

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
February 1, 2010
7:00 p.m.

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

MEMBERS ABSENT: Nikki Miller; Mike Kratochvil.

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

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE FINAL PLAT OF THE EUREKA ADDITION, UNIT TWO, GENERALLY LOCATED SOUTH OF THE INTERSECTION OF EUREKA DRIVE AND EUREKA TERRACE. (OWNER-APPLICANT: SSF DEVELOPMENT LLC-TIM SCHULTZ)

Hill moved that the Board approve the Consent Agenda. Reynard seconded the motion, which passed on a vote of 5-0.

GENERAL AGENDA

A PUBLIC HEARING TO CONSIDER THE REZONING OF THE PROPOSED WESTPORT COMMONS, UNIT TWO, COMMERCIAL PLANNED UNIT DEVELOPMENT, FROM PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT, TO PUD, COMMERCIAL PLANNED UNIT DEVELOPMENT DISTRICT, FOR AN APPROXIMATE SEVEN (7) ACRE TRACT OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER BROWNING AVENUE AND DICKENS AVENUE. (OWNER- APPLICANT: WESTPORT COMMONS LLC - MARK BACHAMP)

Zilkie presented the staff report and recommended approval with conditions. There were no questions.

Meredith opened the public hearing.

Mark Bachamp, applicant, said Schultz Construction considers the best use of the property to be business and professional office, which began to the south with Unit One. He highlighted several points including the architecture, which remains the same as Unit One; there are zero foot candles at the property line and there are no lights on the rear of the buildings which face Williamsburg homes, except for possible exit lights similar to a porch light; barber and beauty shops have asked to be in the building under construction to the south and the current request is to limit the use to Lot 4, which is furthest from residential; the variation of 300 feet to 260 feet is critical and explained in the written submittal; and, the donation of land (Lots 8 and 9) was due to existing utilities on the property, which the PUD cannot use as well as trees. Also, the Stormwater Management Master Plan (SWMMP) recommends a second 72 inch pipe under Browning, which would flood downstream properties. The proposal will detain 151 acres of water, which includes a concrete channel for low maintenance and low flow. With concrete liners come issues with the Corps of Engineers because the Corps does not like concrete channels. Bachamp mentioned that the concrete channel requires mitigation, which requires Schultz to take other property out of development. He thinks this is a positive idea with respect to the proposal. He said the proposal will use one 48 inch pipe to reduce the flow downstream. The proposal plus the City wanting Browning to be widened will eliminate the trees along Browning. In addition, drainage problems north of Dickens will be fixed. He concluded the drainage plan will benefit upstream and downstream properties.

Morse asked for a description of the concrete channel and detention basin? Bachamp described the proposal and landscaping to enhance the space along the channel. He described the basin's design as tiered due to existing underground utilities and explained that the basin is designed to protect adjacent building from the 100 year flood. Morse also asked if there is any flooding history on adjacent Williamsburg buildings and will it improve the existing conditions? Bachamp indicated the proposal would be a benefit. She then asked if there would be standing water and a lack of maintenance? Bachamp indicated there would be an association to maintain the facilities and a covenant with the city to ensure maintenance.

Rolley asked Bachamp to tell the Board why the Corps does not want a concrete lined ditch. He said the Corps wants storm water to seep into the ground water. The Corps would accept a rock lined channel but this causes maintenance problems and pockets of water. Bachamp asked Ott if that was his understanding, which Ott confirmed.

Bachamp described another subdivision Schultz developed, which has a grass channel and the Corps' restrictions, which prohibit cleaning the channel. He said he has met with the Corps on the proposed PUD and has preliminary approval.

Rolley asked Ott to describe the City's experience with the Marlatt ditch and how not using a concrete lined channel might be a solution in an urban environment. Ott explained the design of the ditch is to reduce erosion. She said she was curious why an engineering solution from 50 years ago was proposed with a PUD because Morse's

concerns are definite problems. She said the proposed concrete liner behind the homes may be an eyesore and concrete street. She said she was concerned with the proposal versus contemporary storm water solutions.

Time Schultz, Schultz Construction, said they have met with and the Williamsburg neighbors are aware of the proposal and suggested the Board ask the neighbors for input. He also described the maintenance problems in upstream and on-site that the proposal will solve.

Art Loub, 1517 Williamsburg Drive, said he lives behind the buildings that will be built. The neighbors have met several times with the applicant. He said they are directly impacted and there are times when the stream is 25 feet in width. The neighbors are in favor of the proposal to solve a continuing problem.

J. J. Tucker, 1444 Beechwood Terrace, said she was in favor of the development, but had three concerns. First, the applicant's traffic study indicates a 2030 condition that intends to widen Dickens could affect the variation. Currently Dickens is an east west corridor and handles pedestrian and bicycle traffic which should be considered with the request. Beechwood and Claflin have a light, which has had the unintended consequence of traffic from as far as Tattarax using Beechwood rather than Browning. Her concern is the added parking for the PUD will result in traffic using Beechwood rather than Browning. She also was concerned that a seven foot sign at the intersection of Dickens and Browning is a problem.

Mardi Denell, 1601 Beechwood Terrace, said the developer has done a good job working with the Williamsburg neighbors, and wanted the Board to know the Marlatt school Neighborhood has been involved with the development of the site since 1983. She described the history of past proposals. She said the Marlatt school neighborhood has not said not develop the tract rather make sure it is quality infill. The result is a stable neighborhood with a variety of housing types for different incomes and age groups. Quality development has maintained the neighborhood, which has worked out well. Following the Plan has kept the neighborhood stable. She said Marlatt School needs to be considered in the discussion and she had not heard that discussion because the school is a hub of activity. While she may be able to support the business and professional office uses she cannot support the beauty and barber shop uses, which are not in spirit with the office designation. She suggested the space on Claflin be renegotiated to allow the two uses, which is a service corridor. The proposed location is a school, church, residential corridor. Her concern is that once more service commercial is made it sets precedence for more commercial. Those kinds of services are available further south. Also, no curb cuts on Dickens were part of the original PUD. If the two are allowed the sidewalk should be moved away from the curb. It is also time for sidewalk to extend along the entire length of Dickens to College due to added traffic and pedestrians using the corridor. She said no parking signage on Browning and Dickens should be clear and well enforced in the vicinity of the PUD.

Lee Ruggles, 1515 Williamsburg Drive, said he disagreed with the last speaker. He

commended Schultz for their efforts to address drainage. He said the proposal will solve the drainage problem and the proposed buffer will separate homes from the office buildings. Additional landscaping should be added in the area at the northwest corner of the drainage area.

Rob Denell, 1601 Beechwood Terrace, said if it was up to him the site should be housing, but is impressed with the efforts by the developer to make the project an asset to the neighborhood. He was concerned with the commercial mix in with the professional office use. He said the signage may be too big for some peoples taste and listing all of the occupants may not be practical when the too areas are not connected by internal streets. Smaller signs related to the specific parts are more practical.

Sharon Grogan, 1436, Beechwood Terrace, agreed with Rob Denell's and would prefer residential but no commercial. She said her children walk to school through the Dickens and Browning intersection and does not want them to walk by commercial, nor have commercial uses near the Marlatt school playground.

There were no further comments and Meredith closed the public hearing.

Rolley asked Ott to address the storm water and traffic concerns. She said she appreciated the efforts and wanted the city engineer's input that the proposal was necessary and appropriate and Tucker's perception of the unintended consequence that added traffic will use Beechwood Terrace. Ott said the SWMMP recommends an additional 72 inch pipe, which is not a good idea. He described the drainage basin to Wildcat Creek and that the system is undersized. As proposed, the reduced pipe size is better solution and the detention pond is needed. He said there are advantages and disadvantages to grass lined and concrete. He described the problems related to a local grass lined channel. He also mentioned the changes proposed at Dickens. Rolley asked if her understanding of the long term problems with concrete and its long term maintenance could be a problem if it is not maintained compared to a grass lined channel that was not maintained and the responsibilities of the owner to maintain either. Ott said the covenant regarding maintenance allows the city to maintain the facilities and assess the owner if they do not maintain it.

With regard to traffic, Ott said Browning would be widened and sidewalk added. Tucker said her question earlier related to the traffic study indicating Dickens could be widened in 2030 and the variation. Ott said the stacking length on Dickens is 75 feet and is adequate. She said her concern was on the east side of the intersection and the affect on the east side of the intersection.

Ott said a sidewalk on Dickens adjacent to the Gain Marketing Offices would be a good idea. He also said the cut through traffic to Beechwood was a first time that he had heard the issue and it may be a perception. Rolley also asked what the trip generation for barber and beauty shops was compared to professional and business office uses. Ott said he didn't have the numbers and asked if the consultant wanted to address the question. No one else spoke.

Meredith asked if there was a motion.

Reynard moved that the Board recommend approval of the variation and recommend approval of the rezoning with the 12 conditions of approval.

Hill asked Bachamp if the drainage ditch was flat or had wings. Bachamp described the liner as “U” shaped with two-three tall versa lock walls and the width necessary to handle the 100 year flood. Hill suggested the condition would look like the ditch in front of Hastings on a smaller scale and Bachamp confirmed that was correct.

Hill seconded the motion.

Rolley asked if the motion was alternative one in the staff report.

Reynard restated the motion. Reynard said, The Manhattan Urban Area Planning Board recommends approval of a Variation of Article X, Subdivision Layout Standards, Section 10-207 (B) (3) Driveway and spacing requirements, based on the findings in the staff report; and approval of the proposed rezoning of Westport Commons, Unit Two, PUD from PUD, Residential Planned Unit Development, to PUD, Commercial Planned Unit Development District, based on the findings in the staff report, with the twelve conditions recommended by City Administration.

Meredith asked Hill if accepted the motion and Hill said yes.

Meredith asked for a vote. Rolley asked for additional discussion to add Barber Shops and Beauty Shops. She said she appreciated the developer working with some of the surrounding neighbors being those most impacted by adjacency. She also said was not convinced the concrete channel is the best plan of action solution and was a long term disaster she would not design the project for them. She said it is an unfortunate thing but we have the City Engineer’s assurance that it is an okay solution. She said she is not comfortable with the commercial uses based on neighborhood comments especially because of adjacency to the school, which should be considered. She asked for the Board’s input.

Hill said the Corps will make the final decision on the proposed drainage improvements no matter what the Board says. He said he had some concerns about commercial near the school but the use is limited to one building. He would want to know if there would be significant changes in traffic but any development will have added traffic. He mentioned he didn’t think it would be a chain and would be owner occupied and be more careful.

Morse asked if Barber Shops and Beauty Shops are permitted in the C-1 District and Zilkie said no they are not allowed in the C-1 District. She asked if there were any other schools near commercial. Zilkie said Woodrow Wilson is near a grocery store but didn’t think any others were near commercial. A member of the audience noted Amanda Arnold is next to Cottonwood Racquet Club.

Morse said she agreed with the need to look at Dickens and a left turn lane as the area grows. She said she would be more comfortable without the Barber Shops and Beauty Shops. She indicated support for the covenant to maintain the drainage and appreciated the Williamsburg neighborhood's support for the drainage improvements. She asked that Barber Shops and Beauty Shops be deleted as permitted uses in the PUD.

Reynard said he would not support the amendment because the uses would be advantageous to the neighborhood to allow foot traffic not a lot of drive in traffic. He thinks the use will be owner occupied, highly skilled and excellent care, and serve clients that will walk to the site such as the residents in Williamsburg and Georgetown. He thinks the uses are an advantage. Just because the use is available doesn't mean it has to be used that way. He added that the school site is separated from Browning and Dickens by a fence and that area would not be affected by traffic.

Meredith said his thoughts are he would prefer not to have the Barber Shops and Beauty Shops but wasn't to a point that he would vote against the two uses. He thought the use is a low density infill versus a high density activity, and infill is needed in the area. He appreciated the buffer zone between the PUD and Williamsburg.

Morse said she was pleased to see a lower density development than medium to high density residential.

There was no more discussion. On a vote the motion passed 5-0.

SUMMARY - ANNUAL REVIEW OF COMPREHENSIVE PLAN: PLANNING BOARD REVIEW AND DISCUSSION OF COMMENTS RECEIVED DURING ANNUAL REVIEW PROCESS.

Cattell outlined the comments received from the public, City Commission and Riley County Planning and Development Department through the annual review process, and explained how the Comprehensive Plan address each of the issues. He indicated that the identified issues are addressed in the Comprehensive Plan to varying degrees. Planning for NBAF generated development; updating the Gateway to Manhattan Plan; promoting affordable housing; addressing Scenic Drive development issues; and revisiting the Eureka Valley future land use designations in light of the revised K-18 realignment and Part 150 Airport Noise Study are all important initiatives that are already underway, or will be added to the work plan. Cattell indicated that several of the issues involve coordinated study with Riley County. Depending on the outcome of these initiatives, there may be a need for future amendments of the Manhattan Urban Area Comprehensive Plan.

Cattell explained that the issue of increased access to Ft. Riley Boulevard was less of a Comprehensive Plan issue and more directly related to traffic safety and efficiency of that arterial corridor. He indicated that Ft. Riley Boulevard was a state highway and a regional traffic corridor, which is why KDOT had developed it with limited access in order to maintain safety and efficiency. He said this issue had been forwarded to the Public

Works Department for review.

Morse asked if a new study of Wildcat Creek could be done.

Cattell indicated that a portion of Wildcat Creek was studied as part of the Storm Water Management Master Plan. Ott said the City is currently working with the Federal Emergency Management Agency to provide cross section survey data for a restudy of five drainages in the City, including Wildcat Creek, Little Kitten Creek, and the CICO, Virginia-Nevada and Rolling Hills tributaries. The Wildcat Creek study is from the Kansas River, to Keats. The restudy would help provide a more accurate analysis of the floodway and floodplain.

Rolley said the Comprehensive Plan did a good job of addressing some of the unanticipated issues identified in the annual review process. She agreed that planning for NBAF, updating the Gateway Plan, and addressing Scenic Drive and Eureka Valley issues were all important, however might not require amending the Comprehensive Plan. She asked about developing neighborhood/area plans for the northeastern and southwestern portions of the community.

Cattell indicated that the City had approached the major landowner of the undeveloped land in the northeast, who indicated no interest in converting their farmland for urban development. He said that area plans in the southwestern portion of the community were more likely to occur, due to the continuing market pressure to develop in that area.

Morse suggested exploring ways to plan for peripheral activities associated with NBAF. She agreed with addressing views on Scenic Drive. She did not support the suggestion for increasing access to Fort Riley Boulevard, due to safety concerns. She supported promoting affordable housing, requiring disclosure of Ft. Riley and Airport noise impacts, investigation smart codes, and promoting sidewalks.

REPORTS AND COMMENTS BY BOARD MEMBERS

There were no reports or comments.

Respectfully submitted,
Steve Zilkie, Senior Planner
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