

**MINUTES**  
**MANHATTAN URBAN AREA PLANNING BOARD**  
**City Commission Room, City Hall**  
**1101 Poyntz Avenue**  
**August 2, 2010**  
**7:00 p.m.**

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

**MEMBERS ABSENT:** Stephanie Rolley; Mike Kratochvil

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

**OPEN PUBLIC COMMENTS**

No one spoke.

**CONSENT AGENDA**

**APPROVE THE MINUTES OF THE JULY 8 AND JULY 19, 2010, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**

**APPROVE THE FINAL DEVELOPMENT PLAN OF LOT 1 AND LOT 2, FLINTHILLS HOSPITALITY COMMERCIAL PUD, FOR TWO PROPOSED HOTELS, AND THE FINAL PLAT OF LOTS 1-3, FOR TWO PROPOSED HOTELS AND A MUNICIPAL WATER PUMP STATION, GENERALLY LOCATED WEST OF THE ALLISON AVENUE AND SETH CHILD ROAD INTERSECTION. (APPLICANT: FLINTHILLS HOSPITALITY, LLC – COLIN NOBLE / OWNER: K-AIR, INC., A KANSAS CORPORATION, AND THE CITY OF MANHATTAN, KANSAS, A MUNICIPAL CORPORATION)**

Morse indicated she wanted to make some comments on the Flinthills Hospitality item.

Reynard moved that the Board move the Flinthills Hospitality item to the end of the General Agenda. Meredith seconded the motion, which passed on a vote of 4-1 with Morse in opposition.

Hill moved that the Board approve the July 8 and July 19, 2010 Minutes. Reynard seconded the motion, which passed on a vote of 5-0.

## **GENERAL AGENDA**

### **A PUBLIC HEARING TO CONSIDER THE REZONING OF THE PROPOSED WESTLOOP SHOPPING CENTER COMMERCIAL PLANNED UNIT DEVELOPMENT GENERALLY LOCATED AT WEST LOOP SHOPPING CENTER, GENERALLY LOCATED EAST OF SETH CHILD ROAD, NORTH OF ANDERSON AVENUE AND SOUTH OF CLAFLIN ROAD, FROM C-2, NEIGHBORHOOD SHOPPING DISTRICT, TO PUD, COMMERCIAL PLANNED UNIT DEVELOPMENT DISTRICT. (APPLICANT: ANNE F. MCBRIDE, FAICP AS AGENT FOR CENTRO BRADLEY SPE 3 LLC / OWNER: CENTRO BRADLEY SPE 3 LLC)**

Bunger presented staff report recommending approval with sixteen conditions.

Rob Ott, City Engineer, presented information regarding engineering issues. The City performed traffic studies along Claflin to determine if upgrades are necessary.

Morse asked if the Browning and Dickens detention basin will help the site. Ott said yes it will. There are five different tributaries under study by FEMA and the State Department of Water Resources: Wildcat Creek, CICO Tributary, Virginia-Nevada, Rolling Hills, and Little Kitten Creek.

Morse asked about the 8x10 reinforced concrete box running underneath the site, it is shown much larger on the site plan. Bunger replied, that is actually the easement, we were just trying to highlight the location. The shaded area is the flood plain.

Morse asked if the box under the site has been recently reviewed considering it was installed in the 1960s. Ott replied the City has not looked at it.

Hill asked for the specific reason why the turn at Pizza Hut is being converted to a Right-In/Right-Out.

Ott replied he is trying to follow the Manhattan Area Transportation Strategy's standards that were adopted by the Commission. There is the potential for vehicles to be backed up beyond the Pizza Hut entrance during peak hours and motorists may try to take risks and enter into the flow. During non-peak hours it is most likely not a big issue. Also, the entrance is too close to the right hand turn off of Seth Childs Road.

Hill asked if by moving Dillons will the traffic increase at Beachwood and Claflin? Ott said yes an increase in the whole number, but maybe not in the percentage. Right now 25-30% of the entrance comes through the Beachwood intersection for the whole shopping district. But it is important to keep in mind that the current gas station is inactive. Plus, the traffic counts were done this summer with students gone.

Miller asked about the traffic flow within the gas station. Ott said the entrance is back away from the intersection of Beachwood and Claflin. The Pizza Hut parking lot connects to the gas station parking lot. There is another opening by the dentist office. But there are only two outlets to a collector: near Pizza Hut and Beachwood.

Morse asked if there is an island along the west side of the parking lot. Bunger said he understands it that those are just striped parking spaces. Morse asked why there is an island at the Beachwood intersection, but not at the Pizza Hut entrance? Ott said that is something up for discussion.

Morse asked if there are any numbers for the Cambridge Apartments? Ott said, no because the numbers at the Beachwood and Claflin are low, thus he did not do the Cambridge Apartment entrance.

Morse asked if the landscaping is in fact increasing from 10 to 12%. Yes, Bunger confirmed it.

Hill asked about the alley way behind the old True Value? Bunger said the alley way will remain to the extent that it is today as a service area.

Miller asked if Bunger could review the parking numbers again. Bunger said there are a currently 893 parking spaces. The proposal includes 934 new parking spaces with 24 spaces occupied by seasonal outdoor sales area. Parking calculations are calculated 5.5/1,000 square feet of net floor area, while the applicant provides 5.32/1,000 square feet, which is close to the required amount.

Morse asked for clarification of permitted uses and conditional uses. Bunger explained the process for changing the PUD requires a PUD amendment instead of going through the Board of Zoning Appeals. This would not be giving the property owners a blank check for development, changes would still need to be reviewed.

Miller opened the public hearing.

Anne McBride, Planner representing Centro the shopping center owner, spoke about Westloop. Centro purchased Westloop in 2000 and it owns about 650 shopping centers throughout the US and Australia. The catalyst for the proposed plan is that Dillons wants to expand their store. The existing C-2 zoning would not allow certain upgrades to happen, which is why they are proposing a PUD. Centro is working with the City Managers to figure out Claflin Road improvements, but have not found a solution yet. Centro's only issue with the conditions set forth by City Staff is the 16<sup>th</sup> condition limiting the Pizza Hut entrance to Right-In/Right-Out. Centro feels very strongly that the full access point at Pizza Hut needs to be maintained as a second full access point onto Claflin for the center. Centro would be happy if the city wants to restrict the left turn during PM peak hours out of Pizza Hut. She suggests that maybe the Pizza Hut access point should be rolled into the Claflin Road improvement project and not take action on

that condition tonight. She also said that the parking that Centro is proposing is over what the center needs although it does not meet the required number.

Morse asked if Centro owns the Commerce Bank site also? Are they moving? McBride replied, yes, it is a part of Westloop and it is their understanding that the bank is staying.

Reynard asked if the Dillons Fuel Center would use the existing fuel tanks. McBride, said no, they would dig up the old tanks and put in new tanks. Reynard asked if it was possible to move the Fuel Center closer to the Dillons store and use the two given up curb cuts as entrances into Pizza Hut, closing the current Pizza Hut entrance. McBride said she does not think they can go far enough south to make any significant difference because of the dentist office.

Morse asked if Centro has other sites were a fuel center is located in a flood plain area?

Lynn Howitz, Dillons' Construction Manager, said there are several locations nationwide that are within the flood plain. They do a flood proof kiosk to prevent any water damage. The gas tanks have been moved to the west side of the flood plain.

Morse clarified, so if there were a flood, there would be no gas contamination and is the technology there. Howitz said yes that is correct.

Bernie Butler, Franchisee of Pizza Hut, said he and his business partner respectively oppose the idea of the Right-In/Right-Out entrance along Claflin and the gas center using the parking lot. Around 95% of his customers come from west of Seth Childs and he has a fear that business will be cut if customers are not allowed to make a left turn to get home. He said to the best of his knowledge it is working now and there has not been an accident, so why anticipate huge changes.

Morse asked if Pizza Hut is independent of the Westloop Center.

Butler replied that Pizza Hut is a part of Westloop and pays rent to Westloop.

Miller closed the public hearing.

Hill moved that the Planning Board recommend approval of the proposed rezoning of the West Loop Neighborhood Shopping Center PUD from C-2, Neighborhood Shopping District, to PUD, Commercial Planned Unit Development District, based on the findings in the Staff Report, with fifteen of the sixteen conditions recommended by City Administration, but not adopting condition number sixteen. Hill indicated he respects the City Engineer; however he thought the right-in/right-out would be a detriment to Pizza Hut. Twenty five years of experience has shown it not to be a dangerous situation. Hill suggested dealing with the Pizza Hut entrance at a later date when the Claflin and Beachwood intersection is addressed. He said irrigation is needed for the landscaping and that is addressed by Condition 7.

Reynard seconded the motion.

Morse said she would vote to support the motion, but she wants to clarify her point. Since this is commercial only and not affecting a residential area, she is going to support it as long as the irrigation plan meets City standards and that the LED lights on the fuel center sign do not flash. She finds the PUD amendment process acceptable compared to the Board of Zoning Appeals process.

Bunger said flashing LED signs are prohibited throughout the city through the Sign Regulations.

Morse said she would like to encourage the City and the applicant to work together, because she does think there is going to be a congestion problem at Beachwood and Claflin. The traffic counts were undercounted because the population of the City wasn't at its fullest, without the students. Improvements to Claflin seem to be the answer. She would much rather the city plan ahead for situations rather than just react to issues.

Miller agreed with Morse.

The motion passed on a vote of 5-0.

**APPROVE THE FINAL DEVELOPMENT PLAN OF LOT 1 AND LOT 2, FLINTHILLS HOSPITALITY COMMERCIAL PUD, FOR TWO PROPOSED HOTELS, AND THE FINAL PLAT OF LOTS 1-3, FOR TWO PROPOSED HOTELS AND A MUNICIPAL WATER PUMP STATION, GENERALLY LOCATED WEST OF THE ALLISON AVENUE AND SETH CHILD ROAD INTERSECTION. (APPLICANT: FLINTHILLS HOSPITALITY, LLC – COLIN NOBLE / OWNER: K-AIR, INC., A KANSAS CORPORATION, AND THE CITY OF MANHATTAN, KANSAS, A MUNICIPAL CORPORATION)**

Morse indicated that the Planning Board's original vote on this PUD proposal was a tied vote of 3 - 3, which is technically a recommendation to deny the proposal. The City Commission overrode the Planning Board's action and approved the project by a vote of 4-1. She reviewed her factors for voting in opposition and indicated they are still valid for her and that she will oppose the Final Development Plan and Plat. She wanted it noted in the minutes that she finds the two hotels to be an overly intense use of the site. There is only one entrance and exit. In some ways, the city's pumping station prevents a traffic loop on the site, and she finds it unacceptable to have 250-300 people in two hotels. Even though the City has minimized its concern about emergency vehicles and their ability to access the site even at the back end and around the corners, she found it not acceptable.

Hill moved that the Board approve the Final Development Plan of Lot 1 and Lot 2, Flinthills Hospitality Commercial PUD, for two proposed hotels, and the Final Plat of Lots 1-3, Flinthills Hospitality Addition, for two proposed hotels and a municipal water pump station, generally located west of the Allison Avenue and Seth Child Road intersection, as presented in the Consent Agenda.

Meredith seconded the motion, which passed on a vote of 3-2, with Morse and Reynard voting in opposition.

**REPORTS AND COMMENTS BY BOARD MEMBERS**

Cattell let the Board know that City Administration will be recommending that the City Commission send the proposed M-FRO District amendments back to the Planning Board to talk more about structured parking issues and concerns that have been identified.

Ott said the Bicycle Advisory Committee is continuing to work with Community Development and looking at different quadrants of the city. He thanked Cattell for attending the Committee's last meeting to present concepts developed by Community Development, Public Works and Parks and Recreation for future trails and pedestrian – bicycle connections.

Respectfully submitted,

Ashley Myers, Planning Intern