

MINUTES
CITY COMMISSION MEETING
TUESDAY, FEBRUARY 20, 2007
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, Deputy City Manager Diane Stoddard, Assistant City Manager Jason Hilgers, City Attorney Bill Frost, City Clerk Gary S. Fees, Youth in Government Representative Thomas Irvin, 12 staff, and approximately 32 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Snead led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Snead proclaimed February 24, 2007, *National TRIO Day*. Margaret Turner, Director, Upward Bound; Michelle White-Godinet, Academics Services Coordinator/Educational Supportive Services; JohnElla Holmes, Director, Upward Bound Math and Science; Shanta Bailey, Upward Bound Math/Science Project Coordinator; Kathy Zarka, Assistant Director/Educational Supportive Services/Academic Services Coordinator McNair Scholars Program; and Lisa Hamilton, Student Services Coordinator, were present to receive the proclamation.

COMMISSIONER COMMENTS

Mayor Snead recognized Thomas Irvin, Youth in Government representative.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, February 6, 2007.

CLAIMS REGISTER NOS. 2580 and 2581

The Commission approved Claims Register Nos. 2580 and 2581 authorizing and approving the payment of claims from January 31, 2007, to February 13, 2007, in the amounts of \$262,512.71 and \$3,358,151.24, respectively.

FINAL PLAT – TOWNHOMES AT MILLER RANCH, UNIT 6

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of The Townhomes at Miller Ranch, Unit Six, a Residential Planned Unit Development, generally located north of the intersection of Brianna Court and Miller Parkway, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 6608 – AMEND CLAFLIN RESIDENTIAL PLANNED UNIT DEVELOPMENT, UNIT ONE

The Commission approved Ordinance No. 6608 amending the Final Development Plan of the Claflin Residential Planned Unit Development, Unit One, and Ordinance No. 4602, as proposed, based on the findings in the Staff Report (*See Attachment No. 1*), with the two (2) conditions of approval, recommended by the Manhattan Urban Area Planning Board.

ORDINANCE NO. 6609 – LEVY SPECIAL ASSESSMENTS – GENERAL OBLIGATION BONDS 2007A

The Commission approved Ordinance No. 6609 levying special assessments against the benefiting property in the following twenty-eight (28) projects, which have been completed: *Abbott Acres Addition – Water (WA0604); Brookfield Addition, Unit 8 – Sanitary Sewer (SS0604), Street (ST0610), and Water (WA0607); Block 1 of Four Winds Village Addition – Sanitary Sewer (SS0510), Street (ST0516), and Water (WA0510); Grand Mere Vanesta, Unit 1 – Sanitary Sewer, Street, and Water (SP0505); Hackberry Addition, Unit 2 – Street (ST0518); Highland Meadows Addition, Unit 2 – Sanitary Sewer (SS0507), Street (ST0513), and Water (WA0507); Oak Hollow Addition, Unit 11 – Sanitary Sewer (SS0502), Street (ST0506), and Water (WA0502); Platt Addition – Sanitary Sewer (SS0511), Street (ST0517), and Water (WA0511); Prairie Lakes Addition, Unit 2 – Sanitary Sewer (SS0509), Street (ST0515), and Water (WA0509); Stone Pointe Addition, Unit 1 – Water (WA0608); Western Hills Addition, Unit 13 – Sanitary Sewer (SS0603), Water (WA0603), and Stormwater (SM0601); and Woodland Hills, Unit 5, Phase 2/Unit 6, Phase 1 – Sanitary Sewer (SS0516), Street (ST0523), and Water (WA0517).*

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 6610 – ESTABLISH – STOP SIGNS

The Commission approved Ordinance No. 6610 establishing stop signs at the following intersections: *Christy Drive at Anderson Avenue; Sundance Drive at Anderson Avenue; Newfoundland Drive at Kimball Avenue; Highland Ridge Drive at Scenic Drive; Stone Drive at Scenic Drive; and East Highland Ridge Drive at Scenic Drive.*

FIRST READING – NO PARKING ANYTIME – BAKERS WAY

The Commission approved first reading of an ordinance establishing a “No Parking Anytime” zone on south side of Bakers Way for a distance of 428 feet east of the east back of curb of North Manhattan Avenue.

RESOLUTION NO. 022007-B – TEMPORARY NOTE SERIES NO. 2007-01

The Commission approved accepting the best bid for selling the notes and approved Resolution No. 022007-B issuing Temporary Note Series No. 2007-01 in the amount of \$7,665,000.00 to finance the following nineteen (19) special assessment projects to be debt financed: *Daisy Meadow, Sanitary Sewer (SS0620), Street (ST0624), and Water (WA0623) Improvements; Eureka Addition, Sanitary Sewer (SS0607), Street (ST0613), and Water (WA0610) Improvements; Four Winds Village Phase 1, Sanitary Sewer (SS0510), Street (ST0516), and Water (WA0510) Improvements; Four Winds Village Block 2, Sanitary Sewer (SS0601), Street (ST0603) and Water (WA0602) Improvements; Prairie Lakes Addition Unit 3, Sanitary Sewer (SS0617) and Water (WA0619) Improvements; Stone Pointe Addition Unit 1, Phase 2, Sanitary Sewer (SS0614), Street (ST0617), and Water (WA0616) Improvements; Downtown Redevelopment (North End) – Best Buy Right-In/Right-Out Improvements (ST0609); and Limey Pointe Addition, Sanitary Sewer, Street and Water Improvements (SS0616/ ST0623 /WA0618).*

RESOLUTION NO. 022007-C – DISPOSE – CITY PROPERTY

The Commission approved Resolution No. 022007-C authorizing the disposition of various property by the City and accepting the proposal to sell a fire apparatus engine for \$500.00.

RESOLUTION NO. 022007-D – SCENIC MEADOWS, PHASE ONE – SANITARY SEWER IMPROVEMENTS (SS0702)

The Commission found the petitions sufficient and approved Resolution No. 022007-D finding the project advisable and authorizing construction for Scenic Meadows, Phase One, Sanitary Sewer Improvements (SS0702).

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 022007-E – SCENIC MEADOWS, PHASE ONE – SANITARY SEWER LIFT STATION IMPROVEMENTS (SS0703)

The Commission found the petition sufficient and approved Resolution No. 022007-E finding the project advisable and authorizing construction for Scenic Meadows, Phase One, Sanitary Sewer Lift Station Improvements (SS0703).

RESOLUTION NO. 022007-F – SCENIC MEADOWS, PHASE ONE – WATER IMPROVEMENTS (WA0702)

The Commission found the petition sufficient and approved Resolution No. 022007-F finding the project advisable and authorizing construction for Scenic Meadows, Phase One, Water Improvements (WA0702).

RESOLUTION NO. 022007-G – SCENIC MEADOWS, PHASE ONE – STREET IMPROVEMENTS (ST0701)

The Commission found the petition sufficient and approved Resolution No. 022007-G finding the project advisable and authorizing construction for Scenic Meadows, Phase One, Street Improvements (ST0701).

AGREEMENT – ENGINEERING SERVICES - SCENIC MEADOWS, PHASE ONE, IMPROVEMENTS (ST0701, WA0702, SS0703, SS0702)

The Commission authorized the Mayor and City Clerk to execute an agreement with Schwab-Eaton, Inc., P.A., of Manhattan, Kansas, to perform engineering services for Scenic Meadows, Phase One, Improvements (ST0701, WA0702, SS0703, SS0702).

RESOLUTION NO. 022007-H – STONE POINTE ADDITION, UNIT ONE, PHASE TWO – STREET IMPROVEMENTS (ST0617)

The Commission found the petition sufficient and approved Resolution No. 022007-H rescinding Resolution No. 090506-D, finding the project advisable, and authorizing construction for Stone Pointe Addition, Unit One, Phase Two, Street Improvements (ST0617).

PURCHASE – PARKS AND RECREATION DEPARTMENT – TOW TYPE TOP DRESSER

The Commission authorized City Administration to purchase the Turfco Meter-Matic XL Tow Type Top Dresser for the Parks and Recreation Department from the Commercial Turf and Tractor Company, of Chillicothe, Missouri, in the amount of \$10,917.00.

CONSENT AGENDA (CONTINUED)

PURCHASE – PARKS AND RECREATION DEPARTMENT – DEEP TINE AERATOR

The Commission authorized the purchase of a Verti-Drain Model 7120 Deep Tine Aerator for the Parks and Recreation Department from Turf Professionals Equipment Company, of Overland Park, Kansas, in the amount of \$19,257.60.

PURCHASE – PARKS AND RECREATION DEPARTMENT - TRACTOR WITH FRONT-END LOADER

The Commission authorized City Administration to purchase a John Deere Model 4320 tractor with front-end loader for the Parks and Recreation Department from Brooks Yamaha, of Manhattan, Kansas, in the amount of \$19,295.16.

* PURCHASE – GRIFFITH PARK - SPORTS LIGHTING EQUIPMENT

Frank Gibbs, Park Planner, answered questions from the Commission.

The Commission approved the bid by Musco Lighting, of Oskaloosa, Iowa, and authorized the purchase of sports lighting equipment in the amount of \$93,000.00 for the Griffith Park Lighting Project.

AWARD CONTRACT – WELL REHABILITATION PROJECT

The Commission accepted the Engineer's Estimate in the amount of \$131,365.00 and awarded a contract to Cahoy Incorporated, of Fredericksburg, Iowa, in the amount of \$120,015.00 for the Well Rehabilitation Project.

ACCEPT – KDOT GRANT – 4TH STREET AND BLUEMONT AVENUE INTERSECTION

The Commission accepted the grant offer from the Kansas Department of Transportation (KDOT) for the intersection of 4th Street and Bluemont Avenue and directed City Administration to proceed toward this project in a manner that will facilitate construction of 4th Street and Bluemont Avenue in the fall of 2007.

ACCEPT KDOT GRANT – JULIETTE AVENUE AND BLUEMONT AVENUE

The Commission accepted the grant offer from the Kansas Department of Transportation (KDOT) for the intersection of Juliette Avenue and Bluemont Avenue and directed City Administration to proceed toward this project in a manner that will facilitate construction of Juliette Avenue and Bluemont Avenue in the Summer of 2009.

CONSENT AGENDA (CONTINUED)

ACCEPT KDOT GRANT – SETH CHILD ROAD/CLAFLIN ROAD INTERSECTION

The Commission accepted the grant offer from KDOT for the intersection of Seth Child Road (K-113) and Claflin Road and directed City Administration to proceed toward this project in a manner that will facilitate construction in the summer of 2010.

REQUEST FOR QUALIFICATIONS/PROPOSAL OUTLINE – UPDATE AIRPORT MASTER PLAN

The Commission authorized City Administration to issue the Request for Qualifications/Proposal for Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Project No. 3-20-0052-30 to update the Airport Master Plan at the Manhattan Regional Airport.

* AGREEMENT – CITY/UNIVERSITY SPECIAL PROJECTS FUND

Diane Stoddard, Deputy City Manager; and Bill Muir, Kansas State University, provided information on the item and answered questions from the Commission.

Rob Ott, Interim Director of Public Works, provided additional information to the Commission on the status of the lights.

The Commission authorized the Mayor and City Clerk to execute the 2007 City/University Special Projects Fund agreement with Kansas State University in the amount of \$74,600.00.

PURCHASE – STORM WARNING SIREN – JARDINE DRIVE/HILLCREST DRIVE

The Commission authorized City Administration to enter into a purchase agreement in the amount of \$16,100.00 with Blue Valley Public Safety, of Grain Valley, Missouri, for the purchase and installation of a Federal Signal Corporation warning siren to be located at the intersection of Jardine Drive and Hillcrest Drive.

BOARD APPOINTMENTS

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

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS (CONTINUED)

Social Services Advisory Board

Appointment of Gayle Bennett, 3104 Harahey Ridge, to fill an unexpired term of Mark Samarrai. Ms. Bennett's term begins immediately and will expire on June 30, 2008.

Housing Authority Board Of Commissioners

Re-appointment of Ida Leupold, 301 Brookvalley Drive, to a four-year Resident's term. Ms. Leupold's term begins March 4, 2007, and will expire on March 3, 2011.

After discussion, Commissioner Phillips moved to approve the consent agenda. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

REQUEST TO PURCHASE CITY LAND - PARKING LOT AT 5TH AND PIERRE STREETS

Jason Hilgers, Assistant City Manager, presented the item and requested feedback from the Commission on the item.

Joyce Glasscock, Executive Director, Boys and Girls Clubs of Manhattan, provided background information on their current facility, ownership, and activities and asked the Commission to support their proposal.

Brent Bowman, Bowman Bowman Novick, Inc., Architects, provided information on the proposed site and preliminary architectural drawings and floor plans. He then answered questions from the Commission

Jim Sherow, 529 Pierre Street, informed the Commission that he welcomed the Boys and Girls Club into their neighborhood and encouraged the Commission to approve the item being requested.

Tom Hintz, 1405 Skyline Drive, representing the Optimist Club, spoke in support of the relocation efforts of the Boys and Girls Club.

GENERAL AGENDA (CONTINUED)

REQUEST TO PURCHASE CITY LAND - PARKING LOT AT 5TH AND PIERRE STREETS (CONTINUED)

Ron Fehr, City Manager, provided additional information and clarification on the item. He then answered additional questions from the Commission.

After discussion, Commissioner Hatesohl moved to authorize City Administration to negotiate a contract with the Boys and Girls Clubs, of Manhattan, Kansas, for purchase of City property located at the northwest corner of 5th and Pierre Streets. Commissioner Phillips seconded the motion. On a roll call vote, motion carried 5-0.

RESOLUTION NO. 022007-A - PURCHASING POLICY

Mayor Snead announced that the item would be removed from the table.

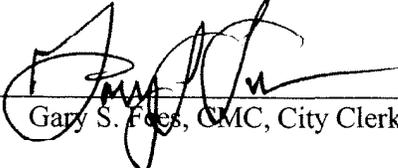
Bernie Hayen, Director of Finance, presented the item and answered questions from the Commission.

Ron Fehr, City Manager; and Bernie Hayen, Director of Finance, answered questions from the Commission.

After discussion, Commissioner Hatesohl moved to remove the item from the table and approve Resolution No. 022007-A, authorization for Purchasing Policy. Commissioner Morris-Hardeman seconded the motion. On a roll call vote, motion carried 4-1, with Commissioner Klimek voting against the motion.

ADJOURNMENT

At 8:40 p.m. the Commission adjourned.



Gary S. Fees, OMC, City Clerk

STAFF REPORT

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

BACKGROUND

APPLICANT: Dan Fletcher-Curtin Property Company.
ADDRESS: 12321 Metcalf Ave. Overland Park, KS 66213

OWNER: Chris Curtin-Curtin Property Company
ADDRESS: 12321 Metcalf Ave. Overland Park, KS 66213

LOCATION: East of Westport Street, north of Claflin Road, and south and west of Heywood Drive.

AREA: 8.33 Acres

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

DATE OF PUBLIC HEARING: PLANNING BOARD: Thursday, January 18, 2007
CITY COMMISSION: Tuesday, February 6, 2007

DESCRIPTION OF PROPOSED AMENDMENT: Modify the approved PUD Final Development Plan and Ordinance No. 4602 to remove the wood screening fences located along the east side of Westport Drive between Heywood Drive and Claflin Road. The fences currently are located between the garage structures that border Westport Street and generally provide screening of the off-street parking area from adjacent properties and public rights-of-way. Landscaping generally consisting of evergreen shrubs and trees currently provides a buffer of the existing off-street parking area and screening wood fences from the surrounding neighborhood. The applicant has proposed additional landscaping consisting of shrubs and ornamental grasses to fill in the space where the fences are proposed to be removed.

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

Attachment No. 1

WHETHER THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPROVED PUD, AND WILL PROMOTE THE EFFICIENT DEVELOPMENT AND PRESERVATION OF THE ENTIRE PUD:

The original Preliminary Development Plan approved in August 1988, described the landscaping and screening along Westport Street, Heywood Drive, and Claflin Road to generally consist of three foot landscape buffers in combination with evergreen and deciduous plantings to provide year round screening. When the Final Development Plan was approved in August 1989, an amendment to the Preliminary Development Plan was made which included replacing the landscape berm along Westport Drive with additional landscaping planting materials. At that time, the property to the general west, generally between Browning Ave. and Westport Street was vacant and although there was no specific requirement for the six foot tall fencing, the Final Development Plan did identify the fencing along Westport Street. The proposed amendment to replace the wood fencing with additional landscaping to provide screening of the parking area is consistent with the intent, purpose, and preservation of the approved PUD.

WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN OR AROUND THE PUD, AND THE NATURE OF SUCH CONDITIONS:

Since the PUD was approved in 1989, property to the west has been developed into the Williamsburg PUD. The mix of single-family, single-family attached, and two-family dwellings in the Williamsburg PUD, front Williamsburg Drive, leaving the rear of the structures with views of open landscape yards, Westport Drive, and the Claflin Residential PUD. Properties to the west within the Williamsburg PUD are separated by considerable distance (at least 100-feet) and large landscape yards from the Claflin Residential PUD parking area containing the existing screening fences. The applicant indicated in the application documents that the basis for removing the screening fences is generally that “design trends are moving away from wood fence structures in favor of softer, more open landscape designs for screening purposes.”

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:

No specific gain to the public is found; however, no adverse effects are anticipated with the proposed change in screening. No public improvements or easements will be adversely affected by the proposed amendment and the proposed amendment will not be granted as a special benefit to any one person, but may benefit the public as a whole by providing additional landscaping along Westport Drive.

ADDITIONAL MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

- 1. LANDSCAPING:** Existing landscaping along Westport Drive currently consists of mature evergreen and deciduous trees along with evergreen shrubs. The existing landscaping currently provides an overall buffer of the multiple-family residential development and associated off-street parking area with garage structures along Westport Drive. The applicant has proposed to replace the fences with additional landscaping which will consist of a mix of shrubs (pyracantha and viburnum) and ornamental grasses (maiden grass).
- 2. SCREENING:** Screening fences were not a requirement of the approved PUD, however they were shown on the Final Development plan along Westport Drive. The existing wood fences and mature shrub and tree vegetation located along Westport Drive provide screening and buffering of the parking area and garage structures. Additional landscaping is proposed to compensate for the loss of fencing. Although the proposed landscaping will not provide immediate sight obscuring screening of the parking area, the combination of existing and proposed landscaping will buffer the parking area from adjacent properties and the public right-of-way.
- 3. DRAINAGE:** The proposed amendment will not change or affect the existing drainage pattern of the PUD.
- 4. CIRCULATION:** The proposed amendment will not change or affect the existing number of off-street parking spaces or affect the existing circulation found within the PUD.
- 5. OPEN SPACE AND COMMON AREA:** The existing open space and common area will not be increased or reduced with the proposed amendment. Replacing the existing fences with additional landscaping may provide a visual appearance of increased open space along the perimeter of the PUD.
- 6. CHARACTER OF THE NEIGHBORHOOD:** The established neighborhood generally consists of multiple-family residential uses within the PUD and single-family, single-family attached and two-family residential uses in the Williamsburg PUD to the west. The general neighborhood offers large, open landscaped yards, with landscaped vegetation providing buffers between properties. Replacing the wood fences with additional landscaping is anticipated to complement with the general character of the neighborhood.

EXISTING USE: Multiple-Family Residential

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:

The surrounding neighborhood is residential in character with a mix of single-family, single-family attached, two-family, and multiple-family uses. In general the west portion of the PUD where the fences are currently located is generally higher in elevation than the residential uses within the Williamsburg PUD to the west. The residential structures in the Williamsburg PUD to the west have their primary façade facing towards the west with the general rear façade facing the east. Existing mature landscaping consisting of shrubs and trees currently provides a buffer between the two developments.

SURROUNDING LAND USE AND ZONING:

- (1) **NORTH:** Westport Street; followed by Claflin Residential PUD, Unit 2, and single-family, single-family attached, and two-family dwellings located in the Williamsburg Residential PUD; followed by Dickens Ave.
- (2) **SOUTH:** Claflin Road, followed by a church in the R, Single-Family Residential District; a mix of professional offices in the C-1, Restricted Business District; and service commercial uses such as Blockbuster, and Taco Bell in the C-2; Neighborhood Shopping District.
- (3) **EAST:** Heywood Drive; followed by a portion of Claflin Residential PUD, Unit 2, and a professional office in the C-1 Restricted Business District; followed by a professional office in the U, University District.
- (4) **WEST:** Westport Street; followed by single-family, single-family attached, and two-family dwellings in the Williamsburg Residential PUD; followed by Browning Ave.

GENERAL NEIGHBORHOOD CHARACTER:

The established neighborhood generally consists of multiple-family residential uses within the Claflin Residential PUD and single-family, single-family attached and two-family residential uses in the Williamsburg PUD to the west. The general neighborhood offers large, open, extensively landscaped yards, with vegetation providing buffers between properties. Replacing the wood fences with additional landscaping is anticipated to complement the general character of the neighborhood.

Attachment No. 1

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:

In August 1988, the Board approved the rezoning of the site from I-1, Research Park District to PUD, Residential Planned Unit Development for the Claflin Residential PUD. An amendment was made approximately one year later with the Final Development Plan, which established the existing multiple-family residential development bound by Westport Street to the west, Heywood Drive to the east, and Claflin Road to the south. The site remains suitable for its established uses under the current PUD zoning.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:

No changes are proposed to the zoning district.

CONFORMANCE WITH COMPREHENSIVE PLAN:

The Comprehensive Plan identifies the area to consist of Residential Medium/High Density (RMH) which allows for a mix of housing types in a neighborhood setting in combination with compatible non-residential land uses, such as retail, service commercial, and office uses. Residential Medium/High Density neighborhoods should be located close to arterial streets and bound by collector streets where possible. Appropriate densities within a Residential Medium/High neighborhood range in density from 11 to 19 dwelling units per net acre, and the density for this development remains at 15 (120 units / 8 acres). The Claflin Residential PUD is in conformance with the Comprehensive Plan.

ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED:

- 1988 Rezoned from I-1, Research Park District to PUD, Residential Planned Unit Development for the Claflin Residential PUD.
- 1989 Amendment of Phase I of the PUD, which reduced the number of residential buildings, bedrooms, and parking stalls; reduced some of the building heights; and reconfigured and refined the buildings and landscape plans.

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.

Attachment No. 1

The proposed Amendment is consistent with the intent and purposes of 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, 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.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES:

Adequate public utilities and facilities are available to serve the PUD.

OTHER APPLICABLE FACTORS: None.

STAFF COMMENTS: City Administration recommends approval of the proposed Amendment of the Claflin Residential Planned Unit Development, and Ordinance No. 4602, with the following conditions of approval:

1. The proposed amendment shall be limited to the removal of the existing fences along Westport Street as indicated in the application documents.
2. Landscaping shall be as proposed in the application documents and shown on the site plan; shall be planted within the first planting season; and shall be maintained in good condition.

ALTERNATIVES:

1. Recommend approval of the proposed Amendment of the Claflin Residential Planned Unit Development, and Ordinance No. 4602, stating the basis for such recommendation.
2. Recommend denial of the proposed Amendment, and Ordinance No. 4602, stating the specific reasons for denial.
3. Table the proposed Amendment(s) to a specific date, for specifically stated reasons.

Attachment No. 1

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed Amendment(s) of the Claflin Residential Planned Unit Development, and Ordinance No. 4602, based on the findings in the Staff Report, with the two conditions of approval.

PREPARED BY: Jeremy Frazzell, Planner

DATE: January 9, 2007

JF/vr
06032