



MINUTES
CITY COMMISSION MEETING
TUESDAY, JUNE 6, 2017
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Usha Reddi and Commissioners Linda Morse, Michael L. Dodson, Wynn Butler, and Karen McCulloh were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Kiel Mangus, City Attorney Katharine Jackson, City Clerk Gary S. Fees, 12 staff, and approximately 25 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Reddi led the Commission in the Pledge of Allegiance.

PROCLAMATIONS

Mayor Reddi proclaimed June 17, 2017, ***Juneteenth***. Blane Hope, Vice Chair, and Felicia Jefferson, member, Juneteenth Committee, were present to receive the proclamation.

Mayor Reddi proclaimed June 2017, ***General Aviation Appreciation Month***. Dave Rogers, Vice Chair, Airport Advisory Board, and Patti Roblyer, General Manager, Kansas Jet Center, were present to receive the proclamation.

PUBLIC COMMENTS

Mayor Reddi opened the public comments.

Dave Dreiling, 120 South Wreath Avenue, thanked the City Commission for their service. He provided background information on the economic development funds and how the funds assisted GTM to hire additional people, to expand their payroll, and to build new infrastructure. He encouraged the Commission to not be shortsighted on the opportunities with the National Bio and Agro-Defense Facility for supporting future businesses and to be picky with the economic development funds that are available.

PUBLIC COMMENTS (CONTINUED)

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

COMMISSIONER COMMENTS

Commissioner McCulloh stated that it is great to see the swimming pools open and the large number of people using the pools.

Mayor Reddi thanked Tim Schultz for building affordable housing assistance units in the community and expressed her appreciation to Commissioner McCulloh for her efforts with the Manhattan Area Housing Partnership. She encouraged the community to enjoy the pools and the Parks and Recreation events held in City Park this summer. She also reminded citizens to view the construction map on the City's website to see the ongoing projects.

Commissioner Morse thanked Donna Schenck-Hamlin and other community volunteers for putting the bunting on the Landmark Water Tower. She also thanked the many individuals and the Municipal Band that were involved with the wonderful Memorial Day ceremony held at Sunset Cemetery on Monday, May 29, 2017.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, May 16, 2017.

CLAIMS REGISTER NO. 2853

The Commission approved Claims Register No. 2853 authorizing and approving the payment of claims from May 10, 2017, to May 30, 2017, in the amount of \$4,535,826.51.

LICENSE

The Commission approved an annual Cereal Malt Beverages On-Premises License for La Hacienda, 3003 Anderson Avenue, Suite 945.

* ORDINANCE NO. 7290 – AMEND ZONING REGULATIONS – C-3, AGGIEVILLE BUSINESS DISTRICT

Ron Fehr, City Manager, highlighted the proposed revised amendment made to the ordinance and informed the Commission that they would need to override the Manhattan Urban Area Planning Board's recommendation to approve the ordinance.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7290 – AMEND ZONING REGULATIONS – C-3, AGGIEVILLE BUSINESS DISTRICT

The Commission overrode the Planning Board's recommendation, and approved Ordinance No. 7290 amending Article IV, Section 4-203, C-3, Aggieville Business District, of the Manhattan Zoning Regulations, as modified, based on the findings in the Staff Memorandum (*See Attachment No. 1*) and the recommendation of the Manhattan Urban Area Planning Board, and as modified and recommended by City Administration to restrict the prohibition of new vehicle access points on Moro Street to the two blocks west of North 11th Street.

ORDINANCE NO. 7290 – AMEND ZONING REGULATIONS – UCR, URBAN CORE RESIDENTIAL DISTRICT, AND UCR SIGN REGULATIONS

The Commission approved Ordinance No. 7290 amending Articles IV and VI of the Manhattan Zoning Regulations to add Section 4-113, UCR, Urban Core Residential District, and Section 6-215, UCR Sign Regulations, as proposed, based on the findings in the Staff Memorandum (*See Attachment No. 2*), as recommended by the Manhattan Urban Area Planning Board.

ORDINANCE NO. 7291 – REZONE – 1125 WATERS STREET (R TO C-2)

The Commission approved Ordinance No. 7291 rezoning 1125 Waters Street from R, Single-Family Residential District, to C-2, Neighborhood Shopping District, based on the findings in the Staff Report (*See Attachment No. 3*) and as recommended by the Manhattan Urban Area Planning Board.

* **ORDINANCE NO. 7292 – TERMINATE – 2009 QUALITY OF LIFE SALES TAX**

The Commission approved Ordinance No. 7292 terminating the special 2009 quarter-cent sales tax effective March 31, 2018, by repealing Ordinance Nos. 6761, 6762, and 6763.

* **ORDINANCE NO. 7293 – ISSUE TEMPORARY NOTES – COLLEGE HEIGHTS ROAD/QUIVERA DRIVE STORM SEWER IMPROVEMENTS (SM1616)**

The Commission approved Ordinance No. 7293 authorizing the issuance of temporary notes to finance the College Heights Road and Quivera Drive Storm Sewer Improvements (SM1616).

CONSENT AGENDA (CONTINUED)

* **ORDINANCE NO. 7294 – ISSUE TEMPORARY NOTES – ALLEN ROAD
SANITARY SEWER IMPROVEMENTS (SS1613, CIP #WW003P)**

The Commission approved Ordinance No. 7294 authorizing the issuance of temporary notes to finance the sanitary sewer portion of the Allen Road Improvements Project (SS1613, CIP #WW003P).

* **PUBLIC HEARING – VACATE EASEMENT – LOT 3, COLLEGE VIEW
ADDITION (PHI KAPPA ALPHA)**

Ron Fehr, City Manager, provided an overview of the item.

Mayor Reddi opened the public hearing.

Hearing no comments, Mayor Reddi closed the public hearing.

**FIRST READING - VACATE EASEMENT – LOT 3, COLLEGE VIEW
ADDITION (PHI KAPPA ALPHA)**

The Commission found that no private rights will be injured or endangered by such vacation, that the public will suffer no loss or inconvenience thereby, and approved first reading of an ordinance vacating a public utility easement.

**RESOLUTION NO. 060617-A – PETITION – GENESIS HEALTH CLUBS
WATER IMPROVEMENTS (WA1632)**

The Commission found the petition sufficient, and approved Resolution No. 060617-A, finding the project advisable and authorizing construction for the Genesis Health Clubs Water (WA1632) Improvements.

**RESOLUTION NO. 060617-B – PETITION – GENESIS HEALTH CLUBS
SIDEWALK IMPROVEMENTS (SW1603)**

The Commission found the petition sufficient, and approved Resolution No. 060617-B, finding the project advisable and authorizing construction for the Genesis Health Clubs Sidewalk (SW1603) Improvements.

EASEMENTS – GENESIS HEALTH CLUBS

The Commission accepted the Easements for Genesis Health Clubs.

RESTRICTIVE COVENANTS – GENESIS HEALTH CLUBS

The Commission accepted the Restrictive Covenants for Genesis Health Clubs.

CONSENT AGENDA (CONTINUED)

AGREEMENT – PROFESSIONAL SERVICES – WASTEWATER TREATMENT PLANT MECHANICAL, ELECTRICAL AND PLUMBING SYSTEM IMPROVEMENTS (SS1712, CIP #WW179E)

The Commission authorized the Mayor and City Clerk to execute an agreement with HDR Engineering, Inc., of Olathe, Kansas, in an amount not to exceed \$39,932.00, for professional services for the Wastewater Treatment Plant Mechanical, Electrical and Plumbing System Improvements Project (SS1712, CIP #WW179E).

AGREEMENT – PROFESSIONAL SERVICES – JARDINE TRAIL LIGHTING EXTENSION (SP1704, CIP #CU040P)

The Commission authorized the Mayor and City Clerk to execute an Agreement for Professional Services in an amount not to exceed \$14,700.00 with Orazem & Scalora Engineering, of Manhattan, Kansas, for the Jardine Trail Lighting Extension Project (SP1704, CIP #CU040P).

AWARD CONTRACT – WATER TREATMENT PLANT IMPROVEMENTS (WA1403) (CIP #WA015P, WA121E, WA161P)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$4,800,000.00; awarded a contract in the amount of \$3,497,000.00 to P1 Group, Inc., of Topeka, Kansas, subject to Kansas Department of Health and Environment (KDHE) approval; and authorized the Mayor and City Clerk to execute the contract for the Water Treatment Plant Improvements (WA1403) (CIP #WA015P, #WA121E, and #WA161P).

AWARD CONTRACT - WEST ANDERSON AVENUE SANITARY SEWER (SS1620) AND WELLS LANDING ADDITION SANITARY SEWER IMPROVEMENTS (SS1629)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$518,127.00; and awarded and authorized the Mayor and City Clerk to execute a construction contract in the amount of \$362,300.00 to Middlecreek Corporation, of Peabody, Kansas.

FIRST READING – ISSUE TEMPORARY NOTES – WEST ANDERSON AVENUE SANITARY SEWER (SS1620) IMPROVEMENTS

The Commission approved first reading of an ordinance authorizing the issuance of temporary notes to finance the West Anderson Avenue Sanitary Sewer (SS1620) improvements.

CONSENT AGENDA (CONTINUED)

AWARD CONTRACT – CDBG HOUSING REHABILITATION PROGRAM – 2516 BROCKMAN STREET

The Commission accepted the bids for 2516 Brockman Street; awarded the bid in the amount of \$12,100.00 to Ben Kitchens Painting Co., Inc., of Junction City, Kansas; authorized the Mayor and City Clerk to execute agreements with the applicable contractor and property owner for expenditure of CDBG Housing Rehabilitation funds; and, authorized City Administration to approve any necessary change orders.

AWARD CONTRACT – CDBG HOUSING REHABILITATION PROGRAM – 826 OSAGE STREET

The Commission accepted the bids for 826 Osage Street; awarded the bid in the amount of \$12,958.00 to Ben Kitchens Painting Co., Inc., of Junction City, Kansas; authorized the Mayor and City Clerk to execute agreements with the applicable contractor and property owner for expenditure of CDBG Housing Rehabilitation funds; and authorized City Administration to approve any necessary change orders.

* **AUTHORITY TO AWARD – KDOT – JULIETTE AVENUE BRICK
REHABILITATION, PHASE 1 (ST1414)**

The Commission authorized the Mayor and City Clerk to execute the Authority to Award Contract and Commitment, and authorized the matching payment from Special Street and Highway Funds in the amount of \$284,000.00 for the Juliette Avenue Brick Rehabilitation, Phase 1, project (ST1414).

PURCHASE – AIRCRAFT RESCUE FIRE FIGHTING ANCILLARY EQUIPMENT (CIP #FR030P)

The Commission authorized the purchase of the remaining Aircraft Rescue Fire Fighting Ancillary Equipment (CIP #FR030P) in the amount of \$22,597.82 from Danko Emergency Equipment, of Snyder, Nebraska, upon receipt of a Federal Aviation Administration (FAA) Grant Offer.

GRANT AGREEMENT - AIRCRAFT RESCUE FIRE FIGHTING VEHICLE AND ANCILLARY EQUIPMENT (CIP #FR030P)

The Commission authorized the Mayor and City Clerk to execute the FAA Grant Offer (AIP 3-20-0052-048), in the amount of \$756,279.00, if received, for the Aircraft Rescue Fire Fighting Vehicle and Ancillary Equipment (CIP #FR030P).

CONSENT AGENDA (CONTINUED)

PURCHASE – UNIT 708 – PARKS DIVISION – WIDE-AREA ROTARY MOWER (CIP #CP268E)

The Commission authorized the purchase of a Jacobsen HR700 Wide-Area Rotary Mower from Kansas Golf and Turf, of Wichita, Kansas, in the amount of \$59,987.00, funded 50% from the General Fund and 50% from the Special Parks and Recreation Fund; and authorized the sale of the existing Unit 708 mower (CIP #CP268E) for the Parks Division as excess property once the replacement mower is obtained.

PURCHASE – STORAGE AREA NETWORK (CIP #IS043P)

The Commission authorized the purchase a storage area network (SAN) (CIP #IS043P) in the amount of \$32,644.50 from Blue Valley Telecom (Networks Plus), of Manhattan, Kansas, to be paid from the General Fund (\$8,161.50), the Water Fund (\$8,161.00), the Wastewater Fund (\$8,161.00), and the Stormwater Fund (\$8,161.00).

BOARD APPOINTMENTS

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

Flint Hills Discovery Center Advisory Board

Appointment of John Pecoraro, 404 Bluemont Avenue, to fill the unexpired term of Emily Driggenberg. Mr. Pecoraro's term begins immediately, and will expire January 31, 2019.

Joint Corrections Advisory Board

Re-appointment of Jayme Morris-Hardeman, 1822 Laramie, to a two-year Adult term. Ms. Morris-Hardeman's term will begin July 1, 2017, and will expire June 30, 2019.

Library Board

Appointment of Tyler Darnell, 1637 Virginia Drive, to a four-year term. Mr. Darnell's term begins immediately and will expire April 30, 2021.

Parks and Recreation Board

Appointment of Darell Edie, 2800 Illinois Lane, to a four-year USD 383 term. Mr. Edie's term will begin July 1, 2017, and will expire June 30, 2021.

Social Services Advisory Board

Appointment of Phil Mattox, 1032 Brianna Court, to a three-year term. Mr. Mattox's term will begin July 1, 2017, and will expire June 30, 2020.

CONSENT AGENDA (CONTINUED)

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

After discussion and comments from the Commission, Commissioner Morse moved to approve the consent agenda. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

FIRST READING – REZONE - 12TH & BLUEMONT LOFTS PLANNED UNIT DEVELOPMENT DISTRICT (R-3/M-FRO to PUD)

Chad Bunger, Assistant Director of Community Development, presented an overview of the item. He highlighted the site plan, the access to the site, the traffic analysis, the circulation and parking, the landscaping and screening, the neighborhood character, and stated that the Manhattan Urban Area Planning Board recommended approval, based on the findings in the Staff Report with the six conditions of approval. He then responded to questions from the Commission regarding setbacks and screening.

Brian Johnson, City Engineer, provided additional information on the proposed building setback from Bluemont Avenue.

Scott French, Director of Fire Services, responded to questions from the Commission regarding access for fire trucks.

Brian Johnson, City Engineer, provided additional information on the drainage study provided by SMH Consultants. He responded to questions from the Commission regarding the applicant's proposal to mitigate runoff.

Chad Bunger, Assistant Director of Community Development, provided additional information on the purpose of the permeable paving and materials. He informed the Commission that the Public Works Department has proposed a condition of approval to ensure proper design, installation and long-term maintenance, which is included in the list of conditions in the City staff recommendation.

Brian Johnson, City Engineer, and Chad Bunger, Assistant Director of Community Development, responded to additional questions from the Commission regarding drainage and stated there would be a net deduct in total runoff, as proposed.

GENERAL AGENDA (CONTINUED)

FIRST READING – REZONE - 12TH & BLUEMONT LOFTS PLANNED UNIT DEVELOPMENT DISTRICT (R-3/M-FRO to PUD) (CONTINUED)

TJ Vilkanskas, 3417 Vanesta Drive, provided additional information on the project. He responded to questions from the Commission regarding the proposed exterior of the building and the permeable surface.

Brett Louk, P.E., SMH Consultants, provided additional information on the permeable surface and sites using this feature.

Mayor Reddi opened the public comments.

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

After discussion and comments from the Commission, Commissioner Morse moved to approve first reading of an ordinance rezoning the 12th & Bluemont Lofts PUD, generally located to the northeast of the intersection of Bluemont Avenue and North 12th Street, from R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, to PUD, Residential Planned Unit Development, based on the findings in the Staff Report (*See Attachment No. 4*) with the six conditions of approval recommended by the Manhattan Urban Area Planning Board. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

REQUEST – INSTALL/MAINTAIN LANDSCAPING - SCENIC DRIVE/KIMBALL AVENUE/ANDERSON AVENUE ROUNDABOUT

Jason Hilgers, Deputy City Manager, presented an overview of the item. He highlighted the request from Blueville Nursery to plant and maintain the landscape for the roundabout being constructed at the intersection of Anderson Avenue, Kimball Avenue, and Scenic Drive. He informed the Commission that City Administration is recommending moving forward with the request from Blueville Nursery to utilize Transportation Development District revenues to purchase plantings and authorize City staff to finalize and execute an agreement with Blueville Nursery. He then responded to questions from the Commission.

Brian Johnson, City Engineer, provided additional information on the roundabout.

Tim Sharp, representing Blueville Nursery, provided additional information on their request. He responded to questions from the Commission about access to the roundabout to maintain the landscaping. He also provided information on the species and life expectancy of the proposed plant materials.

Jason Hilgers, Deputy City Manager, provided additional information on the maintenance of the roundabout.

GENERAL AGENDA (CONTINUED)

REQUEST – INSTALL/MAINTAIN LANDSCAPING - SCENIC DRIVE/KIMBALL AVENUE/ANDERSON AVENUE ROUNDABOUT (CONTINUED)

Tim Sharp, representing Blueville Nursery, discussed the species of trees and size of roots in relation to placement in the roundabout.

Brian Johnson, City Engineer, responded to questions from the Commission regarding the roundabout and site considerations.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

After discussion and comments from the Commission, Commissioner McCulloh moved to accept the request from Blueville to utilize Transportation Development District (TDD) revenues to purchase plantings, and authorize City Administration to finalize and the Mayor and City Clerk to execute an agreement with Blueville Nursery, Inc., of Manhattan, Kansas, to install and maintain the West Anderson Avenue/Scenic Drive/Kimball Avenue roundabout plantings. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

DISCUSSION - 2017 COMMUNITY SURVEY REPORT

Dr. Josephine Schafer, Assistant Professor, Kansas State University, introduced the item and provided an overview of the Community Survey Report. She highlighted the process, survey validity, responses received by neighborhood, non-response bias, descriptive results received from the survey, and a general survey summary. She then responded to questions from the Commission regarding feedback received on affordable housing and where people are getting their information that responded to the survey.

Jared Wasinger, Management Assistant, highlighted a map showing the community survey areas for the report.

After comments from the Commission, Dr. Josephine Schafer, Assistant Professor, Kansas State University, responded to questions from the Commission. She provided additional information on the community survey and discussed ways that information is received from the community as well as disseminated.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

As this was a discussion item, the Commission took no formal action.

ADJOURNMENT

At 8:38 p.m., the Commission adjourned.

A handwritten signature in blue ink, appearing to read "Gary S. Fees", is written over a horizontal line.

Gary S. Fees, MMC, City Clerk

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INTER-OFFICE MEMORANDUM

DATE: April 17, 2017

TO: Manhattan Urban Area Planning Board

MEETING DATE: May 1, 2017

FROM: Ben Chmiel, Planner

RE: Amend Article IV, Section 4-203 – C-3, Aggieville Business District, of the Manhattan Zoning Regulations.

BACKGROUND

Through the Aggieville Community Vision (ACV) planning and adoption process, several Strategic Actions were developed to implement the community's vision for the Aggieville Area. As outlined in *Section VII: Strategic Action Plan* of the ACV document, one major initiative of the plan is *Regulation Amendments and Rezoning Actions*. Specifically stated are short-term (immediate) changes to the C-3 zoning district, which is the predominant zoning district making up the Aggieville Area (see attached map). These changes include the implementation of regulations that would effectively prohibit any more highway and strip-style commercial development in Aggieville. These changes reflect the desired vision for the district described in the ACV Plan, which emphasizes a more urban-style, pedestrian-oriented development. Additional mid/long-term amendments to further advance the community vision for Aggieville are expected in the future. However, very simple but meaningful revisions to the C-3 District's regulations were identified and drafted by the Community Development Department to make a quick and positive impact.

The amendments (attached) firstly prohibit automobile-oriented commercial uses, including automobile accessory stores, automobile service stations, car washes, and drive-in (drive-through) establishments. Currently, automobile accessory stores and automobile service stations are permitted uses, while car washes and drive-ins (drive-throughs) are conditional uses in the C-3 District. Secondly, the amendments prohibit the placement of off-street parking spaces between a street-facing building façade and a public street. Currently, the location of off-street parking is not regulated. Thirdly, the amendments prohibit vehicular access (curb-cuts) from Moro Street to properties along Moro Street. Currently, there is no restriction of the kind.

In combination, these amendments will effectively prohibit additional strip and highway style commercial development currently evocative of the majority of uses along the south side of Anderson and Bluemont Avenues in the Aggieville district. At the same time, these amendments will encourage development more evocative of the Aggieville core, with buildings fronting the sidewalk and parking, if any, located behind.

AMENDMENTS TO THE TEXT OF THE ZONING REGULATIONS

The criteria that apply to code amendments are found in §15-302 of the Zoning Regulations. When a proposed amendment results in a change to the text of the Zoning Regulations, the report from the Planning Staff shall contain a statement as to the nature and effect of the proposed amendment, and determinations as to the following:

WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONING REGULATIONS

The intent of the Manhattan Zoning Regulations is to protect the public health, safety and general welfare and to protect property values. More specifically, the C-3, Aggieville Business District is designed to provide for “a relatively broad range of retail shopping facilities and services which primarily consist of specialty shops and stores.”

The proposed amendments are consistent with the intent and purpose of the Manhattan Zoning Regulations and are drafted to continue accommodating a broad range of retail shopping and services. The proposed amendment’s primary goal is to better direct the essential shape and form of development by designating acceptable parking location and prohibiting drive-through elements *accessory* to a business. The proposed amendments do place a greater limit on the range of commercial uses permitted by eliminating automobile accessory stores, automobile service stations, and car washes. However, the ACV Plan directly identifies the future existence and development of these uses as contrary to the vision and desires of the broader community for Aggieville.

AREAS WHICH ARE MOST LIKELY TO BE DIRECTLY AFFECTED BY SUCH CHANGE AND IN WHAT WAY THEY WILL BE AFFECTED

The proposed amendments would apply to all property in Manhattan that is located within the C-3, Aggieville Business District. The current boundary is shown on the City of Manhattan Zoning Districts and Overlays Map, (*see enclosed*). City Administration carefully considered the effects that the proposed amendments may have on residential and commercial areas both within and adjacent to the C-3 District. The amendments will promote a more uniform urban fabric throughout the district, over time, with an environment identified as more desirable in the ACV plan.

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The amendments firstly prohibit automobile-oriented commercial uses, including automobile accessory stores, automobile service stations, car washes, and drive-in (drive-through) establishments. At the time of this writing, the C-3 District contains no automobile accessory stores, two automobile service (gas) stations, one car wash (scheduled for demolition), and four drive-in (drive-through) establishments.

Secondly, the amendments prohibit the placement of off-street parking spaces between a street-facing building façade and a public street. As proposed, and at the time of this writing, about eleven properties in the C-3 District would not be in conformance with this requirement.

Thirdly, the amendments prohibit vehicular access (curb-cuts) from Moro Street to properties along Moro Street. At the time of this writing, one property in the C-3 District would not be in conformance with this requirement.

Since some properties have more than one factor making them non-conforming to the proposed amendments, the estimation for the total number of properties becoming non-conforming as a result of the proposed amendments totals about thirteen. There are seventy-six properties in the C-3 District. Buildings and uses legally established prior to the proposed amendments would be granted the ability to continue operation as legally non-conforming (grandfathered) uses, as per Article VII of the City of Manhattan Zoning Regulations.

WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN THE AREAS AND ZONING DISTRICTS AFFECTED, OR IN THE CITY PLANNING AREA, GENERALLY, AND IF SO, THE NATURE OF SUCH CHANGED OR CHANGING CONDITIONS

The proposed amendments are made necessary generally due to changing conditions in Aggieville. Improvements to the pedestrian environment and walkability is a common priority throughout the ACV Plan. Through the ACV Plan process, which included an extensive community survey completed by 4,227 residents, students, and non-residents of Manhattan, it was discovered that 8% of the respondents walk to Aggieville daily, while 22% reported walking to Aggieville on a weekly basis. When only analyzing the data of those who reported living in areas closer to Aggieville, these numbers jumped to 16% and 39% respectively. Naturally, improved walkability was the second-highest priority for respondents. Additionally, there was a general preference for the pedestrian-friendly environment presented by the historic core of Aggieville, while areas with a high number of strip and highway style commercial development were unfavorable. The survey results in their entirety can be found in the ACV's companion document the *State of the Ville* report. The proposed C-3 District amendments will appropriately promote the fulfillment of the

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community's vision for Aggieville as it relates to the pedestrian environment and urban form.

WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE POLICY AND GOALS AS OUTLINED IN THE ADOPTED COMPREHENSIVE PLAN OF THE CITY

The proposed amendments to the C-3 District are consistent with the Manhattan Urban Area Comprehensive Plan. The Future Land Use designation for the Aggieville Area is Central Core District (CCD). The proposed amendments do not contradict the broader Land Use designation of the CCD. Additionally, the Aggieville Community Vision Plan, which was just approved and adopted as a part of the Manhattan Urban Area Comprehensive Plan, more specifically addresses the details of the long-range vision for the redevelopment of the Aggieville Area, and identifies the proposed short-term amendments to the C-3 District.

The proposed amendments to the C-3 Aggieville Business District meet the general policies in the Comprehensive Plan and are implemented consistent with legal requirements.

ALTERNATIVES

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

1. Recommend approval of the proposed amendments of Article IV, Section 4-203, C-3, Aggieville Business District, of the Manhattan Zoning Regulations to the City Commission, based on the findings in this Staff Memorandum.
2. Recommend denial of the proposed amendments to the City Commission, based on specifically stated reasons.
3. Modify the proposed amendment and forward the modifications, along with an explanation, to the City Commission.
4. Table the public hearing to a specific date, and provide further direction to City Administration.

RECOMMENDATION

City Administration recommends approval of the amendment to the Manhattan Zoning Regulations to revise Article IV, Section 4-203, C-3, Aggieville Business District, as proposed, based on the findings in the Staff Memorandum.

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POSSIBLE MOTION

The Manhattan Urban Area Planning Board recommends approval of the amendments to the Manhattan Zoning Regulations to revise Article IV, Section 4-203, C-3, Aggieville Business District, as proposed, based on the findings in the Staff Memorandum.

BC/ec
17040_MUAPB_C-3_Text_Amendment

Enclosures:

1. Proposed Text Amendment to the C-3 District
2. Map of the current C-3 District area



INTER-OFFICE MEMORANDUM

DATE: April 25, 2017

TO: Manhattan Urban Area Planning Board

MEETING DATE: May 1, 2017

FROM: John Adam, AICP, Senior Long Range Planner
Ben Chmiel, Planner I

RE: Amend Manhattan Zoning Regulations to adopt the Urban Core Residential (UCR) District and associated Sign Regulations

BACKGROUND

The concept of the Urban Core Residential (UCR) District is to promote high-density multiple-family development with accessory neighborhood-scale retail and services designed to serve the surrounding area, with a residential density of no less than one dwelling unit per 750 square feet of lot area (58 dwelling units per acre) in close proximity to Kansas State University and Aggieville. This new district was identified and promoted in the Manhattan Urban Area Comprehensive Plan, as a high priority for implementation. Over the course of two years, planning staff went through several successive drafts of the UCR District regulations, based on comparative research of similar districts in other university towns, observational study, map analysis, extensive stakeholder input, expert consultation, and Planning Board and City Commission work sessions (see Project Chronology attached).

This public hearing is to consider amending the Manhattan Zoning Regulations to add the proposed UCR District, as well as the associated proposed UCR District Sign Regulations. The Comprehensive Plan identified a 4½-block area, generally located along the east edge of the Kansas State University Campus and North Manhattan Avenue, to which the proposed UCR District would be applied through a future public hearing rezoning process (not yet scheduled) (see map of proposed UCR District).

The draft regulations are attached (Article IV, Section 4-113, UCR, Urban Core Residential District, and Article VI, Section 6.215, UCR Sign Regulations).

AMENDMENTS TO THE TEXT OF THE ZONING REGULATIONS

The criteria that apply to code amendments are found in §15-302 of the Zoning Regulations.

When a proposed amendment results in a change to the text of the Zoning Regulations, the report from the Planning Staff shall contain a statement as to the nature and effect of the proposed amendment, and determinations as to the following:

WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONING REGULATIONS.

Findings. The purpose of the Manhattan Zoning Regulations (§2-101) includes: dividing the City into zones and districts; regulating and restricting the location and use of buildings and the uses of land within each district; protecting the public health, safety, and general welfare; protecting property values; and regulating and restricting the height, number of stories and size of buildings, the density of population, and the appearance of buildings.

The proposed UCR District is designed to create a higher-density area in an optimal location from a transportation and land use proximity perspective. The District regulates land use, height, placement, appearance, and density, as well as specifically tailored provisions for off-street structured parking and bicycle parking. The aesthetic controls address personal safety through lighting and transparency requirements, and they are intended to protect and enhance the livability and value of the immediate area and the community as a whole.

The proposed sign regulations are designed to be conscious of the primarily residential nature of the district, of the residential areas to the east, and of the Kansas State campus to the west, while at the same time allowing ground-floor service, retail, and restaurant uses to advertise themselves. Accordingly, signs are scaled to the pedestrian and are limited to low-level illumination methods.

Conclusions. The nature and provisions of the proposed district are consistent with the intent and purpose of the Zoning Regulations.

AREAS WHICH ARE MOST LIKELY TO BE DIRECTLY AFFECTED BY SUCH CHANGE AND IN WHAT WAY THEY WILL BE AFFECTED.

Findings. The proposed UCR District regulations and associated UCR Sign regulations are intended to be applied to a particular area: the first tier of blocks east of the Kansas State campus along North Manhattan Avenue from Ratone Street southward to the alley between Vattier Street and Bluemont Avenue, plus a half block east of the southern extent (see map of proposed UCR District). The permitted density of the UCR District, no less than one dwelling unit per 750 square feet of lot area (i.e. 58 dwelling units per acre) provides an

Attachment No. 2

incentive to significantly redevelop the properties in the proposed district. The clear expectation is that those blocks, wholly or in large part, will be razed and redeveloped over time by parties who assemble the individual lots into larger parcels for redevelopment. The intent of the City in creating the district is to effect such a change in order to create greater housing opportunities in close walking and biking proximity to campus and services, thereby reducing reliance on the automobile and promoting greater health.

The converted single-family structures and smaller multi-family buildings in the area will eventually be replaced by large mid-rise housing with structured parking and optional ground-floor accessory neighborhood services. To avoid a hodge-podge of uses, quality, and massing, the new district requires a minimum density and design controls to create visual and spatial interest, especially at the pedestrian level.

Conclusions. The creation of the district purposefully provides incentive for land owners to redevelop at higher densities close to the KSU campus and Aggieville. The redevelopment of the blocks is the desired outcome of the creation of this zoning district.

WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN THE AREAS AND ZONING DISTRICT AFFECTED, OR IN THE CITY PLANNING AREA, GENERALLY, AND IF SO, THE NATURE OF SUCH CHANGE OR CHANGING CONDITIONS.

Findings. No physical conditions have changed in the City that require the creation of a new zoning district. However, with adoption of the 2015 update of the Manhattan Urban Area Comprehensive Plan, creation of the UCR District was specifically identified as a high priority in the Acton Plan, to implement a higher-density mixed-use residential district in close proximity to the KSU campus and Aggieville and promote a more walkable and bikeable neighborhood. During the public engagement process of developing the Comprehensive Plan update, it was determined that there was a strong market for this type of neighborhood in the identified location, including a need for more rental housing, a desire to reduce automobile dependence and traffic congestion while accommodating greater population, and diversification of housing choice for the community.

Conclusions. No physical change necessitates the creation of the UCR District, however policy changes identified in the updated Comprehensive Plan and market demand for a such a product spurred its creation.

WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE POLICY AND GOALS AS OUTLINED IN THE ADOPTED COMPREHENSIVE PLAN OF THE CITY.

Findings. The 2015 update of the Comprehensive Plan expressly calls for the creation of the UCR District and subsequent rezoning of the area described above. Goals GM-1.1D, Infill and Redevelopment, and GM-1.1E, Mixed-Use Centers and Corridors, establish the policy directive undergirding creation of the district and its regulations. The Future Land Use map identifies the targeted area as “Urban Core Residential.” The proposed UCR District Sign Regulations are necessary to fully implement the UCR District.

Conclusions. The Comprehensive Plan is explicit in its promotion of the UCR District. The proposal is consistent with Comprehensive Plan policies and goals.

ALTERNATIVES

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

1. Recommend approval to the City Commission of the proposed amendments to Articles IV and VI of the Manhattan Zoning Regulations, creating the UCR District and UCR Sign Regulations, based on the findings in the Staff memorandum.
2. Recommend denial of the proposed amendments to the City Commission, based on specifically stated reasons.
3. Modify the proposed amendment and forward the modifications, along with an explanation, to the City Commission.
4. Table the public hearing to a specific date, and provide further direction to City Administration.

RECOMMENDATION

City Administration recommends approval of the amendments to the Manhattan Zoning Regulations, to adopt proposed Article IV, Section 4-113, UCR, Urban Core Residential District; and Article VI, Section 6.215, UCR Sign Regulations, based on the findings in this Staff Memorandum.

POSSIBLE MOTION

The Manhattan Urban Area Planning Board recommends approval of the amendments to the Manhattan Zoning Regulations to adopt proposed Article IV, Section 4-113, UCR, Urban Core Residential District; and Article VI, Section 6.215, UCR Sign Regulations, based on the findings in the Staff Memorandum.

Attachment No. 2

Attachments:

1. Draft UCR, Urban Core Residential District
2. Draft UCR Sign Regulations
3. Map of proposed UCR District
4. Project Chronology

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: R, Single-Family Residential District

TO: C-2, Neighborhood Shopping District

APPLICANT: William E. and Sharron Washington, Washington Rentals LLC

ADDRESS: 8020 State Rd. 13, Manhattan, KS

OWNERS: KSU Charitable Real Estate Foundation

ADDRESS: 1800 Kimball Avenue, Suite 200, Manhattan, KS

LEGAL DESCRIPTION: Unplatted tract of land in Section 11, Township 10 South, Range 7 East

LOCATION: 1125 Waters Street. Generally located 500 feet north of the intersection of Anderson Avenue and Waters Street

AREA: 16,275 square feet (0.37 acres)

DATE OF NEIGHBORHOOD MEETING: March 26, 2017

DATE OF PUBLIC NOTICE PUBLICATION: April 11, 2017

DATE OF PUBLIC HEARING: PLANNING BOARD: May 1, 2017

CITY COMMISSION: May 16, 2017

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: 1,250 square foot single-family residents

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:

The approximate .37 acre unplatted tract of land is accessed from Waters Street. The current single-family dwelling was formally a commercial structure. The site was rezoned from C-5, Highway Service Commercial District to the R, Single-Family Residential District in 2007 to establish the dwelling. Accessory buildings are to the immediate southwest of the existing structure. A large part of the area south of the structure is concrete with an access drive to the rear of the structure.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Single-family dwellings; R District.

SOUTH: Auto dealership, convenience store, retail and service commercial; C-5, Highway Service Commercial District and C-2 District.

EAST: Waters Street, dance studio, off-street parking for auto service, commercial professional office use; C-2 District, and PUD.

WEST: Auto dealership and single-family dwellings; C-5 and R Districts.

4. GENERAL NEIGHBORHOOD CHARACTER: The area is a mix of single-family residential within an established neighborhood to the north and west of the site and a variety of commercial uses to the south along Anderson Avenue.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site was rezoned to R District in 2007. The site is suitable for the uses within the current zoning district.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: As previously described, the adjacent properties to the north are single-family homes in the R District. Compared to the proposed zoning, the existing residential zoning district for the property would be more compatible with the nearby single-family neighborhood. However, the site is within a transition area between an intense commercial area to the south and the residential district to the north.

The applicant would like to purchase the property and remodel the building to establish a second dance studio. The applicant currently operates a dance studio across the street at 1124 Waters Street. With guidance from City Administration, the C-2 Neighborhood Shopping District was selected as the appropriate rezoning district to request for the property. The proposed dance studio most closely matches the Health and Fitness Clubs use description, which is a permitted use in the C-2 District. The proposed rezoning and proposed use are similar in character to other commercial uses in the immediate area.

The proposed rezoning should be compatible with nearby properties and should have minimal adverse impacted on these properties. The property was rezoned in 2007 from C-5, Highway Service Commercial District to the current R District. The former commercial use in the C-5 District did not appear to adversely impact the surrounding properties. Rezoning the site to the C-2 District, will eliminate several permitted uses that could be considered detrimental to the adjacent properties, such as drive-in type

restaurants. Use limitations, including sight obscuring screening of the site from adjacent residential properties, prohibition of outdoor sound systems and outdoor storage, are presents in the C-2 District to reduce any detrimental impacts on the nearby residential uses.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

1125 Waters Street is shown on the Northwest Future Land Use of the Manhattan Area 2035 Comprehensive Plan as Community Commercial (CC). Applicable CC policies (*in italics*) of the Comprehensive Plan include:

CC-1: Characteristics

Community Commercial Centers provide a mix of retail and commercial services in a concentrated and unified setting that serves the broader 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, 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 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 in commercial nodes; rather than being developed in linear, “strip” configurations along major street corridors. 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) are permitted only 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

Establish a unified site layout—landscaping, signage, pedestrian, and vehicular circulation—for the center to guide current and future phases of development. Site design features should be used to create visual interest and establish a more pedestrian-oriented scale for the center and between out lots.

CC-5: Building Design and Character

Require Community Commercial Centers 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 (materials, colors, and patterns); and

High quality building materials.

CC-6: Organization of Uses

Concentrate Community Commercial services within planned activity centers, or commercial nodes, throughout the community. Cluster complementary uses 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, such as high density residential, where feasible. Linear development patterns, particularly when parcels provide a single use and are developed independently, can require multiple access points and lead to disruption of traffic flow on adjacent streets. Although lot sizes and/or configurations in some areas may warrant the use of a more linear development pattern, it is generally discouraged.

CC-7: Circulation and Access

Provide clear, direct pedestrian connections through parking areas to building entrances, to surrounding neighborhoods and streets, and transit stops. Integrate main entrances or driveways with the surrounding street network to provide clear connections between uses for vehicles, pedestrians, and bicycles. Provide a limited number of vehicle access points to minimize impacts on surrounding uses and maintain an efficient traffic flow to and from the site.

CC-8: In fill and Redevelopment / Adaptive Reuse

Encourage the revitalization and/or redevelopment of underutilized Community Commercial areas over time to take advantage of existing infrastructure and promote the efficient use of available land. Support opportunities to repurpose large surface parking lots typical of Community Commercial areas by incorporating additional pad sites for office or commercial uses or high density residential along the street edge. Support the adaptive reuse of existing buildings in older strip commercial centers on smaller lots where infill and redevelopment is less viable.

The proposed rezoning of the site conforms to the Comprehensive Plan.

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

1962:	Annexed and rezoned to C Local Business District
1969:	Rezoned to C-5, Highway Service Commercial District
May 21, 2007	Manhattan Urban Area Planning Board holds hearing and recommends rezoning to R, Single-Family Residential District.
June 19, 2007	City Commission approves rezoning 1125 Waters to R, Single-Family Residential District.
July 3, 2007	City Commission approves Ordinance No. 6632 rezoning 1125 Waters to R, Single-Family Residential 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 C-2, Neighborhood Shopping District is designed to provide a broad range of retail shopping facilities and services located to serve one or more residential areas. The proposed dance studio use is considered to be a Health and Fitness Club use, which is a permitted use in the C-2 District. The proposed rezoning meets the intent of the Zoning Ordinance.

- 10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT:** There appears to be no gain to the public that denial would accomplish. The proposed rezoning conforms to the Comprehensive Plan. Prior to 2007, the site was zoned C-5 District. The proposed use is similar in character to existing uses in the immediate area, and does not appear to be adversely impacting the adjacent properties. It may be a hardship to the applicant if the rezoning is denied.

- 11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES:** Adequate public services, sanitary sewer, water, and public streets exist in the area to serve the development.
- 12. OTHER APPLICABLE FACTORS:** None
- 13. STAFF COMMENTS:** City Administration recommends approval of the proposed rezoning of 1125 Waters Street from R, Single-Family Residential District, to C-2, Neighborhood Shopping District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of 1125 Waters Street from R, Single-Family Residential District, to C-2, Neighborhood Shopping 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 1125 Waters Street from R, Single-Family Residential District, to C-2, Neighborhood Shopping District, based on the findings in the Staff Report.

PREPARED BY: Chad Bunger, AICP, CFM, Assistant Director of Community Development

DATE: April 17, 2017

STAFF REPORT

APPLICATION TO REZONE PROPERTY TO PLANNED UNIT DEVELOPMENT DISTRICT

BACKGROUND

FROM: R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District

TO: 12th & Bluemont Lofts Planned Unit Development District

OWNERS: TJ Vilkanskas

APPLICANT: 12th & Bluemont, LLC (TJ Vilkanskas)

DATE OF NEIGHBORHOOD MEETING: May 20, 2017

DATE OF PUBLIC NOTICE PUBLICATION: April 25, 2017

DATE OF PUBLIC HEARING: **Planning Board:** May 15, 2017
City Commission: June 6, 2017

LEGAL DESCRIPTION

All of Lot Six Hundred Thirty (630) through Lot Six Hundred Thirty-four (634) of Ward Three (3), City of Manhattan, Riley County, Kansas.

LOCATION: 1112, 1116, 1122, 1126, and 1130 Bluemont Avenue; and 808 North 12th Street.

AREA: 37,952 square feet or 0.871 acres.

PROPOSED USES: The applicant has proposed a 37-unit loft apartment building.

PROPOSED BUILDINGS AND STRUCTURES: The proposed building is a single four-story, L-shaped, loft apartment building fronting both Bluemont Avenue and North 12th Street with automobile parking behind and partially under the building. Bicycle parking is also proposed throughout the site. The building footprint is approximately 16,824 square feet. It will be 50 feet tall to the tallest parapet with a roof line at 46 feet. The front façade consists of stone as the principle material, with metal paneling as a secondary material. The façade also features extensive fenestration and walkout balconies for most street-facing units.

PROPOSED LOT COVERAGE

Use	Square Feet	Percentage
Building	16,618	43.8
Paved Area (Parking & Driveways)	18,315	48.3
Total Open Space (hardscaping and landscaping)	3,019	8.0
Total Impervious	32,374	85.3

PROPOSED SIGNS

Type	Dimensions	Lighting
1 Wall Mounted	3'7" x 20'7" (73.76 square feet in area)	Internally lit channel lettering above the common entrance of the building, which faces Bluemont Avenue.

PROPOSED LIGHTING

Full cut-off, wall-mounted lighting is proposed throughout the site including parking lot and ground spaces between the building façade and public sidewalk. The public sidewalk is adequately illuminated from a combination of existing street lights and proposed fixtures mounted on the building. Illumination of the sidewalk generally maintains an ideal intensity between 0.5 and 5 footcandles (FCs). Parking facilities are adequately illuminated, generally maintaining an ideal intensity between 0.5 and 12 FCs.

SIX REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS

1. LANDSCAPING: A mixture of shade trees, ornamental trees, ornamental grasses, and evergreen and deciduous shrubs are proposed on site. These plantings are almost entirely in the front courtyard space between the building and the proposed knee-wall running the perimeter of the site. There is no landscaping proposed within the parking lot area open to the sky.

2. SCREENING: A dumpster on the alley is adequately screened by a 6-foot-tall wall composed of stone or cast stone veneer or integral color concrete masonry unit with perforated metal panel gate. The portion of the parking lot on the east side of the property abutting an adjacent property that is not underneath and screened by the building veneer is proposed to be screened by a 6-foot-tall wall composed of stone/concrete masonry units, metal fence, or landscaping. The portion of the parking lot on the west side of the site is largely screened from the street and sidewalk by the building veneer, except for the opening in the building where automobile access is proposed to go under and through the building

to reach the parking lot. There is no screening of the parking lot from the rear of the lot abutting the alley, though a 30-inch-tall knee wall is proposed along the alley for purpose of restricting automobile access to the alley. A 30-inch-tall knee wall is also proposed around the remaining perimeter of the site if cost permits. This knee wall as well as the one on the alley would be composed of stone/concrete masonry units or metal fencing.

3. DRAINAGE: The existing site consists of five structures and accessory off-street parking lots. The existing conditions are roughly 67% impervious (structures, paved parking and hard packed gravel parking areas. As proposed, the apartment building and a parking lot will create a site where a majority of it is impermeable (85% of the site).

The applicant's consultants, SMH Consultants, P.A., have created a drainage study for the project, dated March 2017, revised April 2017. The drainage study shows that the proposed development would create an increase in the rate of runoff of approximately 5.62 cfs for the 1% Annual Chance storm without structural interventions. However, the consultant has proposed (1) landscaped open space in the front yard area, (2) pervious pavement for the parking lot, and (3) an infiltration trench with an underdrain pipe to mitigate runoff by capturing up to 100% of the stormwater runoff from the site.

The purpose of the permeable paving and infiltration trench is to allow the stormwater runoff to seep into the earth rather than be channeled to an underground pipe and sent into the public infrastructure. The underdrain pipe in the proposed internal system connects to an existing storm sewer inlet south of the site on Bluemont Avenue to handle storms larger than what the system is designed for. The City Stormwater Engineer has reviewed this proposal and finds it to be an acceptable treatment provided the porous pavement is maintained and cleaned regularly to prevent clogging and ensure the system's effectiveness over time. The Public Works Department has proposed a condition of approval to ensure proper design, installation and long-term maintenance (*see attached memo, dated March 4, 2017*), which is included with the list of conditions in the staff recommendation.

4. CIRCULATION

Access and Traffic Analysis

The site gains access solely from 12th Street with a two-way drive way of 24.5 feet in width at the property line. The driveway is located about halfway between the alley to the north and Bluemont Avenue to the south. This driveway may or may not be gated. The City Engineer has reviewed these conditions and find them acceptable for the location and nature of the access described above (*see attached memo, dated March 4, 2017*). Internal circulation allows two-way traffic in a circular pattern around the lot.

Attachment No. 4

SMH Consultants provided a traffic analysis dated April 2017 and determined that the proposed development's projected peak-hour trip generation is 35 trips in the a.m. peak hour and 45 trips in the p.m. peak hour. This was established by utilizing ITE's Land Use Code 223 (Mid-Rise Apartment); average vehicle trip ends versus dwelling units on a weekday, for the a.m. peak hour of generator and the p.m. peak hour of generator. Based off the ITE Land Use Code 221, the existing site generates approximately 16 a.m. peak hour trips and 20 p.m. peak hour trips. This equates to a net increase of 19 a.m. peak hour trips and 25 p.m. peak hour trips. Based on the Level 1 study, the proposed development will have minimal impacts on the surrounding transportation network. The City Engineer has reviewed these findings and accepts them with no comment.

Off-Street Parking

Eighty off-street parking spaces are proposed on the development site. With 105 bedrooms proposed in the development, this equates to 0.76 parking spaces per bedroom. The off-street parking requirements for the current zoning of the site (R-3/M-FRO) is 1 space per bedroom. However, the area of the proposed development falls into the Bluemont/Anderson Corridor Sub-Area of the Aggieville Community Vision Plan, which specifically recommends addressing parking issues through the use of shared parking strategies or *reduced parking requirements* for both residential and commercial uses. Moreover, the future Urban Core Residential District, to eventually be implemented north of the alley of this project, is has a parking requirement ratio of 0.75 parking spaces per bedroom for residential developments. As well, the site is within close proximity to Kansas State University and the Aggieville Commercial District, two major activity centers, and is generally in a walkable and bike-friendly part of Manhattan. The applicant has also proposed pedestrian-oriented design features and has provided bicycle parking to further encourage use of walking and biking as a mode of transportation for tenants. Given these circumstances City Administration supports the number of parking spaces proposed.

Bicycle and Pedestrian Access

The site is already endowed with sidewalks along North 12th Street and Bluemont Avenue connecting to adequate crossing facilities in both directions. All ground-floor dwellings have direct access to a public sidewalk on Bluemont Avenue and all upper floor dwellings have access to a public sidewalk on Bluemont via a sidewalk leading to a common entrance of the building. Pedestrian access to North 12th Street is also granted via a swing gate leading from a rear common entrance that also opens to the parking lot at the back of the building.

There are 29 bike racks clustered throughout the site. These racks are of an inverse U-shaped rack anchored to concrete pads (a recommended design) that count toward two spaces for each rack for a total of 58 bicycle parking spaces and a ratio of 0.55 spaces per bedroom. Racks are generally placed two feet apart from each other with acceptable clearance from obstructions surrounding them. Of the 29 racks proposed, 18 of them are covered by the

building overhanging portions of the parking lot. Bicycles have adequate access from these facilities to Bluemont Avenue via a swing gate at the southeast corner of the site and to North 12th Street via a swing gate at the west end of the site.

5. OPEN SPACE AND COMMON AREA: Open space is generally limited in this development proposal due to the urban nature of the design, with high lot coverage and small setbacks. Open space in the front yard has a more private feel due to enclosure of courtyards and pockets of landscaping, though these are mainly dominated by vegetation.

6. CHARACTER OF THE NEIGHBORHOOD: The neighborhood is a mixture of mid-rise apartment buildings, single-family dwellings converted to apartments, highway-commercial development, and a five-story hotel. The proposed developments will be consistent with surrounding uses and will enhance the Bluemont/Anderson Avenue Corridor as envisioned in the Aggieville Community Vision Plan adopted in April 2017: “A mixed-use commercial corridor with a limited range of neighborhood commercial uses and high-density residential on the north side of Bluemont [Avenue] up to the alley between Bluemont Avenue and Vattier Street with increased height and massing on both sides of the corridor up to five stories. This plan promotes dense, urban development along this corridor while discouraging highway commercial and strip-style development.”

THIRTEEN MATTERS TO BE CONSIDERED WHEN CHANGING ZONING DISTRICTS

1. EXISTING USE: The existing land use consists of six single-family homes built in the early to mid-20th century that were all converted to apartments at some point in their existence. The number of dwelling units in these subdivided houses range from two to six.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The area, being located in the original town plat is generally flat. The area has been built out with low to medium density urban development since the 1940s.

3. SURROUNDING LAND USE AND ZONING:

NORTH: The area to the north (across the alley) consists of single family homes converted to apartments, ranging from two to four dwelling units and one 18-unit apartment building. This area is zoned R-3 (Multiple Family Residential with an M-FRO (Multi-Family Redevelopment Overlay).

SOUTH: The area to the south (across Bluemont Avenue) consists of highway commercial uses, including a gas station/convenient store and a drive-through restaurant. This area is zoned C-3 (Aggieville Business District).

EAST: The area to the east consists of one 12-unit apartment building and single-family homes converted to apartments ranging from 1 to 4 dwelling units. This area is zoned R-3 (Multiple Family Residential) with an M-FRO (Multi-Family Redevelopment Overlay).

WEST: The area to the west consists of single-family homes converted to apartments ranging from 1 to 3 dwelling units and a hotel. This area is zoned R-3 (Multiple Family Residential with an M-FRO (Multi-Family Redevelopment Overlay) and Bluemont and N. Manhattan Hotel PUD (Planned Unit Development).

4. CHARACTER OF THE NEIGHBORHOOD: The neighborhood is a mixture of mid-rise apartment buildings, single-family dwellings converted to apartments, highway-commercial development, and a five-story hotel. The proposed development will be consistent with surrounding uses and will enhance Bluemont/Anderson Corridor as envisioned in the Aggieville Community Vision Plan adopted in April 2017: “A mixed-use commercial corridor with a limited range of neighborhood commercial uses and high-density residential on the north side of Bluemont [Avenue] up to the alley between Bluemont Avenue and Vattier Street with increased height and massing on both sides of the corridor up to five stories. This plan promotes dense, urban development along this corridor while discouraging highway commercial and strip-style development.”

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: Current zoning, though suitable, limits the development potential of a highest and best use, given the special location in relation to Aggieville and Kansas State University. The proposed development is suitable under the current zoning as a multiple-family development at a density of about 43 dwelling units per acre. Physical design of the structure however requires a PUD for construction; namely due to reduced setbacks, number of stories, the use of structured parking, a reduced parking ratio, and reduced greenspace.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL EFFECTS: The proposal is compatible with nearby properties as a multiple-family residential building on the periphery of a commercial district. The proposed PUD and surrounding area is currently zoned for multiple-family residential. The subject site already contains 19 dwelling units, compared to the 37 proposed, for a net gain of 18 dwelling units. This gain is comparable to other recent redevelopment projects in the area. Furthermore, future redevelopment is reasonably expected and encouraged in this area as currently zoned.

The proposed development is not expected to have any detrimental affects to nearby properties. Furthermore, the applicant has fairly mitigated for any potential detrimental effects through proper screening, landscaping, lighting, and access management.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The proposal is in conformance with the Manhattan Urban Area Comprehensive Plan (MUACP) as described in *Chapter 3: Land Use Policy*. The subject site is designated as Central Core District (CCD) in the Future Land Use Map, which according to section CCD-2 “Encourage[s] targeted infill redevelopment to take advantage of underutilized areas...to enhance the continued revitalization of the Central Core District” and in Section CCD-4 “Promote[s] an expanded range of housing options in the Central Core to reinforce the variety and vitality of the environment” and “encourage[s]...the integration of Residential High Density or Urban Core Residential type uses at the fringe of the Central Core District.”

This area is further covered as a Special Planning Area as described in Chapter 11 of the MUACP, referencing and designating the Aggieville Community Vision (ACV) Plan as the adopted area plan for the subject site. The subject site in the ACV Plan is within the Bluemont/Anderson Corridor Sub-Area, envisioned in *Section I. Introduction & Summary, Sub-Areas* as “A mixed-use commercial corridor with a limited range of neighborhood commercial uses and high-density residential on the north side of Bluemont [Avenue] up to the alley between Bluemont Avenue and Vattier Street with increased height and massing on both sides of the corridor up to five stories. This plan promotes dense, urban development along this corridor while discouraging highway commercial and strip-style development.” The plan vision for this sub-area is described in greater detail in *Section V. Bluemont/Anderson Corridor*. The area north of Bluemont is specifically addressed under *Conceptual Framework, Recommendations* where it states that “Although mixed-use is encouraged, single-use, high-density residential development and hotels are acceptable.” In this same section, reduced parking requirements for residential uses is recommended and building form “creat[ing] a continuous wall of building façade along both sides of Bluemont Avenue...with new buildings built to the sidewalk...parking behind, transparent ground floors, landscaping, entrances facing the street, and outdoor gathering and seating areas” are encouraged. Also in this section under *Land Use*, the Planned Unit Development is encouraged as the means to accomplish the vision for the corridor. This same section allows structures up to five stories tall, with “density that would allow for diversity and affordability of housing stock”.

The ACV Plan also establishes design guidelines for redevelopments in the area covering the subject site, described in Appendix A: Design Guidelines. These guidelines are intended to be utilized when considering developments in the Bluemont/Anderson Corridor that meet the general goals and principles of the ACV Plan, but must utilize the Planned Unit Development process to overcome zoning regulation constraints that have not been fully updated to align with the vision of the plan. The proposal meets nearly all of the guidelines established in this section. The proposal is thus in conformance with the Manhattan Urban Area Comprehensive Plan as well as the Aggieville Community Vision Plan.

8. ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED

1925: “B” Residence
1965: “B-1” Multiple Family Dwelling
1970: R-3 Multi Family Residential
1987: R-M Four-Family
2005: R-3/M-FRO

The area is currently not vacant.

9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent of the Manhattan Zoning Regulations is to protect the public health, safety and general welfare and to protect property values. The proposed PUD is consistent with the intent and purpose of the Manhattan Zoning Regulations, meeting many standards of the existing R-3/MFRO zoning district. The proposal also meets many standards of the Urban Core Residential (UCR) District as was considered for adoption in the Manhattan Zoning Regulations by the City Commission on June 6, 2017. The UCR District is expected to be implemented just north of the subject site, as depicted in the Future Land Use Map in Chapter 3 of the Comprehensive Plan.

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 health, safety, and welfare that denial of the request would accomplish, compared with the hardship imposed upon the individual owner.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public water, sanitary sewer, storm drainage, fire protection, streets and pedestrian/bicycle sidewalks are, or will be, available to serve the development.

12. OTHER APPLICABLE FACTORS: Not applicable.

13. STAFF COMMENTS AND RECOMMENDATION: City Administration recommends approval of the area from R-3 Multiple Family Residential with Multi-Family Residential Overlay to Residential PUD (Planned Unit Development), based on the findings in the Staff Report with the six conditions of approval recommended by City Administration:

Conditions of Approval

1. The Permitted Use shall include a residential multiple-family dwelling structure consisting of thirty-seven (37) dwelling units.

Attachment No. 4

2. Landscaping 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. A 30-inch tall knee wall shall be installed at the time of construction at the north edge of the property, spanning to the full length of the parking lot with the purpose of preventing automobile access between the public alley and the parking lot.
5. A 6-foot tall wall or landscaping berm, spanning the length of the parking lot and abutting the east property line, shall be installed at the time of construction and be properly maintained by the property owner to continually serve as parking lot screening as required in Article VII, Section 102(E)(5), of the Manhattan Zoning Regulations.
6. Final drainage infrastructure design will require approval of Public Works staff prior to issuance of a building permit, and the appropriate easements and maintenance covenants will have to be developed for these features upon completion of the final design.

ALTERNATIVES

1. Recommend approval of the proposed rezoning of all of Lot Six Hundred Thirty (630) through Lot Six Hundred Thirty-four (634) of Ward Three (3), City of Manhattan, Riley County, Kansas from: R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, to 12th & Bluemont Lofts 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 all of Lot Six Hundred Thirty (630) through Lot Six Hundred Thirty-four (634) of Ward Three (3), City of Manhattan, Riley County, Kansas from : R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, to 12th & Bluemont Lofts 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 all of Lot Six Hundred Thirty (630) through Lot Six Hundred Thirty-four (634) of Ward Three (3), City of Manhattan, Riley County, Kansas from R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, to 12th & Bluemont Lofts Planned Unit Development District, based on the findings in the staff report, with the six conditions of approval recommended by City Administration.

ATTACHMENTS

1. Location map
2. Application submittals
 - a. Written responses to 9-106 (PUD criteria)
 - b. Written responses to 15-403 (Rezoning criteria)
 - c. Report on public meeting
3. Preliminary Development Plan (revised), dated 5/10/2017
4. Drainage Report (revised), dated April 2017
5. Traffic Report (revised), dated April 2017
6. Memo from Brian Johnson, P.E., City Engineer, and B.J. Edmonston, P.E., Stormwater Engineer, dated 5/11/2017

PREPARED BY: Ben Chmiel, Planner

DATE: 5/10/2017

MUAPB}12th&Bluemont_PUD_Staff_Report