

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
September 10, 2009
7:00 p.m.

MEMBERS PRESENT: Bill Meredith, Chairperson; Linda Morse; Mike Hill; Stephanie Rolley; Nikki Miller; and Mike Kratochvil.

MEMBERS ABSENT: Jerry Reynard, Vice-Chair

YOUTH IN GOVERNMENT:

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Lance Evans, Senior Planner; Cam Moeller, Planner II; and, Chad Bunger, Planner II.

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE MINUTES OF THE AUGUST 17, 2009, MANHATTAN URBAN AREA PLANNING BOARD MEETING.

APPROVE THE FINAL DEVELOPMENT PLAN OF THE PROPOSED WESTPORT COMMONS, COMMERCIAL PLANNED UNIT DEVELOPMENT (PUD), AND APPROVE THE PROPOSED FINAL PLAT OF WESTPORT COMMONS, COMMERCIAL PUD, BOTH GENERALLY LOCATED ON THE NORTHEAST CORNER OF CLAFLIN ROAD AND BROWNING AVENUE. (OWNER/APPLICANT: WESTPORT COMMONS DEVELOPMENT LLC)

APPROVE THE FINAL PLAT OF THE PROPOSED WILSON-WALKER ADDITION, GENERALLY LOCATED 240 FEET NORTH OF THE INTERSECTION OF NORTH MILL POINT AND MILLER PARKWAY. (OWNERS: MARC E. WILSON AND CATHERINE L. WILSON AND JOSH G. WALKER AND JENNIFER L. WALKER/APPLICANT: MARC E. WILSON)

APPROVE THE FINAL DEVELOPMENT PLAN OF THE PROPOSED 17TH STREET PROPERTIES COMMERCIAL PLANNED UNIT DEVELOPMENT (PUD), AND APPROVE THE PROPOSED FINAL PLAT OF 17TH STREET PROPERTIES, COMMERCIAL PUD, BOTH GENERALLY LOCATED ON THE SOUTHEAST CORNER OF YUMA STREET AND S. 17TH STREET. (OWNER/APPLICANT: 17TH STREET PROPERTIES, LLC - DOUG MARYOTT, MANAGING MEMBER)

APPROVE THE FINAL DEVELOPMENT PLAN OF THE PROPOSED AUSTIN TRACT, AN AGRI-BUSINESS PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED 800 FEET NORTH OF THE INTERSECTION OF PILLSBURY DRIVE (K-177) AND DEEP CREEK ROAD, ON THE WEST SIDE OF PILLSBURY DRIVE (K-177). (OWNERS/APPLICANTS: STEVEN AND MELANIE AUSTIN/OWNERS: JACK AND PATSY AUSTIN)

Kratochvil moved that the Planning Board approve the Consent Agenda. Miller seconded the motion, which passed on a vote of 6-0.

GENERAL AGENDA

TABLE A PUBLIC HEARING TO CONSIDER THE REZONING OF THE PROPOSED FLINTHILLS HOSPITALITY COMMERCIAL PLANNED UNIT DEVELOPMENT (PUD) FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT, AND R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO PUD, COMMERCIAL PLANNED UNIT DEVELOPMENT DISTRICT. THE SITE IS AN APPROXIMATE 4.4 ACRE TRACT OF LAND, GENERALLY LOCATED 400 FEET WEST OF THE INTERSECTION OF SETH CHILD ROAD AND ALLISON AVENUE, ALONG THE NORTH SIDE OF ALLISON AVENUE AND SOUTH OF THE FT. RILEY BOULEVARD OFF-RAMP. (OWNER K-AIR INC./APPLICANT: FLINTHILLS HOSPITALITY, LLC – COLIN NOBLE)

Rolley moved that the Planning Board table the public hearing to consider the rezoning of the proposed Flinthills Hospitality Commercial PUD to the September 21, 2009 meeting, based on the recommendation of City Administration.

Hill seconded the motion, which passed on a vote of 6-0.

CONSIDER THE ANNEXATION OF THE PROPOSED EUREKA DRIVE STORAGE ADDITION, AN APPROXIMATE ELEVEN ACRE TRACT OF LAND, GENERALLY LOCATED 3,000 FEET WEST OF THE INTERSECTION OF SCENIC DRIVE AND EUREKA DRIVE, ON THE NORTH SIDE OF EUREKA DRIVE, AND WEST OF THE FLINT HILLS JOB CORP. (OWNERS: THE GRAND LODGE OF THE INDEPENDENT ORDER OF ODD FELLOWS (I.O.O.F.) – VERNON BARTLETT, PRESIDENT, JERRY J. AND SHARON K. MARTIN, AND RICHARD E. JR. AND ANGELA G. BRITT /APPLICANT: K & M HOLDINGS, INC. – JON MANSEL, PRESIDENT)

A PUBLIC HEARING TO CONSIDER THE REZONING OF THE PROPOSED EUREKA DRIVE STORAGE ADDITION, AN APPROXIMATE ELEVEN ACRE TRACT OF LAND, GENERALLY LOCATED 3,000 FEET WEST OF THE INTERSECTION OF SCENIC DRIVE AND EUREKA DRIVE, ON THE NORTH SIDE OF EUREKA DRIVE, AND WEST OF THE FLINT HILLS JOB CORP., FROM COUNTY N-1, AIRPORT NOISE HAZARD DISTRICT, TO I-3, LIGHT INDUSTRIAL DISTRICT, WITH AO, AIRPORT OVERLAY DISTRICT. (OWNERS: THE GRAND LODGE OF THE INDEPENDENT ORDER OF ODD

FELLOWS (I.O.O.F.) – VERNON BARTLETT, PRESIDENT, JERRY J. AND SHARON K. MARTIN, AND RICHARD E. JR. AND ANGELA G. BRITT /APPLICANT: K & M HOLDINGS, INC. – JON MANSEL, PRESIDENT)

A PUBLIC HEARING TO CONSIDER THE CONCURRENT PLAT (PRELIMINARY AND FINAL PLAT) OF THE PROPOSED EUREKA DRIVE STORAGE ADDITION, AN APPROXIMATE ELEVEN ACRE TRACT OF LAND, GENERALLY LOCATED 3,000 FEET WEST OF THE INTERSECTION OF SCENIC DRIVE AND EUREKA DRIVE, ON THE NORTH SIDE OF EUREKA DRIVE, AND WEST OF THE FLINT HILLS JOB CORP., TO CONSIST OF ONE LIGHT INDUSTRIAL LOT. (OWNERS: THE GRAND LODGE OF THE INDEPENDENT ORDER OF ODD FELLOWS (I.O.O.F.) – VERNON BARTLETT, PRESIDENT, JERRY J. AND SHARON K. MARTIN, AND RICHARD E. JR. AND ANGELA G. BRITT /APPLICANT: K & M HOLDINGS, INC. – JON MANSEL, PRESIDENT)

Meredith introduced the related annexation, rezoning and concurrent plats of the proposed Eureka Drive Storage Addition requests.

Bunger presented the staff report and recommended approval of the annexation, rezoning and concurrent plat requests. Bunger recommended four conditions for the Preliminary Plat.

Morse asked how the proposed drainage easement related to the existing private travel easement and what the drainage improvements would be. Bunger responded that the drainage easement will be located within the existing private travel easement and that the drainage improvements would be a series of open ditches and tubes.

Morse asked how deep the open ditches would be. Bunger deferred the question to the applicant.

Morse asked if there was to be a detention basin. Bunger explained that the old Kansas River oxbow area would be used to collect the stormwater runoff.

Morse asked how tall the proposed storage units would be. Bunger deferred the question to the applicant

Morse asked if the proposed access points would adversely impact or restrict owners to the south or future development. Bunger answered that minimal impacts are anticipated.

Morse asked about the submitted concept plat that showed the extension of Roever Road to the north. Bunger reminded the Board that the concept plat shows future options of developing the area and does not bind the Board or the applicant to develop the plan. Bunger did note that the concept plat was reviewed and approved by officials with Riley County.

Morse asked if the land to the south that is owned by Riley County could be developed in the future. Bunger responded that the land could not be developed because of flooding

issues.

Rolley asked about the plan to drain the site into the environmentally sensitive area. Bunger explained the applicant's proposed drainage plan and improvements.

Morse asked if the drainage ditches would have a concrete liner. Bunger deferred the question to the applicant.

Meredith opened the public hearing.

Fred Gibbs, BG Consultants, Inc. and applicant's consultant spoke on behalf of the applicant who was not present. Gibbs explained the designed drainage plan and answered the Board's questions. Gibbs stated that the height of the storage units would be similar to the storage unit development to the southeast along Fort Riley Boulevard. Gibbs explained that the front units would be smaller self-storage units, and the rear units would be larger RV storage units.

Gibbs informed the Board about a neighborhood meeting held a few days ago. Gibbs stated that no issues were raised and the land owner to the west of the site liked the concept plat.

Morse asked if the site was flooded by the 1993 event. Gibbs said the area was not flooded because it is a high point in the area. Gibbs indicated that the existing drainage ditches along Eureka Drive might have flooded, but the ditches were undersized. Gibbs informed the Board that Riley County will be rebuilding Eureka Drive in part to correct the drainage issue.

Morse asked about ditch maintenance. Gibbs said that the applicant would be responsible for maintaining the drainage structures on the property and further explained the proposed restrictive covenant with the City.

Rolley asked about drainage of the pavement area into the environmentally sensitive oxbow area. Gibbs stated that the northern half of the development would be gravel and not paved.

Hill asked, as the area develops in the future, is there a good plan to handle the drainage? Gibbs explained the area's drainage and how all of the storm water from the north side of Eureka Drive eventually ends up in the oxbow. Gibbs informed the Board that the applicant has purchased land to deal with the drainage from the site and entered into an agreement with the land owner to ensure that stormwater can be drained into the oxbow.

Hill asked how future developments would impact the storm water drainage. Gibbs responded that those developments will need to address the drainage for those specific areas. Gibbs indicated that the Kansas Department of Transportation (KDOT) is proposing improvements along K-18 that will help address the drainage in the area.

Hill asked if all entities are on the same page for storm water drainage. Gibbs responded that KDOT is doing some of it and future studies of the area are needed. Gibbs then

stated that the proposal only addresses drainage from the site, and not adjacent properties.

Hill asked if the oxbow is adequate in size to handle the site's drainage. Gibbs explained the oxbow drainage area and that the oxbow is large enough to handle the drainage.

Morse indicated that as the area develops she would be concerned about costs to the city to deal with storm water issues in the area. She could see the storm water fund being permanently committed to this area. Gibbs responded with further clarification of the proposed restrictive covenant for the on-site construction and maintenance of the drainage easement.

Morse asked how many storage units would be built. Gibbs stated that the development would be done in phases and that he did not know the exact number.

With no one else speaking, Meredith closed the public hearing.

Morse expressed concern about a precedent being set for development of this area. She was concerned that by looking at just this site and not the entire area, issues with drainage would continue to grow.

Rolley agreed with Morse that the development does set the precedence for the future development of the area and so far development has stayed within the boundaries of what has been planned for industrial development. She said that because this request sets the precedence, it should set the frame work for future development. Rolley said that because the proposed plat and development has required several variations of the Subdivision Regulations it sets off a red flag for her. She was concerned if the development landlocked future developments and the storm water drainage plan would divert runoff into the environmentally sensitive area. Rolley felt that these would cause issues with future developments. She felt that the proposal by itself is not bad idea, but the proposed plan does not set the stage for what is needed for future developments with regard to access and drainage.

Gibbs addressed Rolley's comment of land locking future developments. He said that the proposal is not land locking anyone; that the remainder of the Odd Fellows tract has access to Airport Road, and future developers would need to handle their access requirements before coming to the Planning Board.

Rolley asked if the Staff Report stated that the northern tract would be land locked. Bunger clarified that the portion of the Odd Fellows tract that would most likely developed in the future is just to the north of the site, and would not have direct access to a public road unless the entire tract is developed.

Kratochvil moved that the Manhattan Urban Area Planning Board recommend approval of the annexation of the Eureka Drive Storage Addition, based on conformance with the Comprehensive Plan for the Manhattan Urban Area and the City of Manhattan, Kansas, the Growth Vision, and the Capital Improvements Program. Miller seconded the motion, which passed on a vote of 6-0.

Before making a motion on the rezoning, Kratochvil commented on the discussion regarding storm water drainage and future development. He said that in his estimation the land and surrounding area is not prime development land and would not be developed for awhile. He said the storage units are appropriate uses at this time. He said a lot of the drainage issues in the area are with the drainage boxes under K-18, and that KDOT's realignment work on K-18 would hopefully help address the drainage issues in the area.

Kratochvil moved that the Manhattan Urban Area Planning Board recommend approval of the proposed rezoning of Eureka Drive Storage Addition from County N-1, Airport Noise Hazard District, to I-3, Light Industrial District with AO, Airport Overlay District, based on the findings in the Staff Report. Hill seconded the motion, which passed on a vote of 6-0.

Miller moved to approve the Preliminary Plat of the Eureka Drive Storage Addition, based on conformance with the Manhattan Urban Area Subdivision Regulations, including that the requirement to extend public access to the adjacent tract of land to the north is not necessary, with four (4) conditions of approval. Kratochvil seconded the motion, which passed on a vote of 4-2, Morse and Rolley voted against the motion.

Miller moved to approve the Final Plat of the Eureka Drive Storage Addition, based on conformance with the Manhattan Urban Area Subdivision Regulations. Kratochvil seconded the motion, which passed on a vote of 4-2, Morse and Rolley voted against the motion.

A PUBLIC HEARING TO AMEND THE MANHATTAN URBAN AREA COMPREHENSIVE PLAN. THE PROPOSED AMENDMENT IS TO ADOPT AND INCORPORATE THE PROPOSED US-24 CORRIDOR MANAGEMENT PLAN AS A PART OF THE MANHATTAN URBAN AREA COMPREHENSIVE PLAN BY REFERENCE. THE CORRIDOR PLAN COVERS A 16-MILE LONG MULTI-JURISDICTIONAL SEGMENT OF HIGHWAY 24 FROM MANHATTAN TOWN CENTER AT THE WEST END, TO AIRPORT ROAD EAST OF WAMEGO, AND IS INTENDED TO COORDINATE AND GUIDE FUTURE DECISION-MAKING, INTER-LOCAL COOPERATION, AND MANAGEMENT OF THE US-24 CORRIDOR. (APPLICANT: CITY OF MANHATTAN)

Evans indicated this item was the subject of previous work sessions with the Planning Board and he introduced Buck Driggs, Project Manager with HWS, to provide an overview of the Plan and the current status.

Driggs gave a power point presentation to the Board summarizing the US 24 Corridor Management Plan. He said the Plan has already been taken to the Planning Boards and governing bodies at St. George, Wamego, and Pottawatomie County which have all approved the Plan. After the Manhattan Urban Area Planning Board approves the Plan, it will be forwarded to the Manhattan City Commission for approval. He outlined the extensive public input process utilized during development of the plan, involving citizens and various stakeholders and a series of three different public open houses held in Manhattan, St. George and Wamego, with over 350 people attending. Driggs summarized

the major sections of the Plan including, public involvement, market analysis, land use, transportation engineering, infrastructure including sewer and water needs, and implementation and regulatory review. He indicated the only modification to the Plan since the Board last saw it was the addition of City boundaries on the maps, as requested by the Board. He said they had received very few comments during the adoption process.

Following the presentation, the Board had no questions. Rolley indicated that the study was exceptional, including a lot of work in a short period of time. She said the lack of public comments on the final Plan was probably because the consultants had made the effort to talk to anyone that might have a comment.

Morse agreed with Rolley's comments and said she was pleased to see to various jurisdictions and governing bodies working together for common, attainable goals, and that it is a good example of cooperation between communities.

Meredith opened and closed the public hearing, with no one speaking.

Morse asked if the Planning Board's motion to approve the Plan should include the proposed modifications to the Comprehensive Plan, to cite the US 24 Corridor Management Plan. Cattell indicated the Board is taking three actions in its motion; adopting and incorporating the US 24 Corridor Management Plan; modifying the base Comprehensive Plan's base document in Chapters 4 and 8 dealing with Land Use and Transportation to include the necessary citations of the separately bound US 24 Corridor Plan; and forwarding a recommendation of approval to the City Commission.

Rolley moved that the Manhattan Urban Area Planning Board approve Resolution No. 091009, amending the Manhattan Urban Area Comprehensive Plan by adopting and incorporating the US-24 Corridor Management Plan, dated August 2009 by reference; and approve the necessary cross-references and modifications to Chapters 4 and 8 of the Comprehensive Plan, as proposed; and, forward a recommendation of approval to the City Commission.

Morse seconded the motion, which passed on a vote of 6-0.

REPORTS AND COMMENTS BY BOARD MEMBERS

There were no reports and comments by Planning Board members or staff.

Respectfully submitted,

Chad Bunger, Planner II; Eric Cattell, Assistant Director for Planning