley. He then responded to questions regarding the proposed conference center and reiterated the Chamber's commitment to provide a sound business plan that would identify what size the center should be and what conferences the facility would attract.

GENERAL AGENDA (CONTINUED)

2007 CHAMBER OF COMMERCE INDUSTRIAL PROMOTION, TOURISM AND CONVENTION, AND FORT RILEY PROMOTION CONTRACTS/BUDGETS (CONTINUED)

After discussion, Commissioner Morris-Hardeman moved to authorize the Mayor and City Clerk to execute the 2007 Industrial Promotion, Tourism and Convention, and Fort Riley Promotion contracts with the Manhattan Area Chamber of Commerce. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING – AMEND - SECTION 13.5-1 REGARDING CONCEALED WEAPONS; REPEAL - ARTICLE II OF CHAPTER 13.5 OF THE CODE OF ORDINANCES

Katharine Jackson, Assistant City Attorney, presented the item and answered questions from the Commission.

Ron Fehr, City Manager, provided clarification on the item regarding a list of addresses and answered additional questions from the Commission.

Dee R. Ross, 2304 Brockman Street, voiced concern on the proposed ordinance and asked why the City would pass a more stringent ordinance than the State of Kansas.

Ron Fehr, City Manager, informed the Commission that a list of locations would be provided during second reading of the proposed ordinance for the Commission's consideration.

Katharine Jackson, Assistant City Attorney, answered questions from the Commission.

Dee R. Ross, 2304 Brockman Street, questioned the purpose of the ordinance and asked how the public can comment if the proposed ordinance hasn't been made available to the public.

After discussion, Commissioner Morris-Hardeman moved to approve first reading of an ordinance amending Section 13.5-1 and repealing Article II of Chapter 13.5 of the Code of Ordinances. Commissioner Hatesohl seconded the motion.

Ron Fehr, City Manager, provided clarification on the item and consideration for second reading of the item.

On a roll call vote, motion carried 5-0.

GENERAL AGENDA (*CONTINUED*)

SET PUBLIC HEARING DATE - EXPANSION - NORTH PROJECT AREA TRANSPORTATION DEVELOPMENT DISTRICT

Jason Hilgers, Assistant City Manager and Redevelopment Coordinator, presented the item and answered questions from the Commission.

Dee R. Ross, 2304 Brockman Street, informed the Commission that if the developer is so poor that he needs financial help to redevelop the area, then have the developer get municipal bonds.

After discussion, Commissioner Hatesohl moved to approve Resolution No. 121906-B setting the date for a public hearing relative to the expansion of the North Project Area Transportation Development District.

Jason Hilgers, Assistant City Manager and Redevelopment Coordinator, provided clarification on the item.

Commissioner Phillips seconded the motion. On a roll call vote, motion carried 5-0.

ITEM REMOVED FROM CONSENT AGENDA

2007 CONTRACTS

Mayor Snead announced that there was not a quorum of the Commission present for Consent Item BB: 2007 Contracts for Various Agencies and Social Services, specifically, for the funding of Sunflower CASA, and that the further action would be necessary.

After discussion, Mayor Snead moved to approve the proposed contracts as budgeted in the 2007 City Budget and authorize the Mayor and City Clerk to execute said contracts with the following agencies: NISTAC, Crime Stoppers, Manhattan Arts Center, Wolf House, Downtown Manhattan, Social Services Advisory Board (*See Attachment No. 8*), and Special Alcohol Funds (*See Attachment No. 9*). Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 4-0-1, with Commissioner Morris-Hardeman abstaining from any portion of the motion dealing with the funding of Sunflower CASA.

Mayor Snead thanked his fellow Commissioners and public participants for their great work this year.

ADJOURNMENT

At 8:55 p.m. the Commission adjourned.



Gary S. Fees, CMC, City Clerk

Attachment No. 1

CMB-ON

Wildcat Creek Golf & Fitness

CMB-OFF

K-State Student Union Recreation – Kansas State University

Dillon Store #46 – 1000 Westloop Place

Dillon Store #15 – 130 Sarber Lane

Oppy's Service, Inc. – 605 S 3rd St.

Shop Quik #11 – 3108 Anderson Ave.

Shop Quik #12 – 430 Fort Riley Blvd.

Shop Quik #14 – 529 Richards Dr.

Shop Quik #16 – 1127 Bluemont Ave.

TREE MAINTENANCE

Kanscapes, Inc. – 8455 River Valley Drive

Brinker Tree Care, Inc. – 2907 Jacque Circle

MERCHANT GUARD AGENCY

Ree's Contract Service – 10111 W 105th St., Overland Park, KS

Securitas Security Service – 2942-B SW Wanamaker Dr. Ste 2-A, Topeka, KS

STAFF REPORT

ON AN APPLICATION TO AMEND THE APPROVED PLANNED UNIT DEVELOPMENT (PUD)

BACKGROUND

APPLICANT: Manhattan Retirement Foundation, Inc.

ADDRESS: 2121 Meadowlark Road, Manhattan, Kansas 66502

OWNERS: Manhattan Retirement Foundation, Inc./City of Manhattan.

ADDRESSES: 2121 Meadowlark Road, 66502; 1101 Poyntz Avenue, Manhattan KS 66502.

LOCATION: Generally north of Kimball Avenue and Blue Hills Shopping Center, west of Tuttle Creek Boulevard, and south and east of undeveloped Kansas State University range land.

AREA: approximately 55.8-acres.

DATE OF PUBLIC NOTICE PUBLICATION: Monday, October 16, 2006

DATE OF PUBLIC HEARING: PLANNING BOARD: Monday, November 6, 2006.
Tabled

to Monday, November 20,
2006

CITY COMMISSION: Tuesday, December 5, 2006

DESCRIPTION OF PROPOSED AMENDMENT: new single-family attached dwelling units (cottages), a proposed Healthcare Households (HCH) building for skilled nursing residents, a community center remodel/addition in the existing five story apartment building, interior remodeling in the five story apartment building, and other amenities to include, but not limited to, landscaping, off-street parking, an internal street extension, trails, and other improvements.

Phase I

Eleven (11) new cottages (single-family attached dwellings), or 22 new dwelling units, will be constructed with similar floor plans and building architecture as existing cottages. Proposed landscaping (lawn, trees and shrubs) and underground irrigation will be similar to existing landscaping plans for cottages.

Phase II

A new Healthcare Households (HCH) building is proposed to the north of the existing apartment building, generally the northwest part of the site. The HCH building is a three story structure, two stories on the south, or front, elevation (approximately 48-feet in height to the roof peak) and three stories on the north, or rear, elevation (approximately 59-feet in height to the roof peak) due to slope. The lower floor is generally mechanical and storage space. Floors two and three are primarily for assisted living, dining and common area. The HCH building is for skilled nursing residents. A total of 80 private resident rooms are proposed, each of the four household consists of 20 resident spaces, or 40 resident spaces, per floor. The building will be constructed of similar color and materials as the existing facilities (brick and cementitious siding and asphalt roof shingles).

The first two of the four households, the western portion of the structure, will be built with Phase II. The first 40 residents will be moved from a current skilled nursing area in a one story building north of the existing apartment building.

Phase III

Once Phase II is complete current remodeling of interior space in two wings of the first floor of the five story apartment building will begin as well as two wings of the skilled nursing area. A community center is proposed to include a wellness center, out-patient rehabilitation, bank sidewalk café and other common use facilities. A new addition is also proposed on the interior courtyard for an enclosed pool (sheet A-213). A rehab area will be added with the remodeling.

Phase IV

The eastern half of the HCH building will be constructed.

The application documents indicate a future amendment will include a new apartment building with 50 dwelling units.

See written application documents for details on Phasing and living unit counts.

MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

WHETHER THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPROVED PUD, AND WILL PROMOTE THE EFFICIENT DEVELOPMENT AND PRESERVATION OF THE ENTIRE PUD: The proposed Amendment is consistent with the master plan for the development. The improvements are located to maintain the attractive nature of the Meadowlark Hills community.

WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN OR AROUND THE PUD, AND THE NATURE OF SUCH CONDITIONS: The applicant notes that, “Changes have occurred in recent years and continue to occur that will impact the way Meadowlark Hills operates if it is to continue to be a national leader in providing a quality living environment and care for our senior citizens.” Earlier in 2006, the applicant added land to the PUD anticipating change and the current request refines the prior adjustment.

WHETHER THE PROPOSED AMENDMENT WILL RESULT IN A RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE OR GENERAL WELFARE, AND IS NOT GRANTED SOLELY TO CONFER A SPECIAL BENEFIT UPON ANY PERSON: The proposed Amendment provides opportunities for living and health care choices that benefit the public rather than a specific person.

ADDITIONAL MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

- 1. LANDSCAPING:** Landscaping and irrigation in and around the proposed cottages will reflect similar lawn, trees and shrub patterns associated with existing cottages.
- 2. SCREENING:** A new enclosed dumpster is proposed in the northwest corner of the site adjacent to the HCH building.
- 3. DRAINAGE:** A drainage report was submitted by the applicant’s consultant and reviewed by the City Engineer (attachment), which states that, “The developer’s consultant prepared a drainage analysis of the proposed development to understand how the post development condition would affect the downstream drainage basin. There are drainage impacts that need to be mitigated in the full post development condition. The developer

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will need to make a series of modification and new improvements to be in compliance with Stormwater Master Plan.” The modifications noted in the memo will need to be made with the final designs and must conform to the requirements of the SWMMP.

4. CIRCULATION: The Amendment shows a proposed entrance off Tuttle Creek Boulevard at an existing access point, which also serves Bluehills Shopping Center. Sidewalk and trails are throughout the site. A new loop road extends off a previously approved extension off the northeast part of Meadowlark Road and will reconnect to the southeast part of the road.

Off-street parking is managed and controlled by the applicant. The development is self-contained and separate from adjoining property. The existing parking is divided between residents, employees and guests. Currently 232 off-street parking spaces are provided for residents and 54 for staff and visitors. The Amendment results in 486 total parking spaces: 272 for residents and 152 for staff and visitors. New parking is provided on the west side of the site and in front of the existing five story apartment building. Parking should be adequate.

A traffic report was submitted by the applicant and reviewed and accepted by the City Engineer (attachment). Minimal impact on the surrounding street network is expected as a result of the Amendment.

5. OPEN SPACE AND COMMON AREA: Approximately 74% of the site is open space, after the proposed construction associated with the Amendment. Within open space areas, trails and garden area are provided for the residents.

6. CHARACTER OF THE NEIGHBORHOOD: The Meadowlark Hills PUD is a neighborhood of its own with full care, assisted care, and independent living dwellings, which are separated from adjacent residential neighborhoods to the south by a major street. Commercial properties to the east are separated by open space. KSU range land is to the north and west. The retirement community was established in 1977.

EXISTING USE: Meadowlark Hills Retirement Community.

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: There are building, private streets, steep slopes, open land and landscaped areas throughout the entire site. The site drains to the east.

SURROUNDING LAND USE AND ZONING:

(1) NORTH: Open range land; County U, University Development District.

(2) **SOUTH:** Kimball Avenue, existing Flinthills Place dwellings, Gardens at Flint Hills apartments, and single-family residential development; Gardens at Flint Hills Place Planned Unit Development, and R, Single-Family Residential District

(3) **EAST:** Blue Hills Shopping Center, Tuttle Creek Boulevard, and single-family development; C-2, Neighborhood Shopping District, C-5, Highway Service Commercial District, and R-1, Single-Family Residential District.

(4) **WEST:** Open rangeland, Manhattan Headquarters Fire Station; U, University District.

GENERAL NEIGHBORHOOD CHARACTER: See above.

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The PUD is suitable for the existing and proposed changes.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed cottages are a permitted use in the PUD. Adjacent properties should not be adversely affected by the proposed changes. There appears to be no adverse affect on adjacent properties based on the existing PUD and Amendment. The adjacent properties are separated from the retirement community by open land.

CONFORMANCE WITH COMPREHENSIVE PLAN: The Comprehensive Plan designates the area Residential High Density, and Open Space (steep slopes). The modification of the steep slope area is shown on the Existing Slope Analysis Vacated Conservation Easement sheet. The applicant has demonstrated that the majority of steep slope areas are preserved although some steep areas will be graded for the internal street and pad sites for four (4) of the proposed 11 cottages. The Amendment is in general conformance with the Comprehensive Plan.

ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED:

June 3, 1977	Annexation.
August 23, 1977	Rezoning to Planned Unit Development.
September 10, 1985	Manhattan Urban Area Planning Board amends the Final Development Plan.
March 17, 1986	Manhattan Urban Area Planning Board amends the Final
	Development Plan.
October 19, 1992	Manhattan Urban Area Planning Board conducts Public Hearing to rezone to new PUD.
November 17, 1992	Rezoned to new PUD.

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January 4, 1993	Manhattan Urban Area Planning Board approves Phase I of Final Development Plan.
April 6, 1998	Manhattan Urban Area Planning Board recommends annexation of an approximate 34 acre tract to be added to the PUD.
April 21, 1998	The Manhattan City Commission approves first reading of an ordinance annexing an approximate 34 acre tract of land.
November 2, 1998	Manhattan Urban Area Planning Board recommends approval of new PUD.
November 17, 1998	City Commission approves First Reading of the rezoning
December 1, 1998	City Commission approves second reading of Ordinance 6049
April 5, 1999	Planning Board approves Final Development Plan and Final Plat
February 7, 2005	Planning Board recommends approval of amendment to Final Development Plan and Ordinance No. 6049.
March 1, 2005	City Commission approves first reading of the amendment to Final Development Plan and Ordinance No. 6049.
March 22, 2005	City Commission approves Ordinance No. 6464 amending the Final Development Plan and Ordinance No. 6049, and accepts easements and rights-of-ways.
February 6, 2006	Planning Board recommends approval of the annexation of a 0.2 acre tract of land; rezoning of three (3) tracts of land; and, amending the Final Development Plan of the Meadowlark Hills Residential Planned Unit Development.
February 21, 2006	City Commission considers first reading of the annexation; and, amending the Final Development Plan of the Meadowlark Hills Residential Planned Unit Development to allow for two (2) new cottages (duplexes), or four (4) new dwelling units, and new ground lit entry signage at the intersection of Meadowlark Road and Tuttle Creek Boulevard as well as identify areas for future Final Development Plan amendments.
March 7, 2006	City Commission approves Ordinance Nos. 6527 & 6528.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent and purpose of the Zoning Regulations is to protect the public health, safety, and general welfare; regulate the use of land and buildings within zoning districts to assure compatibility; and to protect property values. The PUD Regulations are intended to provide a maximum choice of living environments by allowing a variety of housing and building types; a more efficient land use than is generally achieved through conventional development; a development pattern that is in harmony with land use density, transportation facilities and community facilities; and a development plan which addresses specific needs and unique conditions of the site which may require changes in bulk regulations or layout. The proposed Amendment is consistent with the intent and purpose the Zoning Regulations and the intent of the PUD Regulations.

RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT: There appears to be no relative gain to the public that denial would accomplish; however, it may be a hardship on the applicant if the amendment is denied. There is an apparent need for cottages, Healthcare Households, and other facility changes and denial would prohibit the future planning for an increasing residential retirement market and other health and services to serve the residents of the PUD.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public facilities and services are available to serve the site.

OTHER APPLICABLE FACTORS: None.

STAFF COMMENTS: City Administration recommends approval of the proposed Amendment of the Final Development Plan of the Meadowlark Hills Residential Planned Unit Development, with the following conditions:

1. 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.
2. All landscaping and irrigation shall be maintained in good condition.

ALTERNATIVES:

1. Recommend approval of the proposed Amendment of the Final Development Plan of the Meadowlark Hills Residential Planned Unit Development, stating the basis for such recommendation.

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2. Recommend approval of the proposed Amendment of the Final Development Plan of the Meadowlark Hills Residential Planned Unit Development, 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 Amendment, stating the specific reasons for denial.
4. Table the proposed Amendment to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed Amendment of the Final Development Plan of the Meadowlark Hills Residential Planned Unit Development, based on the findings in the Staff Report, with the two (2) conditions recommended by City Administration.

PREPARED BY: Steve Zilkie, AICP, Senior Planner

DATE: November 15, 2006

06027

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: R-3, Multiple-Family Residential District.

TO: R-2, Two-Family Residential District.

APPLICANT: Knight Investments, LLC – Dan Knight.

ADDRESS: 7645 Saddle Drive, Manhattan KS 66503.

OWNER/ADDRESS: Same.

LOCATION: Lots 280, 281 and 282, in Brookfield Addition, Unit Seven, generally located south of Walters Drive on the east and west sides of Donna's Way.

AREA: 45,891 square feet.

DATE OF PUBLIC NOTICE PUBLICATION: Monday, October 30, 2006

DATE OF PUBLIC HEARING: PLANNING BOARD: Monday, November 20, 2006
CITY COMMISSION: Tuesday, December 5, 2006

EXISTING USE: Vacant multiple-family residential lots. The applicant has submitted a replat of Unit Seven, to be known as Unit Nine, which will create single-family attached lots. The Final Plat is scheduled for the December 4, 2006, Planning Board meeting.

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: Undeveloped site generally graded for development. No part of the site is in a flood plain.

SURROUNDING LAND USE AND ZONING:

- (1) **NORTH:** Walters Drive, Eisenhower Middle School playing fields, City Baseball Field; R District.
- (2) **SOUTH:** Undeveloped Prairie Lakes Addition, Unit 3; R-3 District.
- (3) **EAST:** Brookfield Residences apartments; Residential Planned Unit Development District.

(4) WEST: single-family attached dwellings; R-2 District.

GENERAL NEIGHBORHOOD CHARACTER: Generally characterized as a developing low and medium density residential neighborhood. Eisenhower Middle School is a part of the established neighborhood. Portions of the undeveloped Prairie Lakes Addition, Unit 3, are to the south. Brookfield Residences PUD, a medium density apartment complex, is to the immediate east.

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is suitable for multiple-family uses; however, lot depth may be a constraint for multiple family buildings. Off-street parking is required to be located to the side or rear of a multiple-family building.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: To the immediate west of the rezoning site is R-2 District, which are single-family attached lots in Brookfield, Unit Seven. R-2 District is located along the south side of Walters Drive further to the west extending to Tuttle Creek Boulevard. Prairie Lakes Unit 3 to the south is subdivided for single-family attached dwelling units, as is proposed Unit Nine. The proposed R-2 District is consistent with the character of the neighborhood. No detrimental affects are expected as a result of rezoning from R-3 District to R-2 District.

CONFORMANCE WITH COMPREHENSIVE PLAN: The Future Land Use Map of the Manhattan Urban Area Comprehensive Plan shows site as Residential Low/Medium density (RLM). The density range for the RLM designation is one-dwelling unit up to 11-dwelling units per net acre. The RLM category suggests a range of housing types, from single-family and two-family to townhomes. Planned unit developments in the RLM category are suggested to be small-scale apartment buildings, with sufficient open space to meet the RLM density. The R-2 District density range is up to 11-dwelling units net acre.

The proposed rezoning conforms to the Comprehensive Plan.

ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED: Brookfield Addition, Unit Seven, was originally intended to be part of the Prairie Lakes subdivision, but was sold to SSF Development, LLC, and has remained vacant to date. Unit Seven created Lots 280-282, which are zoned R-3, Multiple-Family Residential District, and Lots 283-A and 283-B through 286-A and 286-B, which are zoned R-2, Two-Family Residential District. The applicant applied to the Board of Zoning Appeals for several Variances of the Zoning Regulations, but withdrew the applications.

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- April 4, 2005 Manhattan Urban Area Planning Board recommended approval 5-0 of annexation and rezoning of Prairie Lakes from G-1, General Agricultural District, and PDD, Planned Development District, to R-2, Two-Family Residential District, and from G-1, General Agricultural District, to R-3, Two-Family Residential District.
- April 18, 2005 Manhattan Urban Area Planning Board approved the Preliminary Plat of Prairie Lakes.
- April 19, 2005 City Commission approves first reading of annexation and rezoning of Prairie Lakes on a vote of 5-0.
- May 3, 2005 City Commission approves Ordinance No. 6471 annexing and Ordinance Nos. 6472 & 6473 rezoning Prairie Lakes.
- July 18, 2005 Manhattan Urban Area Planning Board approves the Final Plat of Brookfield Addition, Unit Seven.
- July 19, 2005 City Commission accepts easements and rights-of-way as shown on the Final Plat of Brookfield Addition, Unit Six.
- August 2, 2005 City Commission accepts easements and rights-of-way as shown on the Final Plat of Brookfield Addition, Unit Seven.
- September 13, 2006 Board of Zoning Appeals (BZA) conducts public hearing to consider Variances of off-street parking, landscaping and screening requirements and tables applications to the October 11, 2006 BZA meeting.
- October 2, 2006 Applicant withdraws BZA application.

(Note: The original owner of the property rezoned the site, and Prairie Lakes subdivision to the south, to R-3 District subject to a restrictive covenant, which limited density to no more than 18-dwelling units per net acre.)

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-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. Minimum lot area for single-family

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attached lots is 3,750 square feet per lot. The rezoning site is sufficient in area to conform to the R-2 District requirements. Proposed Unit Nine will create conforming lots.

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. It may be a hardship upon the owner if the rezoning is denied.

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

OTHER APPLICABLE FACTORS: None.

STAFF COMMENTS:

City Administration recommends approval of the proposed rezoning of proposed Brookfield Addition, Unit Nine, from R-3, Multiple-Family Residential District, to R-2, Two-Family Residential District.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Brookfield Addition, Unit Nine from R-3, Multiple-Family Residential District, to R-2, Two-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 proposed Brookfield Addition, Unit Nine from R-3, Multiple-Family Residential District, to R-2, Two-Family Residential District, based on the findings in the Staff Report.

PREPARED BY: Steve Zilkie, AICP, Senior Planner

DATE: November 15, 2006

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: No current zoning designation as the site is on the Ft. Riley Military Reservation.

TO: C-1 Restricted Business District, with AO, Airport Overlay District.

APPLICANT: Kansas Commission on Veterans' Affairs.

ADDRESS: Jayhawk Towers, 700 SW Jackson, Suite 701, Topeka KS 66603-375.8

OWNERS: Same.

ADDRESS: Same.

LOCATION: generally located south and west of Wildcat Creek Road and Corporate Drive intersection.

AREA: 90-acres.

DATE OF PUBLIC NOTICE PUBLICATION: Monday, July 31, 2006

DATE OF PUBLIC HEARING: PLANNING BOARD: Monday, October 16, 2006
(Note: the Public Hearing was originally scheduled for August 21, 2006, and was tabled twice at the request of the applicant).

CITY COMMISSION: Tuesday, December 5, 2006.

EXISTING USE: Ft. Riley Military Reservation.

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: Rolling Kansas prairie with scattered woodland. The site drains to the east and west. A fire break is located along the eastern side of the site. No portion of the site is in the 100 or 500 Year Flood Plain.

SURROUNDING LAND USE AND ZONING:

(1) NORTH: Ft. Riley Military Reservation.

SOUTH: Airport approach; AO District.

(3) EAST: Wildcat Creek Road, Corporate Technology Park, Manhattan Regional Airport: County A-4, Single family and N-1 Noise Hazard, I-2, Industrial Park District, I-3, Light-Industrial District and AO District.

(4) WEST: Ft. Riley Military Reservation.

GENERAL NEIGHBORHOOD CHARACTER: Neighborhood character consists of limited low density single-family residential, with the majority of the area industrial park, Ft. Riley Military Reservation and municipal airport.

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is not zoned as it is part of the Ft. Riley Military Reservation.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed C-1/AO District will be for a Kansas Veterans' Cemetery, which will be approved subject a Municipal Facility and Preliminary and Final Plat. Minimal impact is expected on nearby properties, which consist of rural low density single-family dwelling and the Corporate Technology Park, as well as Ft. Riley. Storm water detention will be provided on the cemetery grounds. Subsoil analysis has determined ground water is not present to allow burial nitrates to be carried to nearby water wells of single-family dwellings. An increase in traffic can be expected, but should be limited in intensity due to the nature of the cemetery, which should only generate burial and visitor traffic.

CONFORMANCE WITH COMPREHENSIVE PLAN: Although the site is outside of the Study Area boundary of the Comprehensive Plan, it is adjacent to the Southwest Planning Area of the Future Land Use Map of the Manhattan Urban Area Comprehensive Plan. The site is shown as Ft. Riley Military Reservation, which was not anticipated to be developed in the same manner as the surrounding community within the Study Area boundary. The C-1 District was chosen because government buildings are a permitted use and the Comprehensive Plan does not support residential development in the Eureka Valley. Additionally, the Veteran's Cemetery is a consistent use with the general character of Ft. Riley. The existing cemetery on Ft. Riley is full, as note din the applicant's documents.

The proposed annexation generally conforms to the Comprehensive Plan.

ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED: The site has been part of the Ft. Military Reservation until it was deeded to the Kansas Commission on Veterans' Affairs in March 2006.

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 C-1 District is designed to provide for non-retail commercial, and business and professional activities adjacent to arterial and collector streets. This district is intended to be compatible with adjacent residential districts. Low density residential is to the east of the site as well as the municipal airport.

Because the site must be zoned to a City zoning classification, the C-1 District is appropriate. Governmental buildings are a permitted use in the district, not unlike the administrative office associated with the proposed cemetery. In addition, a residential zone would not be appropriate due to the municipal airport adjoining the site and in close proximity to the east.

However, the cemetery is the principal use of the property, not the administrative building. Cemeteries are not listed as a use in the Manhattan Zoning Regulations. As such, the proposed cemetery is subject to municipal facility process.

A municipal facility is defined in the Manhattan Zoning Regulations as, "Any public utility, or facility, owned and operated by either the State or a Municipality is hereby authorized as a permitted use in any zoning district, subject to the remaining provisions of this section." If the use is specifically listed in the zoning district in which it is proposed, its development is subject to the requirements of that district, or the process for approval of a municipal facility set out in the Manhattan Zoning Regulations in Article III, Section 3-412, State or Municipally Owned and Operated Public Utilities and Public Facilities.

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

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RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT: There appears to be no relative gain to the public, which denial would accomplish. The AO District requires that future uses be reviewed in order to protect airspace. The Concurrent Plat of the Kansas Veterans' Cemetery Addition will indicate the subdivision is in the AO District. No adverse impacts to the public are expected. There may be a hardship to the applicant if the rezoning is denied.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: The site can be served by public improvements, including street, water, fire service and sanitary sewer.

OTHER APPLICABLE FACTORS: Concurrent Plat and Municipal Facility applications must be approved.

STAFF COMMENTS:

City Administration recommends approval of the proposed rezoning of the Kansas Veterans' Cemetery to C-1, Restricted Business District with AO, Airport Overlay District.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of the Kansas Veterans' Cemetery to C-1, Restricted Business District with AO, Airport Overlay District, stating the basis for such recommendation.
2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
3. Table the proposed rezoning to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of the Kansas Veterans' Cemetery to C-1, Restricted Business District with AO, Airport Overlay District, based on the findings in the Staff Report.

PREPARED BY: Steve Zilkie, AICP, Senior Planner

DATE: October 10, 2006

**STAFF REPORT
STATE OR MUNICIPAL FACILITY REVIEW**

APPLICANT: Kansas Commission on Veterans' Affairs.

ADDRESS: Jayhawk Towers, 700 SW Jackson, Suite 701, Topeka KS 66603-3758.

LOCATION: generally located south and west of Wildcat Creek Road and Corporate Drive intersection.

AREA: 90-acres.

DATE OF PUBLIC NOTICE PUBLICATION: Monday, July 31, 2006.

DATE OF PUBLIC HEARING:

PLANNING BOARD: Monday, October 16, 2006 (Note: the Public Hearing was originally scheduled for August 21, 2006, and was tabled twice at the request of the applicant).

CITY COMMISSION: Tuesday, December 5, 2006.

At the conclusion of the hearing, the Manhattan Urban Area Planning Board shall forward its recommendation to the Governing Body. Such recommendation shall include all factors and reasons the Board relies upon to support such recommendation. In arriving at such recommendation, the Planning Board shall balance the public interests to be served by the construction or expansion of the utility or facility, as opposed to the impact upon interests intended to be protected by the Zoning Regulations. In balancing such interests, the Planning Board shall consider factors, such as:

EXISTING USE: Ft. Riley Military Reservation.

PROPOSED USE: Kansas Veteran's Cemetery will be owned and operated by the Kansas Commission on Veterans' Affairs. The cemetery will have an approximate 90

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year capacity for approximately 55,000 grave sites. (Note: application documents project a 40 year period and provide 16,000 burial sites consisting of 10,400 full casket spaces, 2,800 in-ground cremains and 2,800 above ground spaces (wall columbarium niches), which is provided to demonstrate to state and federal agencies that a minimum 40 year site capacity is available). The service radius of the cemetery is an area within 75 miles of the site to include 21 counties, and 33,528 veterans, and eligible family members.

Fencing and Screening

The site development plan shows a landscaped median entrance and ornamental gate and limestone walls at the entrance. A 6 foot entry gate and wall will be a combination of metal wrought iron appearance fence, 6-8 foot tall limestone walls, with 6-8 foot tall stone columns. Fence materials beyond the gate and entry will be constructed along an approximate 1,000 feet of Wildcat Creek Road frontage consisting of 6 foot black vinyl chain link to be located at the property line. Fencing will end at the south where Wildcat Creek Road turns southwest, at which point, the existing right-of-way fence will be retained. The fence is a "T" post and barbed wire fence.

The black vinyl fence continues to the north property line, at which point barbed wire fencing will extend along the north, west and south boundary, except for a portion of fencing which will not be built in the northwest corner of the site due to a detention dam on Ft. Riley. The barbed wire is intended to keep elk out of the cemetery. The fence could be electrified if elk become a problem. An 8 foot tall solid wood screening fence will be located around the maintenance area.

Signs

An approximate 5 square foot Kansas Veterans Affairs plaque and an approximate 28 square foot wall mounted aluminum letter sign identifying the name of the cemetery will be mounted on a limestone wall. Internal post and panel signs will provide directional information to visitors.

Site, Building and Landscaping

The entry drive will extend along an "Avenue of Flags", which will have flags, on special occasions, located along internal drives to the committal shelter, and located approximately 1,000 feet from the entrance. An administrative and maintenance building compound is located west of the entrance approximately 250 feet west of the entrance. Shelter, administrative and maintenance facilities are one story in height, approximately 18-20 feet. Building materials are brick and limestone with metal shingled roofs.

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The site will be graded and seeded. Few existing trees will be preserved. New trees will be planted along drives and between burial areas to create a park like setting. The overall impression will be, in the words of the applicant, “one of rolling hillsides of green lawns and white, upright grave markers. Views from the committal service center will be to the southeast overlooking the wooded river valley with the flag plaza in the foreground and the burial section beyond.” Burial areas will be defined by various types of trees, open space, headstones, and markers. Cremain burial walls will be located throughout the site. A group memorial is shown at the north end of the site.

Operational Characteristics

Staffing: Five staff initially (cemetery manager, office assistant and 3 grounds people); in the future several other employees and summer and grounds temporary positions will likely be added.

Hours of operation: Office hours — 8 AM to 4:30 PM; gate and grounds are open dawn to dusk. Common service times: 10 AM, 11 AM 2 PM and 3 PM. **Lighting:** Ground lighting on the entry wall/sign; security packs on the buildings; and up lighting on the 3 flags at the flag plaza. No other lighting on the buildings, the roads or grounds.

Written, site plan and architectural plans and elevation application documents are attached, which provide an extensive overview of the proposed facility. Photographs are of equivalent facilities in Kansas.

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The 90 acre tract is open Kansas prairie and scattered woodland. A fire break exists along the eastern boundary of the site. The eastern portion of the site drains to the east to a concrete pipe under Wildcat Creek Road. The western portion sheet flows to the west onto Ft. Riley.

THE NATURE AND SCOPE OF THE MUNICIPALITY OR STATE AGENCY: The applicant is the Kansas Commission on Veterans’ Affairs, which is authorized by Senate Bill 19 to establish, operate and maintain state veterans’ cemeteries for veterans, spouses and eligible dependents. Veterans’ cemeteries are located in Fort Dodge, WaKeeney and Winfield. The proposed cemetery will be the fourth veterans’ cemetery in Kansas.

THE FUNCTION OF THE UTILITY OR FACILITY: The applicant states, “The

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mission of the Kansas State Veteran's Cemetery program is to provide veterans and their eligible dependents with interment opportunities for burial in a Kansas Veterans' cemetery. The program is to establish, manage, and operate four state veterans' cemeteries and provide staff support and assistance to veterans state-wide regarding their interment options and the procedures for pre-registration. The goal is to provide a final resting place for our veterans', spouses, and dependents to be maintained in a manner that reflects respect for our veterans' and their families."

THE EXTENT OF THE PUBLIC INTEREST TO BE SERVED BY THE UTILITY OR FACILITY: The applicant states, "The proposed cemetery will be able to serve the regional population of 33,528 that now resides in the northeast quadrant of Kansas within a 75 mile radius of the proposed site. A total of 503 burials are projected annually. Based on the predicted long term demand for interments, the proposed site should meet these needs for over 90 years. The existing Fort Riley cemetery has nearly reached its capacity and will soon not be able to accept eligible veterans for interment. Without this facility families of veterans would have to seek alternative locations for interment." The Ft. Riley cemetery has been expanded to areas to meet some demand by removing trees and altering roadways for limited grave sites.

THE EFFECT THAT REGULATION OF THE CONSTRUCTION, OR EXPANSION, EITHER BY THE IMPOSITION OF REQUIREMENTS NECESSARY TO MITIGATE IMPACTS OR BY A COMPLETE DENIAL, WILL HAVE UPON THE MUNICIPALITY'S, OR STATE AGENCY'S, ABILITY TO EFFICIENTLY, ECONOMICALLY AND PRUDENTLY MEET THE PUBLIC INTERESTS THEY ARE SERVING: The applicant states, "While we recognize that the imposition of regulations and requirements to mitigate negative impacts is likely, they could have budgetary impacts that would reduce the amount of developed burial space. Complete denial would be quite detrimental to the region's veterans and their families."

THE IMPACT THAT CONSTRUCTION OR EXPANSION OF THE UTILITY OR FACILITY WILL HAVE UPON THE LEGITIMATE INTERESTS OF THAT PORTION OF THE COMMUNITY IN WHICH IT IS PROPOSED TO BE LOCATED: Minimal impact on adjacent property is expected. Residential uses to the east are low density single-family dwelling units and the Corporate Technology Park. The proposed site will be developed in a manner which mitigates its impact on adjacent properties to the east. Storm water detention, fencing, building architecture, landscaping and increased setbacks for buildings and off-street parking are intended to provide an attractive and low impact land use in proximity to residential uses to the east of the site. Subsurface soils analysis has been conducted by the applicant's consultant Kaw Valley

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Engineering. Minimal ground water was found and high water tables are not present. Water wells of residential dwellings to the east will not be affected. Increased traffic can be expected; however, the applicant has indicated that burials will be scheduled to not coincide with shift changes at the various industries in the Corporate Technology Park. In addition, burial traffic patterns will be limited in comparison to typical traffic patterns associated with residential, commercial and industrial uses, which occur over extended periods of the day. Taper lanes are recommended by the City Engineer (attachment) for improved vehicular traffic entering and exiting movements to and from the site.

IF THE OWNER OF THE UTILITY OR FACILITY IS THE CITY OF MANHATTAN, AND IF THE FACILITY OR UTILITY IS OF A TYPE EMBRACED WITHIN THE COMPREHENSIVE PLAN, WHETHER OR NOT IT IS IN CONFORMITY WITH THAT PLAN: The owner is not the City of Manhattan. Although the site is outside of the Study Area boundary of the Comprehensive Plan, it is adjacent to the Southwest Planning Area of the Future Land Use Map of the Manhattan Urban Area Comprehensive Plan. The site is shown as Ft. Riley Military Reservation, which was not anticipated to be developed in the same manner as the surrounding community within the Study Area boundary. The C-1 District was chosen because government buildings are a permitted use and the Comprehensive Plan does not support residential development in the Eureka Valley. Additionally, the Veteran's Cemetery is consistent with the general character of Ft. Riley, in which there is an existing cemetery. The proposed annexation generally conforms to the Comprehensive Plan.

OTHER FACTORS AS THE PLANNING BOARD DEEMS APPROPRIATE AND RELEVANT:

STAFF RECOMMENDATION: City Administration recommends that the Planning Board approve the Kansas Veterans' Cemetery, with the following conditions of approval:

1. Annexation, rezoning and platting shall be approved.
2. The proposed Kansas Veterans' Cemetery shall be developed as proposed in the application documents.
3. A 50 foot taper shall be added on both sides of the entrance starting at a width of 0 feet and widening to 6 feet at the entrance to provide additional maneuverability of entering and exiting vehicles into the site.

The Planning Board shall not recommend approval of the request unless it determines, by a preponderance of the evidence, that the public interests to be served by the construction or expansion of the utility or facility outweigh any impact upon legitimate community interests, as such impact is mitigated by any requirements of the Planning Board.

If the Planning Board recommends approval, they shall also recommend any requirements or conditions they deem necessary to mitigate impacts caused by such use. Such requirements or conditions may include, but are not limited to, any bulk, or other requirements, which would have otherwise been applicable within the zoning district in which the proposed use is to be placed.

ALTERNATIVES

It appears the Planning Board has the following alternatives concerning the issue at hand. The Board may:

1. Hold a public hearing on the proposal and, following the hearing, recommend approval of a proposed Kansas Veteran's Cemetery, based on the findings in the staff report, with the two conditions of approval recommended by City Administration.
2. Hold a public hearing on the proposal and, following the hearing, recommend denial of the proposed Kansas Veteran's Cemetery, for specifically stated reasons.
3. Hold a public hearing on the proposal and, following the hearing, modify the site plan and/or conditions of approval, to meet the needs as perceived by the Planning Board, and establish such conditions, if any, as deemed necessary to mitigate any impacts created by the proposed Kansas Veteran's Cemetery.
4. Table the public hearing of a proposed Kansas Veteran's Cemetery, for specifically stated reasons and provide further direction to City Administration.

RECOMMENDATION

City Administration recommends that the Planning Board:

1. Hold a public hearing on the proposed Kansas Veteran's Cemetery;

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2. Determine by a preponderance of the evidence, that the public interests to be served by the proposed Kansas Veteran's Cemetery, outweigh the impacts upon the legitimate community interests, as mitigated by requirements of the Planning Board; and,
3. Recommend approval of the proposed Kansas Veteran's Cemetery, with the two conditions of approval recommended by City Administration. This recommendation is based on the findings in the Staff Report.

POSSIBLE MOTION

The Manhattan Urban Area Planning Board finds that the public interests to be served by the proposed Municipal Facility, outweigh the impacts upon the legitimate community interests and recommends approval of a proposed Kansas Veteran's Cemetery, based on the findings in the Staff Report, with the three conditions of approval recommended by City Administration.

PREPARED BY: Steve Zilkie, AICP, Senior Planner

DATE: October 10, 2006

06026

STAFF REPORT

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

BACKGROUND

FROM: C-5, Highway Service Commercial District.

TO: PUD, Planned Unit Development District.

OWNER/APPLICANT: Manhattan Emergency Shelter, Inc.

ADDRESS: 831 Leavenworth Street, Manhattan KS 66502.

DATE OF PUBLIC NOTICE PUBLICATION: Monday, October 30, 2006

DATE OF PUBLIC HEARING: PLANNING BOARD: Monday, November 20,
2006

CITY COMMISSION: Tuesday, December 5, 2006

LOCATION: northwest corner of S. 4th Street and Yuma Street (South 114 feet of Lots 417 and 418 and all of Lots 419 and 420, Ward 1).

AREA: 0.607-acres (26,441 square feet).

PROPOSED USES: Manhattan Emergency Shelter residential building and a Transitional Housing residential building, as well as other improvements to include, but not limited to, off-street parking, landscaping, screening, a play area, and other site improvements.

PROPOSED BUILDINGS AND STRUCTURES:

Phase 1: Emergency Shelter Building: two-story (29 feet in height to roof peak) with basement, constructed of asphalt shingled roof, masonite siding and stone veneer facades. The first floor is common area (dining room, staff, laundry and other similar activities). The second floor is living space (10 family rooms, a men's and a women's dorm, and bathrooms). The basement is unfinished. Porches are on the S. 4th Street frontage and on the west side of the building. The applicant indicates occupancy is 53 persons, which includes 1-4 staff persons.

Phase 2: Transitional Housing Building: two-story (23 feet in height to roof peak) constructed of asphalt shingled and masonite siding. The building is constructed of two matching halves, with each floor plan consisting of a lounge, bathroom and three bedrooms, and either half with a common kitchen/laundry area. A total of 24 bedrooms are proposed. The building will accommodate eight families or a maximum of 32 persons. No staff will be in the building.

PROPOSED LOT COVERAGE

<i>USE</i>	<u>Square Feet</u>	<u>Percentage</u>
Buildings	9,951 sf	38%
Driveways/Parking	8,670 sf	33%
Open/Landscape Space	7,782 sf	29%
Play Area	560 sf	Less than 1%

PROPOSED SIGNS

<u>Type</u>	<u>Dimensions</u>	<u>Lighting</u>
None		

Exempt signage will be allowed, such as address numerals and other exempt signage.

PROPOSED LIGHTING: Building lights described as downcast and full cutoff and one 16 foot parking lot light pole are proposed.

REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS

1. LANDSCAPING: Yards will be lawn and maintained by the owner. Irrigation will be by water hose and spigot connections. Four new deciduous trees are proposed. Street trees will be maintained and preserved and protected during construction (note on landscape plan sheet).

2. SCREENING: Six foot wood fencing is proposed on the west property line and adjacent to the parking lot adjacent to the residential/commercial building to the immediate north, as well as around the dumpster located off the alley.

3. DRAINAGE: A drainage report was submitted, reviewed, and accepted by the City Engineer (attachment), with the following comments, “The developer’s consultant prepared a drainage analysis of the proposed development to understand how the post development condition would affect the existing storm sewer system. There are drainage impacts that need to be mitigated in the full post development condition. The developer will construct an underground storm water detention system that will keep the post condition of runoff volume for a 10 year storm equal to today’s current site conditions. City Administration accepts the drainage report provided on October 31, 2006 to this department.”

4. CIRCULATION: Access is from a single curb cut off S. 4th Street to an off-street parking area on the north side of the site. Exiting is to the alley. Five of the 24 off-street parking spaces are accessed directly off the alley. A traffic report was not required due to the minimal impact of the proposal on the surrounding street system.

Twenty four (24) off street parking spaces are proposed. Previously approved shelter/transitional units were considered by the Board of Zoning Appeals. Information considered by the BZA was that 85% of the tenants would not have cars. Based on a total occupancy of 85 persons, and applying the 85% expectation, then resident demand would be 13 off-street parking spaces. Staff requirements are for four of the 24 spaces, with the remainder, 13, for the shelter and transitional occupants. Adequate off-street parking should be available.

Pedestrians are accommodated by public sidewalks on S. 4th Street and Yuma Street, with walkways connecting from the public sidewalk to the residential buildings.

5. OPEN SPACE AND COMMON AREA: Approximately 29% of the site is open space. A small play area is proposed between the two residential buildings, to be constructed with the Transitional Housing

6. CHARACTER OF THE NEIGHBORHOOD: A mixed use neighborhood with residential uses to the north/northwest and service commercial to the east, south and southwest. The site borders the future downtown redevelopment area, which is proposed to the east of S. 4th Street.

MATTERS TO BE CONSIDERED WHEN CHANGING ZONING DISTRICTS

1. EXISTING USE: Vacant C-5 District tract of land.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: generally flat with grass and several mature trees scattered on the site. The site is in the 500 Year Flood Plain, an area that is not subject to the Flood Plain Regulations.

3. SURROUNDING LAND USE AND ZONING:

(a.) **NORTH:** alley, multiple-family and single-family dwellings, mid rise apartments; R-M, Four-family Residential District, R-M District with TNO, Traditional Neighborhood Overlay District, PUD.

(b.) **SOUTH:** Yuma Street, church, service commercial; C-5 District.

(c.) **EAST:** S. 4th Street, service commercial; C-5/RDO, Redevelopment Overlay District.

(d.) **WEST:** Service commercial; C-5 District.

4. CHARACTER OF THE NEIGHBORHOOD: See above.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is suitable in size for the uses allowed in the C-5 District.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: Minimal impact is expected on adjoining property. Property to the north is R-M District and is separated by setback and public alley from the proposed residential buildings. Uses to the north have off-street parking off the alley. To the east, south, and west are service commercial uses, which should not be adversely impacted. Properties to the east and south are also separated from the site by public streets. Some increase in traffic can be expected, but due to the likelihood that fewer than normal cars will be present, traffic impacts should be minimal. Drainage is to the street and the proposed drainage plan will reduce the increased run-off. Building setbacks along the streets are consistent with the TNO Districts 14 foot minimum front yard setback. An eight foot side yard is proposed on the west, which is consistent with residential setbacks for multiple-family buildings. The Manhattan Emergency Shelter Building is setback approximately 35 feet from the existing residential /commercial building to the north. The Transitional Housing building is approximately 70 feet from the north lot line and public alley.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

The Manhattan Urban Area Comprehensive Plan shows the site as Central Core District. Applicable policies include:

CENTRAL CORE DISTRICT (CCD)

CCD 1: Characteristics

The Central Core District is a special purpose designation for the Downtown Core and “Aggieville”, which both have a unique historical character and importance to the broader community. Although the two areas are not physically connected, they both consist of a variety of civic, cultural, retail, commercial, business and professional offices and financial institutions, as well as residential uses in a compact, vibrant setting enhanced by a large inventory of older, and in some cases historic, structures and a pedestrian-friendly scale. “Superstores” and big box centers could be incorporated into identified redevelopment areas in the downtown core, if they are designed as part of a master planned development that is compatible with and complimentary to the traditional downtown urban fabric by maintaining a pedestrian oriented streetscape, and are of exceptional design quality. (Note: “master planned” refers to the process of developing an overall concept or neighborhood level plan for an area, prior to development, that takes into consideration the relationships between land uses, buildings, access and site characteristics, in order to establish a more unified and compatible development. It can apply to a large single site, a whole neighborhood, or series of neighborhoods.)

CCD 2: Infill and Redevelopment

Infill and redevelopment that is in keeping with the historic character and scale of the established neighborhood is strongly encouraged to utilize vacant or underutilized sites and enhance the vitality of the Central Core.

Applicable Housing and Neighborhoods Policies include:

HN 2: Encourage Construction of Affordable Housing

There is growing concern about the availability of affordable housing for low and moderate-income families within the Manhattan Urban Area. The City and County shall work with the private sector and non-profit agencies to ensure that sites that are potentially suitable for affordable housing are available in the Urban Area. This should include sites at a variety of scales to accommodate both small infill projects and larger redevelopment or green field projects. In addition, the City should encourage innovative design in housing by promoting such programs as design competitions, financial incentives, or other mechanisms to reduce development costs.

HN 5: Promote Infill and Redevelopment

The City and County should encourage infill development and redevelopment on vacant or underutilized parcels where infrastructure and services are readily available and where it would foster the stabilization or revitalization of an existing area. Infill and redevelopment should be sensitive to the established character of the surrounding neighborhood. *Infill* means the development of new housing or other buildings on scattered vacant sites in a built-up area. *Redevelopment* means the replacement or reconstruction of buildings that are in substandard physical condition, or that do not make effective use of the land on which they are located. If properly designed, infill and redevelopment can serve an important role in achieving quality mixed use neighborhoods.

The site is in a Special Planning Area. Applicable policies include:

DT 1: Reinforce the Role of the Downtown

The City and County will continue to reinforce the role of the Downtown area by making Downtown more accessible; supporting a variety of uses and activities as the focal point of the community; and promoting redevelopment of underutilized lands at the periphery of the downtown area.

DT 3: Promote Appropriate Infill and Redevelopment

The City shall encourage residential, commercial, office, and mixed-use infill and redevelopment within the downtown area, as identified in the Downtown Tomorrow Plan. Development design standards in the Downtown shall be considered in order to maintain and enhance the area's character.

The proposed rezoning is an infill project utilizing underdeveloped land, which will provide affordable temporary housing for individuals and families. Residential uses are encouraged in the Central Core area. The rezoning conforms to the Comprehensive Plan.

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

The site is part of the original town plat and is currently vacant. A building along S. 4th Street and one along Yuma Street were removed from the site within the last five years.

1925-1940	D Light Industrial District
1940-1965	E Heavy Industrial District
1965-1969	E Light industrial District
1969-2006	C-5, Highway Service Commercial District

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

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intended to provide a maximum choice of living environments by allowing a variety of housing and building types; a more efficient land use than is generally achieved through conventional development; a development pattern that is in harmony with land use density, transportation facilities and community facilities; and a development plan which addresses specific needs and unique conditions of the site which may require changes in bulk regulations or layout.

The proposed PUD is consistent with the intent and purposes of the Zoning Regulations, and the intent of the PUD Regulations.

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, which denial would accomplish. No adverse impacts to the public are expected. There may be a hardship to the applicant if the amendment is denied.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate street, sanitary and water service is available to serve the site. An additional fire hydrant is required in order to provide adequate fire fighting protect, which must be located at S. 4th and Colorado Street. The site plan notes the addition of a hydrant at the intersection. There is an existing sidewalk on abutting street frontage along S. 4th Street and Yuma Street.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS AND RECOMMENDATION:

City Administration recommends approval of the proposed rezoning of the Manhattan Emergency Shelter PUD from C-5, Highway Service Commercial District, to PUD, Residential Planned Unit Development District, with the conditions:

1. Permitted uses shall include a Manhattan Emergency Shelter building and Transitional Housing building.
2. Landscaping and irrigation shall be provided pursuant to a Landscaping Performance Agreement between the City and the owner, which shall be entered into prior to issuance of a building permit.
3. All landscaping and irrigation shall be maintained in good condition.
4. Exempt signage shall be permitted as described in Article VI, Section 6-104 (A)(1),(2),(4),(5),(7) and (8); and Section 6-104 (B)(2), of the Manhattan Zoning Regulations.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of the Manhattan Emergency Shelter PUD from C-5, Highway Service Commercial District, to PUD, Residential 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 the Manhattan Emergency Shelter PUD from C-5, Highway Service Commercial District, to PUD, Residential 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 the Manhattan Emergency Shelter PUD from C-5, Highway Service Commercial District, to PUD, Residential Planned Unit Development District, based on the findings in the staff report, with the conditions recommended by City Administration.

PREPARED BY: Steve Zilkie, AICP, Senior Planner

DATE: November 15, 2006

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: I-3, Light Industrial District

TO: LM-SC, Light Manufacturing-Service Commercial District

APPLICANT/OWNER: HHW, LLC-Greg Wilson

ADDRESS: 625 S. 10th Street, Manhattan KS 66502

LOCATION: south of Ft. Riley Boulevard, west of S. 10th Street, east of Griffith Field and S. 11th Street, and north of the Union Pacific Railroad, generally 615 S. 11th Street and 626 S. 10th Street (Lots 441-465, Ward 5).

AREA: approximately 2.7 acres.

DATE OF PUBLIC NOTICE PUBLICATION: Monday, November 13, 2006

DATE OF PUBLIC HEARING: PLANNING BOARD: Monday, December 4, 2006
CITY COMMISSION: Tuesday, December 19, 2006

EXISTING USE: Moving and storage (Covan), outdoor storage (Howie's Recycling), and warehouse distribution (Fastenal).

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: a flat fully developed industrial site with existing buildings, fencing and outdoor storage and parking. An east-west alley was vacated and a utility easement retained through the approximate center of the site. No portion of the site is in a 100 Year Flood Plain, but is in the 500 Year Flood Plain. Drainage is to public streets.

SURROUNDING LAND USE AND ZONING:

- (1) **NORTH:** Ft. Riley Boulevard, gravel parking single-family and two-family dwellings; R-2, Two Family Residential District, with TNO, Traditional Neighborhood Overlay District.
- (2) **SOUTH:** Railroad, city park, residential; R-2 District and Planned Unit Development.

(3) EAST: S. 10th Street, recycling, vacant industrial/commercial lot; I-3 District and LM-SC District.

(4) WEST: S. 11th Street, city park; R-2 District.

GENERAL NEIGHBORHOOD CHARACTER: The neighborhood extending east/west from the site, except for Griffith Park and along the south side of Ft. Riley Boulevard, consists primarily of industrial/commercial uses, which are separated from residential areas, north and south of the site, by a major street and railroad line. Areas generally to the north of the site are a mix of public parking, residential and other public facilities. Areas to the south are public park and residential. The site has been zoned for industrial purposes since 1926 and its character is part of the neighborhood.

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is suitable for the permitted and conditional uses of the I-3 District and is greater in minimum lot size than required by the I-3 District. Minimum lot size is 5,000 square feet and the site is approximately 2.7 acres, or 117,612 square feet in area.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The LM-SC District allows for a range of permitted uses found in both the C-5, Highway Service Commercial District, and the I-3 District. The neighboring area to the east is LM-SC District. To the southeast is I-3 District, Howie's Recycling. The site is bounded by a major street to the north and railroad to the south, which separates the site from residential districts. The site is accessed directly from Ft. Riley Boulevard and S. 10th Street, which connects to Ft. Riley Boulevard at a controlled intersection. The proposed rezoning is compatible with the industrial/commercial neighborhood.

CONFORMANCE WITH COMPREHENSIVE PLAN: The Manhattan Urban Area Comprehensive Plan shows the site as Community Commercial. Policy statements include:

CC 1: Characteristics: Community Commercial Centers provide a mix of retail and commercial services in a concentrated and unified setting that serves the local community and may also provide a limited draw for the surrounding region. These centers are typically anchored by a larger national chain, between 120,000 and 250,000 square feet, which may provide sales of a variety of general merchandise, grocery, apparel, appliances, hardware, lumber, and other household goods. Centers may also be anchored by smaller uses, such as a grocery store, and may include a variety of smaller, complementary uses, such as restaurants, specialty stores (such as books, furniture, computers, audio, office supplies, or clothing stores), professional offices and health services. The concentrated,

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unified design of a community commercial center allows it to meet a variety of community needs in a “one-stop shop” setting, minimizing the need for multiple vehicle trips to various commercial areas around the community. Although some single use highway-oriented commercial activities will continue to occur in some areas, this pattern of development is generally not encouraged.

CC 2: Location: Community Commercial Centers should be located at the intersection of one or more major arterial streets. They may be located adjacent to urban residential neighborhoods and may occur along major highway corridors as existing uses become obsolete and are phased out and redeveloped over time. Large footprint retail buildings (often known as “big-box” stores) shall only be permitted in areas of the City where adequate access and services can be provided.

CC 3: Size: Typically require a site of between 10 and 30 acres.

CC 4: Unified Site Design: A unified site layout and design character (buildings, landscaping, signage, pedestrian and vehicular circulation) shall be required and established for the center to guide current and future phases of development. Building and site design should be used to create visual interest and establish a more pedestrian-oriented scale for the center and between out lots.

CC 5: Architectural Character: Community Commercial Centers shall be required to meet a basic level of architectural detailing, compatibility of scale with surrounding areas, pedestrian and bicycle access, and mitigation of negative visual impacts such as large building walls, parking areas, and service and loading areas. While these requirements apply to all community commercial development, they are particularly important to consider for larger footprint retail buildings, or “big-box” stores. A basic level of architectural detailing shall include, but not be limited to, the following: Façade and exterior wall plane projections or recesses; • Arcades, display windows, entry areas, awnings, or other features along facades facing public streets; • Building facades with a variety of detail features (materials, colors, and patterns); and • High quality building materials.

CC 6: Organization of Uses: Community commercial services should be concentrated and contained within planned activity centers, or nodes, throughout the community. Within each activity center or node, complementary uses should be clustered within walking distance of each other to facilitate efficient, “one-stop shopping”, and minimize the need to drive between multiple areas of the center. Large footprint retail buildings, or “big-box” stores should be incorporated as part of an activity center or node along with complementary uses. Isolated single store developments are strongly discouraged.

CC 7: Parking Design and Layout: Uninterrupted expanses of parking should be avoided. Parking areas should be broken into smaller blocks divided by landscaping and pedestrian walkways. Parking areas should be distributed between the front and sides of buildings, or front and rear, rather than solely in front of buildings to the extent possible.

CC 8: Circulation and Access: Clear, direct pedestrian connections should be provided through parking areas to building entrances and to surrounding neighborhoods or streets. Integrate main entrances or driveways with the surrounding street network to provide clear connections between uses for vehicles, pedestrians, and bicycles.

The proposed rezoning combines light industrial and service commercial uses adjacent to a major street, Ft. Riley Boulevard. Access to the site is not through residential areas. LM-SC District is to the west and east of the site. The Comprehensive Plan recognizes that “Although some single use highway-oriented commercial activities will continue to occur in some areas, this pattern of development is generally not encouraged.” The proposed rezoning to LM-SC District is generally in conformance with the Manhattan Urban Area Comprehensive Plan, due to the existing LM-SC District along Ft. Riley Boulevard.

ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED: The site is a part of the City’s original platted Ward Districts. The site is not vacant.

1925-1965	F, Heavy Industrial District
1965-1969	F, Heavy Industrial District
1969-2006	I-3, Light Industrial District

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 Light Manufacturing-Service Commercial District is designed to promote and encourage diverse economic growth through coordinated and efficient use of land and collocation of light industrial and highway service commercial activities. Minimum lot size in the LM-SC District along a limited access arterial street is 20,000 square feet. The site is greater in area than minimum lot size.

RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT: There appears to be no relative gain to the public that denial would accomplish. It may be a hardship on the owner if the rezoning is denied. The site can be accessed from existing public streets.

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ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate street and other public services and facilities are available to serve the site.

OTHER APPLICABLE FACTORS: None.

STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of Lots 441-465, Ward 5, generally located at 615 S. 11th Street and 626 S. 10th Street, from I-3, Light Industrial District, to LM-SC, Light Manufacturing-Service Commercial District.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Lots 441-465, Ward 5, generally located at 615 S. 11th Street and 626 S. 10th Street, from I-3, Light Industrial District, to LM-SC, Light Manufacturing-Service Commercial 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 Lots 441-465, Ward 5, generally located at 615 S. 11th Street and 626 S. 10th Street, from I-3, Light Industrial District, to LM-SC, Light Manufacturing-Service Commercial District, based on the findings in the Staff Report.

PREPARED BY: Steve Zilkie, AICP, Senior Planner

DATE: November 29, 2006

Social Services Advisory Board

Agency	2004 Agency Requests	2004 Agency Award	2005 Agency Requests	2005 Agency Award	2006 Agency Requests	2006 Agency Award	2007 Agency Requests	2007 Board Recommendation
American Red Cross-Flint Hills Chapter	10,000	10,000	15,000	-	-	-	-	-
Big Brothers/Big Sisters	27,000	23,000	29,500	27,000	29,500	29,500	29,500	29,500
Boys & Girls Club	7,255	5,000	10,000	5,000	6,990	6,990	6,900	6,900
Crisis Center	46,500	46,500	46,500	46,500	46,500	46,500	46,500	46,500
Girl Scouts of Kaw Valley Council	-	-	4,000	2,000	2,400	-	-	-
Homecare & Hospice	31,700	31,000	32,000	32,000	32,000	32,000	38,000	38,000
Infant-Toddler Services Network	5,370	-	-	-	-	-	-	-
Kansas Legal Services	12,500	12,500	15,000	15,000	17,000	17,000	20,000	20,000
KSU Child Development Center	-	-	-	-	-	-	11,124	11,124
Manhattan Day Care	51,700	45,000	45,000	45,000	47,000	47,000	50,000	50,000
Manhattan Emergency Shelter	52,500	48,000	53,000	53,000	54,000	54,000	54,000	54,000
Manhattan Habitat for Humanity	10,280	-	20,000	-	-	-	24,479	-
Manhattan Housing Authority	-	-	35,000	30,000	35,000	5,000	-	-
Northeast Kansas Community Action Program (NEKCAP) Handyman	41,286	24,500	24,500	-	-	-	-	-
Northeast Kansas Community Action Program (NEKCAP) Utility Assistance	15,000	15,000	15,000	-	-	-	-	-
Ogden Youth Center	-	-	10,000	-	-	-	-	-
Riley County Area Transportation Agency	16,000	15,200	16,000	16,000	20,000	20,000	25,000	25,000
Salvation Army	16,000	16,000	32,000	23,000	40,000	35,000	40,000	40,000
Sunflower CASA Project, Inc.	15,440	11,300	14,584	14,500	16,557	16,557	19,570	19,570
UFM Community Learning Center	4,025	4,025	4,025	4,025	8,050	6,000	6,000	6,000
Totals:	362,556	307,025	421,109	313,025	354,997	315,547	371,073	346,594

Notes:

(1) In accordance with Kansas budget law, prior year carry-overs have been eliminated and added to the the proposed contingency amount for that budget year.

(2) Any future unused allocation and/or contingency amount will be returned to the City's general fund at the close of that budget year. . . .
 program, 1/2 year's funds were withheld and instead
 allocated to Salv. Army

Updated on 1/4/2007

**2007
Special Alcohol Funding**

AGENCY	2007 Recommended	2007 Requested	2006 Approved	2005 Approved	2004 Approved
Big Brothers/Big Sisters	\$14,000	\$14,000	\$9,075	\$12,000	\$12,000
Boys and Girls Clubs of Manhattan, Inc.	\$16,742	\$24,342	\$15,597	\$23,500	\$31,212
Cox Cable Rep Advertising	(no request)	(no request)	(no request)	\$0	\$15,500
KSU-Alcohol & Other Drug Education Service	\$28,400	\$28,400	\$5,805	\$22,500	\$23,500
KSU-Counseling Service	(no request)	(no request)	\$1,860	\$6,000	\$10,000
Little Apple Task Force	\$3,000	\$3,000	\$2,016	\$3,000	\$3,000
Manhattan Area Risk Prevention Coalition	(no request)	(no request)	\$17,380	\$30,000	\$32,240
Manhattan Emergency Shelter	\$8,500	\$8,500	\$10,000	\$7,000	\$8,000
Manhattan Housing Authority	\$4,000	\$6,000	\$1,400	\$2,000	\$2,800
Northeast Kansas Regional Prevention Center	\$37,397	\$37,397	\$42,893	\$45,000	\$63,900
Riley County Community Corrections	\$10,000	\$10,000	\$5,000	\$4,500	\$4,000
Riley County Police Department-D.A.R.E.	\$69,092	\$72,148	\$69,092	\$45,000	\$49,418
Sunflower CASA	\$14,500	\$14,500	\$7,569	\$14,000	\$15,500
UFM Learning Center	\$23,000	\$23,000	\$22,000	\$22,500	\$27,000
Unified School District #383	\$96,767	\$96,767	\$101,519	\$99,000	\$110,300
Youth Court (formerly Teen Court)	\$5,000	\$5,000	\$24,236	\$15,000	(no request)
TOTALS	\$320,398	\$343,052	\$325,042	\$351,000	\$408,370

Teen Court 2006 request withdrawn August 2005

\$325,000 Special Alcohol Funds Available: Requests Total \$343,052 (\$18,052 more requested than available.)

NOTE: Allocations made by the Special Alcohol Fund Advisory Board are awarded on the basis of application/request for funding, quarterly and annual accountability reports; compliance with previous/current allocation contracts, agency hearings, and each agency's proven return of investment in addressing issues specific related to the prevention, intervention, and treatment of alcohol and drug abuse in Manhattan, Kansas. The Commission appointed Board has reviewed each request for proposal and determined that the recommended allocations meet the criteria set by the State of Kansas in regards to the use of Liquor Drink Tax revenues as outlined in KSA 79-41a04 and City of Manhattan Resolution No. 041994-B.