

**MINUTES**  
**MANHATTAN URBAN AREA PLANNING BOARD**  
**City Commission Room, City Hall**  
**1101 Poyntz Avenue**  
**November 16, 2009**  
**7:00 p.m.**

**MEMBERS PRESENT:** Bill Meredith, Chairperson; Jerry Reynard, Vice-Chair; Linda Morse; Mike Hill; Stephanie Rolley; Nikki Miller; and Mike Kratochvil.

**MEMBERS ABSENT:** None.

**YOUTH IN GOVERNMENT:**

**STAFF PRESENT:** Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Lance Evans, Senior Planner; Cam Moeller, Planner II; Chad Bunger, Planner II; Jason Hilgers, Assistant City Manager; Rob Ott, City Engineer.

**OPEN PUBLIC COMMENTS**

No one spoke.

**CONSENT AGENDA**

**APPROVE THE MINUTES OF THE NOVEMBER 2, 2009, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**

**APPROVE THE FINAL PLAT OF THE DOWNTOWN ENTERTAINMENT DISTRICT ADDITION, GENERALLY LOCATED SOUTH OF PIERRE STREET, NORTH OF FT. RILEY BOULEVARD, EAST OF S. 4<sup>TH</sup> STREET AND WEST OF THE K-177 ON-RAMP. (OWNERS/APPLICANTS: CITY OF MANHATTAN AND DIAL MANHATTAN LLC)**

Kratochvil moved that the Board approve the Consent Agenda, indicating he was abstaining from voting on the minutes as he was not at that meeting.

Reynard seconded the motion.

Morse asked for clarification of the Final Plat being on the consent agenda before the related rezoning item. Zilkie explained the plat was contingent upon the rezoning being approved and is necessary to aid in the transfer of parcels for the proposed development.

The motion passed on a vote of 7-0.

## **GENERAL AGENDA**

**A PUBLIC HEARING TO CONSIDER THE REZONING OF THE PROPOSED DOWNTOWN ENTERTAINMENT DISTRICT PUD FROM C-4, CENTRAL BUSINESS DISTRICT; C-5, HIGHWAY SERVICE COMMERCIAL DISTRICT AND RDO, REDEVELOPMENT DISTRICT OVERLAY; AND, LM-SC, LIGHT MANUFACTURING-SERVICE COMMERCIAL DISTRICT, TO PUD, COMMERCIAL PLANNED UNIT DEVELOPMENT DISTRICT. THE REZONING SITE IS GENERALLY LOCATED SOUTH OF PIERRE STREET, NORTH OF FT. RILEY BOULEVARD, EAST OF S. 4<sup>TH</sup> STREET AND WEST OF THE K-177 ON-RAMP. (OWNERS/APPLICANTS: CITY OF MANHATTAN AND DIAL MANHATTAN LLC)**

Zilkie presented the Staff Report indicating that City Administration recommended approval with seven conditions.

Kratochvil asked where parking for Lots 4 and 5 is located. Zilkie explained that it is located behind Lot 5 and will also utilize on-street parking similar to other downtown uses.

Brent Bowman, AIA, Bowman Bowman Novick, Inc. indicated his firm was coordinating ongoing streetscape designs with HWS for 4<sup>th</sup> Street, Colorado Street, and 3<sup>rd</sup> Street, and have held a series of public meetings to gain input on the features associated with those streets. In addition, they have been developing roof gardens and other landscape designs for the Discovery Center, as well as developing interconnectivity through the trail and pedestrian system throughout the south end site, and between the Depot and the Discovery Center. Finally, they have been developing conceptual plans for the public park space; however because the use of Lot 9 is not known, they don't know all the adjacencies with the park. They have been working with two concepts including a plaza gathering space next to the Discovery Center, and creating connectivity between the conference center, hotel, and the Discover Center. He described informal and formal garden areas in the park, an open green for active recreation activities and restrooms. He indicated their work on behalf of the city involved looking at the entire PUD to help tie the project's components together.

Kratochvil asked if the park was still considered an entertainment area.

Bowman indicated the park was being designed to be as flexible as possible and that it might include a stage, and would provide the necessary infrastructure to host an arts festival or other special events in concert with the hotel and Discovery Center.

Meredith opened the public hearing.

Clyde Howard, 3638 Everett Drive, a member representing the Bethel AME Church at 401 Yuma Street, noted that the church is not a commercial use and has been at that location for 130 years. He said the church is excited about the prospect of having the

hotel, convention center and garage as neighbors, and appreciates the opportunities for employment and entertainment. However, that is tempered by the closure of South 4<sup>th</sup> Street during its construction, which impacted the church in several ways. The loss of on-street parking along 4<sup>th</sup> Street and Yuma Street has affected the church's ability to host various revenue generating conferences and district activities held in the past, as well as their anniversary celebration, regional Sunday school conventions, and other activities. He indicated any overflow parking from the hotel and ongoing on-street parking in the area will further impact the church over the long term. He requested the Board condition its approval of the project, so that Dial and the developer of the hotel, convention center and parking garage mitigate the effects of the project in order that the church can have some parking and continue to carry out its work that it has been doing for the past 130 years.

Rolley asked how the church proposed to mitigate the parking issue.

Howard indicated they have not arrived at a final solution for mitigation, but have discussed options including removing the house, located to the south that is owned by the church, to convert to parking.

Rolley asked if the loss of on-street parking along 4<sup>th</sup> Street and Yuma Street is due to construction, and if it will be restored or not; or is it because the parking will be taken by guests of the hotel.

Howard indicated all the parking along Yuma, east of 4<sup>th</sup> Street, will be lost with construction of the hotel. The church tries to avoid parking in front of the adjacent business to the west, and the emergency shelter on the north also uses the on-street parking.

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

Meredith disclosed that he had attended a public meeting on the south end development that was held at the Depot, and that he did not learn anything then, that was not presented during this public hearing.

Kratochvil said he liked the overall project but had two concerns. First was a concern about adequate parking for the mixed use with residential above, on Lots 4 and 5, and a future owner not being able to rent the space. He was also concerned about the proposed round-a-bout at Pierre and 3<sup>rd</sup> Street.

Ott indicated that the round-a-bout at Pierre had been taken out of the project from earlier concepts and was replaced with a traditional signal. The only round-about is located on Bluemont Avenue.

Kratochvil asked about the size of the conference center compared to the center in Junction City, and if it was going to be big enough.

Bowman addresses parking for Lots 4 and 5, saying that similar to other properties in the

downtown, they are not required to have on-site parking and can use existing municipal and street parking. However, in addition to the spaces provided on lot 5, the developers of the two lots also own nearby land not in the PUD, and that it will be a market driven issue that they will closely monitor and could develop additional parking if needed.

Hilgers addressed the size of the convention center, indicating that four years ago the city partnered with the Chamber to bring in a strategic advisory group to study the conference market. He said the target size was for 250 to 300 people for a typical conference. The center can accommodate 1,500 people, but that size a conference would be once every year or two and would utilize several hotels in the community to accommodate guests. Junction City's center is 22,000 square feet and Manhattan's will be 30,000 square feet with an additional expansion area on the west side. He said the hotel has expansion space as well.

Rolley asked if the review comments in the appendix of the application documents had all been addressed, such as the trees along Ft. Riley Boulevard.

Zilkie indicated that the issues had been addressed, and that there are some ongoing design issues that are being resolved involving coordinating the perimeter landscaping between the hotel's parking lot and the adjacent streetscape that will be finalized with the final development plans to insure there are no conflicts.

Patrick Schaub, Bowman Bowman Novick, Inc. indicated that there has been a misunderstanding with the markups from city staff, and trees had been removed south of the parking garage, as he had noted in his review letter, but that the issue had been discussed and resolved, and the trees are being added back to the plans.

Rolley asked about the eight foot buffer on Lot 4, west of the hotel. Schaub indicated the buffer width includes the sidewalk.

Rolley asked about the amount of EFIS on the hotel. Schaub indicated that with the last set of plans the amount of EFIS has been greatly reduced, as noted in his review letter of November 12, 2009. He said while the preference is for all masonry, that is not required under the Design Guidelines, and it is recommended that there be more relief or detailing of the EFIS material to be more sympathetic with the downtown. It was his understanding that those design modifications are now underway.

Rolley asked about the bike path. Zilkie indicated that while the Bicycle Master Plan shows a bike route on 4<sup>th</sup> Street, the Bicycle Advisory Committee had discussed moving it to 5<sup>th</sup> Street, and that the City Commission had also discussed the need for bicycle access into the project.

Ott indicated the project's design team had gone to the Bicycle Advisory Committee to present the plans, and that the Committee has been relooking at routes proposed ten years ago in the Bicycle Master Plan to see what has changed and what should be revised. Discussion about using 5<sup>th</sup> Street would be from Ft Riley Boulevard all the way north to

the K-state campus, and has included how best to provide connectivity into the project, along Yuma, or Colorado Streets. He said there is a future connection, under the on-ramp, to the Depot, and extension of the sidewalk along Tuttle Creek Boulevard northward to Leavenworth Street. He indicated there has also been discussion of bicycle parking around the park and Discovery Center, and also covered parking in the garage.

Rolley asked if the Bicycle Advisory Committee is comfortable with the plan.

Ott said it is still being discussed, and that the City Commission is discussing how best to provide connectivity from 5<sup>th</sup> Street. He said ultimately it is a decision of balancing how to fit in parking, bike lanes and turn lanes.

Rolley asked if the Board needs to make a recommendation on bike access.

Hilgers said that if the community desires bike lanes, the city's infrastructure could include them. While 4<sup>th</sup> Street did not include bike lanes, 3rd Street is still being designed and depending on what direction the City Commission gives, it could include them. He said when they met with the Bicycle Advisory Committee concern had been expressed to move the route to 5<sup>th</sup> Street because of its connection to the Linear Trail and north into the downtown. He said the project will facilitate bicycles throughout the site by provision of bike racks in public infrastructure. If the Board wants to include bike lanes, that message needs to be taken to the City Commission.

Rolley said it appeared there is no clear consensus from the Bicycle Committee or others on the bike lane issue.

Hilgers indicated one issue in determining bike access is if the perspective is as a mode of transportation, or as recreation, which have different needs and are facilitated differently. He said 3<sup>rd</sup> Street and Colorado Street would be the opportunities to provide bike lanes to the development, but there will be a tradeoff with the width of landscaping and sidewalks.

Morse asked about pedestrian routes in the project.

Brad Waller, HWS, provided a detailed explanation of various sidewalk routes in and round the project, including pedestrian actuated crossings at 3<sup>rd</sup> and Pierre Streets, and 4<sup>th</sup> and Pierre Streets. In addition there will be raised intersections on 3<sup>rd</sup> Street to promote a pedestrian environment and provide traffic calming, as well as traffic tables in front of the hotel, to provide connectivity to the park, and by the Discovery Center. There is also a plan to use streets as potential gathering places for special events through use of movable bollards on Colorado and 3<sup>rd</sup> Streets. He mentioned that sidewalks are wider, ranging from 8 to 12 feet to help accommodate pedestrians and bikes.

Rolley asked which landscape plan was being approved with regard to the trees along Ft Riley Boulevard.

Bowman indicated the trees were mistakenly removed and will be put back on the plans.

The plan is to plant trees along the southern façade of the garage to buffer the visual impact, and to also provide a vegetated green screen attached to the southern façade of the garage. He said they would welcome a condition stating this as a requirement.

Zilkie indicated the Board could add it as condition number 8.

Rolley said the Board normally doesn't see the review comments that pass between the reviewers and designers, but she appreciated the openness of that documentation. She just wanted to make sure the identified issues had been addressed.

Hill moved that the Planning Board recommend approval of the proposed rezoning of the Downtown Entertainment District from C-4, Central Business District; C-5, Highway Service Commercial District with RDO, Redevelopment District Overlay; and, LM-SC, Light Manufacturing-Service Commercial District, to PUD, Commercial Planned Unit Development District, based on the findings in the Staff Report, with the seven (7) conditions of approval recommended by City Administration, and with an eight condition, as follows:

1. Permitted uses shall include all of the Permitted Uses of the C-4, Central Business District, City Park, Museum, Conference Center, and Parking Garage.
2. Landscaping and irrigation shall be provided pursuant to a Landscaping Performance Agreement between the City and the owner, which shall be entered into prior to issuance of a building permit. Except that, if the City is also the owner of the property, landscaping and irrigation shall be provided in compliance with the process established by the governing body to develop the property.
3. All landscaping and irrigation shall be maintained in good condition.
4. Signage shall be provided as proposed in the application documents, and shall allow for exempt signage described in Article VI, Section 6-104 (A)(1),(2),(4),(5),(7) and (8); and Section 6-104 (B)(2), of the Manhattan Zoning Regulations.
5. Signage for Lot 5 and Lot 6 shall conform to the requirements of the C-4, Central Business District of the Manhattan Zoning Regulations.
6. The hotel's canopy, which extends over S. 3<sup>rd</sup> Street right-of-way, shall be permitted subject to the Uniform Building Code, as adopted by the City of Manhattan.
7. A dense hedge row shall be planted at a minimum height of 30-inches at the time of planting along the hotel's S. 4<sup>th</sup> Street and Colorado Street parking lot frontages.
8. Provide landscape trees and vegetated screen along Ft. Riley Boulevard on the south side of the parking garage.

Reynard seconded the motion.

During discussion, Kratochvil raised the question of Bethel AME Church's request to mitigate the loss of on-street parking.

Hilgers indicated he had been in discussions with the church on a number of occasions

and understands its desire for a private off-street parking on its property, but it is a difficult arrangement for the City to enter into. The church has tried to contact Dial with regard to the issue, although HCW is the lead developer for the hotel. Hilgers acknowledged that there will be a loss of on-street parking on Yuma, east of 4<sup>th</sup> Street. He said there will be a 430-stall parking garage constructed across the street from the church that will be free, accessible, covered public parking. There may be certain times when simultaneous events are taking place with the churches activities and parking will be at capacity. There will also be opportunities for parking when the garage is underutilized. He said if something can be arranged privately for parking on the church lot that would be subject to further negotiation. However, in terms of the south end project and how the city has addressed other property owners on 4<sup>th</sup> Street both in the south and north project areas, the city's relationship needs to be consistent.

Kratochvil suggested a condition might not be appropriate, but to let the City Commission know that the Planning Board understands and has some concern about the issue, but that it is beyond what the Board can address. He suggested letting the City Commission deal with it.

Hill agreed that the issue is beyond what the Board can address and said his motion stands. He suggested the church go to the City Commission and voice its concerns.

Meredith called for the vote on the motion, which passed 7-0.

#### **REPORTS AND COMMENTS BY BOARD MEMBERS**

Meredith indicated the Board's next meeting would include the public input meeting on the annual review of the Comprehensive Plan.

Cattell indicated there would also be a discussion of the outcomes of the City Commission's recent work session on public notice.

Respectfully submitted,

Eric Cattell, AICP, Assistant Director for Planning