

CERTIFICATION OF CLERK

I, Brenda K. Wolf, the duly appointed, qualified, and Deputy City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Ordinance was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 20th day of August, 2019, and that said Ordinance has been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, 21st day of August, 2019.



Brenda K. Wolf

Brenda K. Wolf, CMC, Deputy City Clerk



ORDINANCE NO. 7440

AN ORDINANCE AMENDING THE FINAL DEVELOPMENT PLAN OF LEE MILL VILLAGE RESIDENTIAL PLANNED UNIT DEVELOPMENT AND ORDINANCE NO. 6628.

WHEREAS, Ordinance No. 6628 was adopted by the Governing Body of the City of Manhattan, Kansas on July 3, 2007 and established the current Lee Mill Village Residential Planned Unit Development; and

WHEREAS, The Manhattan Urban Area Planning Board of the City of Manhattan, Kansas at a Public Hearing held on Monday, July 15, 2019, recommended amending Ordinance No. 6628 and the Final Development Plan of Lee Mill Village Residential Planned Unit Development in the City of Manhattan, Kansas, to all for single-family, two-family, three-family and four-family uses, reduce the required number of off-street parking, allow for a community building/club house on Lot 52 and change (dedicate) the existing travel easements to public rights-of-way; and

WHEREAS, The Manhattan Urban Area Planning Board of the City of Manhattan, Kansas and the Governing Body of the City of Manhattan, Kansas, have considered all matters set forth in Section 9-108 and Section 15-403 of the Manhattan Zoning Regulations and have found that the approval of the proposed amendment, subject to the restrictions, conditions, or limitations set forth hereinafter, is consistent with such matters; and

WHEREAS, The Governing Body of the City of Manhattan, Kansas, has considered this ordinance at two meetings;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS, THAT:

SECTION 1. The Final Development Plan of Lee Mill Village Residential Planned Unit Development and Ordinance No. 6628 are hereby amended to allow the changes to the ordinance conditions of approval.

SECTION 2. The tract of land (“Property”) subject to this amendment is described as follows:

Lots 11A-11D to Lots 18A-18D, 26A-26D to Lots 52A-52D and Tracts 1 and 2 of Lee Mill Village, a Residential Planned Unit Development, City of Manhattan, Riley County, Kansas.

SECTION 3. There is hereby incorporated by reference and adopted, and enforceable, as a part hereof, all drawings and documents submitted as a part of the application, as well as the revisions of such drawings and documents, including those revisions which have been required, or approved, by the Manhattan Urban Area Planning Board or the Governing Body of the City of Manhattan, Kansas, except as provided in Section 4 of this Ordinance. All such documents shall be maintained, along with the application for amendment, on file in the Zoning Administrator’s Office.

SECTION 4. The amendment is subject to the following restrictions, conditions, or limitations, and such restrictions, conditions, or limitations shall supersede any portion of the application in conflict therewith:

1. Dedicate the existing travel easements to public rights-of-way, as proposed, through the replat.
2. Modify Condition No. 1 of Ordinance No. 6628, to broaden the range of permitted residential structural types to allow for single-family and duplex dwellings, as well as three- and four-unit townhomes.
3. Modify Condition No. 7 of Ordinance No. 6628 requiring 520 off-street parking spaces to now require a minimum of two (2) off-street parking spaces per dwelling unit (one in the garage and a second in the driveway).
4. Lot 52 may be used for a community building/clubhouse along with an adjoining off-street parking lot on Lot 52A, or developed as residential as per condition 2 above.
5. All other conditions of Ordinance No. 6628, not in conflict with these conditions, shall remain in effect.

SECTION 5. All provisions of the application and the Final Development Plan, as submitted to and approved by the Planning Board, and all restrictions, conditions or limitations imposed hereby, however recorded, shall be considered to be covenants upon the Property and shall run in favor of the City and shall be enforceable in law or in equity by the City, without limitation on any power or regulation otherwise granted to the City by law.

SECTION 6. All owners, occupants and persons in charge of the property shall comply with all applicable provisions of the Manhattan Zoning Regulations as well as all provisions of the application, the Final Development Plan and all restrictions, conditions or limitations imposed by this Ordinance. Any violation of the Ordinance shall be deemed a violation of the Manhattan Zoning Regulations.

SECTION 7. All provisions of Ordinance No. 6628 that are not in conflict with this amendment shall remain in force.

SECTION 8. This ordinance shall take effect and be in force from and after its passage and publication in The Manhattan Mercury.

PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF
MANHATTAN, KANSAS, THIS 20TH DAY OF AUGUST, 2019.



Michael L. Dodson, Mayor

ATTEST:



Gary S. Fees, MMC, City Clerk



(PUBLISHED IN *THE MANHATTAN MERCURY* ON AUGUST 25, 2019)

ORDINANCE NO. 7440 SUMMARY

On August 20, 2019, the City of Manhattan, Kansas adopted the following ordinance:

AN ORDINANCE AMENDING THE FINAL DEVELOPMENT PLAN OF LEE MILL VILLAGE RESIDENTIAL PLANNED UNIT DEVELOPMENT AND ORDINANCE NO. 6228.

The Ordinance amends Ordinance No. 6628, and the Final Development Plan for the Lee Mill Village Residential Planned Unit Development, generally located along South Wreath Avenue and Overbrook Place to allow for single-family, two-family, three-family and four-family dwellings, allow for a community building/club house on Lot 52 and change (dedicate) the existing travel easements to public rights-of-way. The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1101 Poyntz Ave., Manhattan, KS 66502, Monday – Friday, 8 a.m. – 5 p.m., and is available for at least one week following the publication date of this summary at www.cityofmhk.com. This Summary certified to be legally accurate and sufficient by City Attorney Katharine Jackson.



City Attorney
Date certified: 8-20-19