

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
June 6, 2011
7:00 p.m.

MEMBERS PRESENT: Mike Kratochvil, Acting Chairperson; Jerry Reynard; Linda Morse; Mike Hill; Stephanie Rolley.

MEMBERS ABSENT: Nikki Miller, Chair Person; Bill Meredith, Vice-Chair.

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Cam Moeller, Planner II; Chad Bunger, Planner II; Rob Ott, City Engineer; Bob Isaac, Planner; Monty Wedel, Planning and Special Projects Director; Leon Hobson, Director of Public Works.

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE FINAL PLAT OF LOTS 1 AND 2 OF NEW BOSTON COMMONS, UNIT TWO, COMMERCIAL PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED 190 FEET SOUTH OF THE INTERSECTION OF WESTPORT PLACE AND GARDEN PLACE. (APPLICANT/OWNER: GREEN APPLE VENTURES, LLC. – DAVE SPEAKS)

Rolley requested to move this item to the General Agenda. Kratochvil then moved the item to the end of the General Agenda.

GENERAL AGENDA

A PUBLIC HEARING TO AMEND ORDINANCE NO. 6919 AND THE PRELIMINARY DEVELOPMENT PLAN OF LOT 2, NEW BOSTON COMMONS, GENERALLY LOCATED 190 FEET SOUTH OF THE INTERSECTION OF WESTPORT PLACE AND GARDEN PLACE. THE PROPOSED AMENDMENT WILL DIVIDE THE EXISTING COMMERCIAL LOT INTO TWO LOTS AND REMOVE 23 OFF-STREET PARKING SPACES ALONG WESTPORT PLACE WITH A TOTAL OF 22 OFF-STREET PARKING SPACES TO SERVE THE TWO LOTS. OTHER CHANGES INCLUDE MODIFICATIONS TO THE BUILDING, LANDSCAPING, SIGNAGE, AND OTHER IMPROVEMENTS. THE AMENDMENT IS PROPOSED AS A FINAL DEVELOPMENT PLAN AND FINAL PLAT. (APPLICANT/OWNER: GREEN APPLE VENTURES, LLC. – DAVE SPEAKS)

Bunger presented the staff report and recommended approval to amend Ordinance No. 6919 and the Preliminary Development Plan of Lot 2 and approval of the Final Development Plan and Final Plat.

Kratochvil opened the public hearing.

Sam Malinowsky, of Cook, Flatt & Strobel Engineers, said he and the owners are available to answer questions.

No one else spoke.

Kratochvil closed the public hearing.

Rolley asked Ott, City Engineer, about storm drainage on the site and if the site needs to retain its storm drainage. Ott said the City did a pre- and post-development drainage analysis. He stated that there is basically the same amount of impervious surface area when it was the county shops, compared to the proposed development, which is why there is no detention required on the site. However, there is underground detention storage in the upper portion of the stormwater system in the PUD site.

Rolley stated that we are just days removed from the tremendous flooding problems of Wildcat Creek and it would be irresponsible if she did not ask City Staff if the development is contributing to the flooding. Ott said stormwater will come through the area in the Creek in 8-12 hours, and if you detain water from the site too long there will be two crests coming through the area at once. This could result in two coinciding events from detention on the development site and Wildcat Creek overflow, which would have more impact. Additionally, there is a much larger detention facility at Dickenson and Browning, which is holding back water.

Morse asked where the water was on the site, as a result of the flooding of Wildcat Creek on June 2, 2011.

Dave Speaks, one of the owners, said he guessed the water was around 400 feet from the current building early in the morning. An hour and a half later, the water was about 100 or 150 feet away from the existing building and there was less than an inch of water in southwest corner of Lot 2. Speaks said the proposed site needs to be raised 1 ½ feet to allow for sanitary sewage flows and there should be minimal effects from flooding. He guessed most of the water from the site was in the stormwater pipe.

Bunger asked Malinowsky if the stormwater pipe would act to detain water. Malinowsky confirmed that in essence it does detain some storm water. He also said there is a water quality feature included, which will filter all the trash and debris.

Morse asked how much of the water running off the site goes into the storm pipe and how much flows over land. Malinowsky said approximately 85% goes into the stormwater pipe. Only the portion of the site located to the west of the buildings, which is lawn, was designed for surface flow and will continue to flow to the street gutter.

Rolley verified with Ott that City Staff believes that approving the proposed plan, as designed, will not exacerbate the flooding of Wildcat Creek. Ott said you can hold back more water if want to on the site, but if it is held back too long then there will be two crests trying to get into the Wildcat system at the same time. If the City asked the applicants to detain more water, that will be a requirement beyond what the current regulations state. He said that would be a policy shift that might need to be discussed.

Rolley said that what Ott described makes sense. As a Board member charged with protecting the public's health, safety, and welfare, she is concerned about drainage and wants to make it clear to the City Commission that she is putting her faith in the City Staff in implementing the City's existing policies, although she suspects the City needs to consider revisions to the policies.

Ott said he will speak for himself and not for all City Staff. He indicated that he is frustrated as well. He said the State and FEMA regulations for Flood Plain Management are followed by the City, but there continues to be flooding. He said that a year and a half ago the City provided updated stream data to FEMA as part of FEMA's efforts to develop more accurate flood plain maps; however the maps have not been completed by FEMA.

Morse said Rolley is knowledgeable about planning issues, and while she is not, she is familiar with flooding issues in Northview. Morse said she is not going to support this PUD amendment proposal. While she was thankful the proposal is not for residential uses, she was concerned that there will be higher water on Wildcat Creek than the other night, and the Community needs to learn from that lesson. She said she thinks the development proposal is a fine development, but the drainage issues cause her not to support it.

There being no further discussion, Reynard moved that the Planning Board recommend approval of the proposed amendment of Ordinance No. 6819 and the approved Preliminary Development Plan of Lot 2, New Boston Commons PUD, to be known as the Final Development Plan of Lots 1 and 2, New Boston Commons, Unit Two, Planned Unit Development, based on the findings in the Staff Report, subject to the three (3) conditions of approval recommended by City Administration, as follows:

1. All provisions of Ordinance No. 6819 that are not in conflict with this amendment shall remain in force.
2. The landscape bushes proposed for the buffer and screening of the parking lots shall be planted at a minimum of thirty (30) inches in height and shall have a maximum separation distance of three (3) feet on center to provide adequate screening of the vehicle headlights.
3. The agreement creating a restrictive covenant on real estate addressing the ongoing maintenance of drainage improvements and the travel easement shall be amended as needed and filed concurrently with the Final Plat of New Boston Commons, Unit Two.

Kratochvil said he will vote for the proposed PUD amendment because the development is an existing PUD that was previously approved. However, if it was a new proposal he would have concerns. He said something needs to be done; however, the landowners should not be punished. There are storm water issues within the Community and outside of the City, and Staff tries to do the best that they can in terms of detention. He suggested there needs to be a joint discussion between the City Commission, Riley County Commission, Geary County Commission, and Ft. Riley to address flood water issues. He said the proposed PUD development is great and he will support it because it was previously approved, but there needs to be some hard thinking so that businesses and people are not displaced again.

Hill agreed, saying the only reason he is going to recommend approval is because the PUD was already approved, and he does not feel that they can deny a project that has already been preapproved regardless of the flooding that has been happening. He said Wildcat Creek flooding is a very serious issue, and the water is likely going to get higher. He thought a moratorium might be necessary at some point to address the situation.

Morse said she supports Kratochvil's proposal to have the City Commission, both Counties, and Ft. Riley work together to solve the Wildcat Creek drainage issue.

Ott said the Wildcat Creek Drainage area is roughly 99 square miles and only 8% is within the Manhattan city limits. Morse said she understood, but the City is at the bottom of the drainage area. Ott pointed out the lots in the proposed amendment are not in the 100 year or 500 year plains.

Hill seconded the motion, which passed on a vote of 4-1, with Morse opposed.

Zilkie suggested the Board consider the Final Plat of New Boston Commons, Unit Two, at this point in the agenda, rather than at the end of the meeting. Kratochvil agreed.

APPROVE THE FINAL PLAT OF LOTS 1 AND 2 OF NEW BOSTON COMMONS, UNIT TWO, COMMERCIAL PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED 190 FEET SOUTH OF THE INTERSECTION OF WESTPORT PLACE AND GARDEN PLACE. (APPLICANT/OWNER: GREEN APPLE VENTURES, LLC. – DAVE SPEAKS)

Rolley said she moved this item to the general agenda because it was related to the first item of the General Agenda.

Rolley moved that the Planning Board recommend approval to the Final Plat of Lots 1 and 2 of New Boston Commons, Unit Two, Planned Unit Development, based on conformance with the Manhattan Urban Area Subdivision Regulations.

Reynard seconded the motion, which passed on a vote of 4-1, with Morse opposed.

Kratochvil said the Board would combine the next several items for the Bellerive proposal.

CONSIDER A REQUEST FOR ANNEXATION OF THE BELLERIVE ADDITION, AN APPROXIMATELY 21-ACRE TRACT OF LAND GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF GRAND MERE PARKWAY AND HEARTLAND DRIVE, ALONG THE WEST SIDE OF GRAND MERE PARKWAY. (APPLICANT: SMH CONSULTANTS – JEFFREY HANCOCK ON BEHALF OF THE OWNER, GRAND MERE DEVELOPMENT, MARY L. VANIER, AND THE DEVELOPER, FIELDHOUSE DEVELOPMENT, INC. – ZACHARY J. BURTON, PRESIDENT /OWNER: GRAND MERE DEVELOPMENT – MARY L. VANIER)

A PUBLIC HEARING TO CONSIDER THE REZONING OF AN APPROXIMATELY 7.6-ACRE TRACT OF LAND GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF GRAND MERE PARKWAY AND HEARTLAND DRIVE, ALONG THE WEST SIDE OF GRAND MERE PARKWAY, FROM COUNTY R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT, TO R-2, TWO-FAMILY RESIDENTIAL DISTRICT. (APPLICANT: SMH CONSULTANTS – JEFFREY HANCOCK ON BEHALF OF THE OWNER, GRAND MERE DEVELOPMENT, MARY L. VANIER, AND THE DEVELOPER, FIELDHOUSE DEVELOPMENT, INC. – ZACHARY J. BURTON, PRESIDENT /OWNER: GRAND MERE DEVELOPMENT – MARY L. VANIER)

A PUBLIC HEARING TO CONSIDER THE REZONING OF AN APPROXIMATELY 13.6-ACRE TRACT OF LAND GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF GRAND MERE PARKWAY AND HEARTLAND DRIVE, ALONG THE WEST SIDE OF GRAND MERE PARKWAY, FROM COUNTY R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT, TO R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT. (APPLICANT: SMH CONSULTANTS – JEFFREY HANCOCK ON BEHALF OF THE OWNER, GRAND MERE DEVELOPMENT, MARY L. VANIER, AND THE DEVELOPER, FIELDHOUSE DEVELOPMENT, INC. – ZACHARY J. BURTON, PRESIDENT /OWNER: GRAND MERE DEVELOPMENT – MARY L. VANIER)

A PUBLIC HEARING TO CONSIDER THE PRELIMINARY PLAT OF THE BELLERIVE ADDITION, AN APPROXIMATELY 21-ACRE TRACT OF LAND GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF GRAND MERE PARKWAY AND HEARTLAND DRIVE, ALONG THE WEST SIDE OF GRAND MERE PARKWAY. THE PLAT IS PROPOSED TO CREATE 28 SINGLE-FAMILY ATTACHED RESIDENTIAL LOTS (LOTS 1A AND 1B TO 14A AND 14B) AND 24 MULTIPLE-FAMILY RESIDENTIAL LOTS (LOTS 15-38). (APPLICANT: SMH CONSULTANTS – JEFFREY HANCOCK ON BEHALF OF THE OWNER, GRAND MERE DEVELOPMENT, MARY L. VANIER, AND THE DEVELOPER, FIELDHOUSE DEVELOPMENT, INC. – ZACHARY J.

BURTON, PRESIDENT /OWNER: GRAND MERE DEVELOPMENT – MARY L. VANIER)

Zilkie presented the staff reports and recommended approval of the proposed annexation, rezonings, and Preliminary Plat. He indicated the annexation and rezoning requests are scheduled for the City Commission meeting on June 21, 2011. He said that if anyone wanted protest petition information regarding the rezonings, the information is available and a petition must be submitted within 14 days of the close of the Public Hearings by the Planning Board.

Kratochvil opened the public hearings.

Jeff Hancock, SMH Consultants, apologized that Mary Vanier, who represents Grand Mere Development, was not able to be at the meeting tonight. He stated that he wants to address the one engineering issue, the sight distance concerns on Heartland Drive. Grand Mere is a master-planned development, designed according to older development standards. There are not many opportunities to change the sight distance without great expense, due, basically to the changing vertical profile of Grand Mere Parkway, or otherwise create a subdivision which does not conform to the subdivision layout standards.

Zac Burton, Fieldhouse Development, said he will be the developer once the site goes through the annexation, rezoning, and plat processes. He said that at this time, Grand Mere remains the owner of the property. He said a meeting was held the previous week to discuss neighborhood concerns, specifically with residents of the Heartland Neighborhood, which is directly to the east of Bellerive. He said he wants to point out several highlights including: the site is laid out for apartments in both the City's Master Plan and in the Grand Mere Master Plan; there are 22 single family lots with 28 duplex/townhome lots and 2 apartment buildings proposed to be built; and, there is 21.25 acres in the site, but only 3.36 acres will be dedicated to apartments. The developers are trying to be respectful to the Heartland community by not putting as many apartments as possible on the site. The Grand Mere Master Plan calls for variety of home types and densities, and the Plan states that these could be located along Grand Mere Parkway.

He said that when the neighborhood petition was circulated, no one had yet seen the plat. He indicated that exterior items will match the previous development, Grand Champions, and some homes built in the Heartland area as well. The issue of garages and open air parking is kind of a catch-22 situation. Detached garages are not really found anywhere else in Grand Mere, and they increase the structural density within the development. He said that Grand Mere is a unique environment. He said that the proposed lot sizes along Grand Mere Parkway are deeper, creating a larger buffer between the Heartland community and the duplexes, which also means that some of the prairie grass will be maintained, and keep a uniform feel along Grand Mere Parkway.

He said that the traffic concerns are important, but he does not think that they pertain to the rezoning and platting of this project. He mentioned there were some neighborhood concerns regarding the safety of residents resulting from the apartments. Burton said that

Grand Mere was not supposed to be all \$800,000 to \$1.5 million homes. He indicated there have been no revisions to the Grand Mere Master Plan since it was accepted in 2000.

He said another concern of residents was property values, but again these residents knew when they moved in that apartments were a part of the Master Plan and just because something is an apartment does make it inherently less valuable or unsafe.

He wrapped up by saying he wished the Grand Mere representatives were at the meeting because they are in favor of the development, and would offer support. He commented that the Design Review Committee at Grand Mere is meant to take care of architecture and concerns within the development and is the vehicle to meet some of the concerns included in the neighbor's petition. In addition, the Grand Champions development includes apartments on townhome designated land, but went through a very public process and was approved. Finally, he said the guidelines and standards are private and are not germane to the application.

Kratochvil wanted to reiterate two points Burton made. First, would the development have to go through the Design Review Committee? Burton said yes. Second, does Fieldhouse Development work with Bowman, Bowman, and Novick in all the designs, or is that only for the multifamily? Burton said they worked with them on the Grand Champions development.

Tom Wright, 2310 Heartland Drive, spoke and said the petition is signed by forty residents, with about twenty residents at the meeting tonight. He wanted to point out six elements of the Grand Mere Master Plan. The first one is the land which was indicated as townhomes, but was built as apartments late last year. He said there were unilateral changes to the Master Plan with no input from residents and what constitutes luxury was in strong contention during the neighborhood meeting. He said he does not think the proposed apartments are considered luxury as per the Master Plan. He said the Master Plan designates two parcels for apartments, and there are two apartment complexes already built in the Grand Champions development, thus he believes the two parcel apartment designation has been used.

Wright said many residents, including him, met with the City Engineer, Rob Ott, to discuss sight distance at the intersection of Grand Mere Parkway and Heartland. The sight distance is roughly 60-75 feet, which is not enough. He also said the Kimball and Grand Mere Parkway roundabout is also problematic for the increased traffic flow, which is why a number of concerned citizens contacted Mr. Ott. Wright said the flow of traffic along Grand Mere Parkway has tripled in the four years he has lived there.

Wright said the concern of the Master Plan is to protect investments and the packet prepared by the City says the development will not have a detrimental impact on the neighborhood. He said he disagrees, explaining that property values will decrease anywhere from 8-12%, using his statistic's background as an indicator. He said the information the City provided is unintentionally inaccurate.

Wright said his next point is in regards to the notification. The notification area is for anyone within 200 feet of the boundary. In short, the City did not notify everyone they should have, or Burton did not notify everyone that the City told him. He said that he and the Olsons are within 200 feet and that he and the Olsons did not receive a notice. H said he would like to respectfully submit that proper procedure was not followed.

Wright said his final point is in regard to the memo Mary Vanier wrote to the City, dated May 26th. Her memo states that the mix of building types in Grand Champions was well-received, but he would like to offer testimony that they have not been well-received. The signed petition of 41 residents is against it, and although they could have supplied more, they had to cut off collecting names to submit it for the Board packet.

Zilkie said the statement that the area of notification was not correct and the notification procedure was followed.

Wright stated that he is about 160 feet away, and the Olsons are about 175 feet from the site. His point is that if the procedure was not followed, then at the very least it would be grounds for consideration of tabling the item, if not rejecting it.

Zilkie clarified that the area of notice is 200 feet from the boundary of Bellerive and Wright and Olson are greater than 200 feet. He said Mr. Wright misunderstood a description related to a protest petition and assumed the area of notice was measured from the east side of Grand Mere Parkway.

Kratochvil stated that the applicant gets the names, not the City. When he worked through this process, he worked with the Register of Deeds. The City Staff and applicants work very hard to make sure everyone is notified. If a couple of people were missing, he apologizes for it, but after the proceedings tonight a protest petition can be filed, which will go to the City Commission, if necessary.

Zilkie explained the area of notification.

Kay Wright, 2310 Heartland Drive, wanted to thank the Board for listening to them. Their biggest concern is the intersection of Grand Mere Parkway and Heartland. Cars leaving Heartland stop at the stop sign and then stop again in the median. It is extremely dangerous. The second concern is the roundabout. It is very hard to merge into the roundabout due to the stream of Fort Riley traffic. Finally, they are concerned about the overall look of the community and maintaining the overall standard of the community.

Laki Evangelidis, Heartland resident, said he has lived in the neighborhood for five years, but before that he lived next to an apartment complex built by Zac Burton. Overall, working with Burton was a good experience, although the apartment residents did sometimes wake up his family due to different uses adjacent to their backyard. They subsequently sold their house for a loss after two years of living next to the apartment complex. He said he does not feel this development is good for Manhattan. In looking at similar golf course developments in Kansas towns, none of them have apartment complexes adjacent to them. Also, with NABF coming, some may have reservations of

building high-end homes near this type of development. Finally, a daycare was recently opened in the Grand Champions development, which may not be a use that Grand Mere envisioned.

Molly McVicker, 2300 Heartland Drive, said she is very concerned with adding an additional 250-300 people from the west to the intersection.

Travis Dierenfeldt, 2610 Heartland Drive, asked for clarification on the water drainage in the area. There has been consistent flooding in the area. The duplexes and apartments with a 25 foot setback will have minimal grassy areas to collect and absorb the water in the front. Finally, he presented the advertisement that was put in the K-Stater magazine for Grand Mere. The view did not include the new development, which is what people expect from the development.

Tom Wright said Mr. Hancock made a good point that the Grand Mere plan is old. Wright said he does not think that should be a reason to go forward. The sight distance, which was an issue before the project, is a hazard that everyone can acknowledge and is an accident waiting to happen.

Kratochvil closed the public hearings.

Morse asked Ott how soon the intersection of Grand Mere Parkway and Marlatt will be completed. Ott said there will be two street reliefs: the connection to Marlatt and Vanesta through Grand Crest, and the long range the connections, which will depend on the pattern of development. The County is continually thinking about the future of Marlatt and Figure 5 of the Grand Mere Master Plan shows the possible road development.

Zilkie presented the map and described the possible road development. He showed the Board the general location of the approved the road connection to Vanesta, which was approved some time ago.

Rolley asked Ott about the traffic. She mentioned that the sight distance requires care, and there seems to be issues with the speed limits. What is the design speed? When Grand Mere is built out, what is the appropriate speed? Ott said they have tried to reinforce the existing speed limit of 30 by posting two more signs along the southbound Grand Mere lane. The sight distance is slightly greater than 20 mph, but not equal to 25 mph, which is why the speed for the blind intersection is posted at 20 mph. He said he has looked at possible alternatives, but the vertical profile would have to be physically changed to make a substantial difference. Ott said a yield or stop sign can be installed in the median. He also said he does not think the speed will likely change from 30 mph, which is the minimum speed limit per state statute, although people are not driving 30 mph.

Hill asked about drainage, especially on the west side. Ott said there are two areas identified for single family homes to the west of the subject site, which are identified for detention. The storm water to the west will drain to Wildcat Creek, and is metered through a pipe which goes under the golf course. Ott said the Bellerive development is

not conducive to over-sizing the detention ponds, but the next phases west are. Hill verified that this phase will drain into other phases that will have to have detention. Hill said every meeting we add just a little bit more, and then asked, When is a little bit more too much? He said he personally thinks the City is there.

Hancock said the whole development drains to Wildcat Creek. He indicated other phases of the Grand Mere project are over-detained and was put in place for more detention than required to account for the phase of development which goes to the west. Hancock said that essentially the detention required for Bellerive was already provided, it just happens to be in another watershed. But it all drains to Wildcat Creek.

Hill said the previous phases of Grand Mere have helped Little Kitten and Wildcat Creek, but regardless of that help, we still have a major problem along Wildcat Creek. Over-detention might have to become the minimum standard to address the issue. This may put an extra burden on these developments, but it is the only way to solve it.

Ott said this development cannot solve it all, and what Hill is talking about is a bigger picture. Ott said he needs guidance because he changed the storm water standards two years ago and made it stricter. Now he is hearing that people want it even stricter, with maybe almost zero run off.

Hill said the guidelines developed by the Board are being followed, but when should these policies be changed? He said it is beyond the engineers tonight, and the applicant.

Rolley asked about the Grand Mere Storm Water Master Plan, which was produced by the City. Ott said the Plan is old and he tried to update, in a visual format, to account for what had been promised and completed. Rolley said she is reading the map to say the detention will have to happen in the blue area to the west. However, do they actually have land to detain water?

Hill said this is approximately a mile from the Creek. How long will it be until the next detention pond is built to catch the water? Ott said Jerry Petty and Mary Vanier would have to say when the next phase would be developed. Ott also said the owner of that property is Grand Mere. There are a number of drainage easements and conservation easements in the area.

Hancock also spoke about sight distance issues and said that maybe the community is not stuck with it. However, it is not the fault of this developer. He said thinks Ott has done a good job posting advisory signs, and maybe the RCPD should enforce the speed limits.

Rolley said the report says the water goes into a dry basin. What is the capacity of the basin? Hancock said it was designed before the standards were changed two years ago and was designed to be able to detain up to a 100-year storm event. Hancock also said there is an emergency spillway, possibly the road. Ott had an issue with the SWMMP 2-year and 10-year rates, not the previous 100-year rates. The 10-year storm is supposed to encompass 90% of all storm events.

Rolley said she appreciates Hill's questions. The stormwater planning and detention, which is beyond anything shown by other developers, and appears to be addressing the issues the Board has been talking about for the last couple of years. Ott said yes, roughly 100 acres of detention is in the master plan.

Hill said to Rolley that it is not being detained today; yes there is a master plan to detain it someday, but not now. Rolley said that the project today will be detained in a dry basin. Ott said there is one pipe which goes to the west, with a percentage which goes to the west.

Hancock said there is a pipe which goes to the west, and there is no detention on the end of the pipe. He spoke about the grading plan for the apartment complex. It will most likely will be graded to have the water go to the east.

Kratochvil said he was on the Board when Heartland was proposed. The developers did not want to have two entrances to Heartland. The roundabout was created because of the developer, and the Board contested it. The area could be much worse if the proposed office building or restaurant were actually built. He was under the impression that it was supposed to be a two lane roundabout, but now it is more of a traffic calming device. He thinks that the residents need to talk to their City Commissioners about it, because they were the ones who allowed it. He thinks some sort of neighborhood organization should be formed to interact with developers.

There being no further discussion, Morse moved that the Planning Board recommend approval of the Annexation of Bellerive Addition, generally located northwest of the intersection of Heartland Drive and Grand Mere Parkway, based on conformance with the Future Land Use Map of the Comprehensive Plan for the Manhattan Urban Area and the City of Manhattan, Kansas, the Growth Vision, and the Capital Improvements Program (CIP).

Rolley seconded the motion, which passed on a vote of 4-1, with Reynard opposed.

Rolley moved that the Planning Board recommend approval of the rezoning of a 7.6 acre portion of the proposed Bellerive Addition from County R-PUD, Residential Planned Unit Development District, to R-2, Two-Family Residential District, based on the findings in the Staff Report.

Kratochvil asked for a second and there was none. Kratochvil said that since there was no second, the motion failed. Kratochvil asked if there was another motion.

Zilkie said there are three choices: recommend approval, recommend denial, or table it for additional information. However, the Board approved the Annexation; thus, if the Board decides to deny the rezoning, then the Board must mention the specific standards within the Zoning Regulations and state why they are recommending denial.

Morse said the motion was fine but the Board needed to talk. She said she generally supports the idea of the development, although she has reservations and concerns about

the impact on Wildcat Creek. She said she is willing to oppose it, but is not going to draw that line on this. She said she does want to see some changes. She also thinks the proposed project fits into the wide range of housing that is a part of the Grand Mere project and that density issues are being faced across the community, and are due to the growing housing needs of the City. She said she does not want vote no on everything that drains into the Wildcat Creek or Blue River, so maybe it is time to give direction to the City Staff.

Kratochvil said there must be some dialogue with the City Commission and the surrounding entities, and maybe a moratorium needs to be put in place. He said he has full faith in the City Staff, City Engineers, and Jeff Hancock. His biggest concern with this development is traffic, because the developer will be paying for the water issues later. While the project is up to standard, it may need changes.

Rolley asked Zilkie about the process. She stated that zoning does not look at storm water, thus the Board is looking solely at the zoning standards, while drainage is addressed in the preliminary plat and the final plat. Zilkie said that was correct.

She said really appreciates that so many people were at the meeting tonight and engaged in the process and sorry that they were not in the Grand Champions development process. She said it is really important to consider all the different perspectives heard at the meeting, so she drove around Grand Mere and saw that the building material on the apartments were going to be the same as on the homes. She said that what it comes down to is who can live in the neighborhood. She said she appreciates that the Master Plan took into account topography. She remarked that the Plan has been in place for a very long time, and the density is actually much lower than what would be allowed. She said the Board has to look at the apartments to see if they conform to the Zoning Regulations and to the Master Plan.

Kratochvil asked if there was a second. Zilkie asked if the original motion died and Kratochvil said it had. Morse said when she spoke she expressed a willingness to second the motion and the Board agreed.

Hill said he is going to vote in favor of the rezoning, but the drainage issue is on the plat.

Morse seconded the motion, which passed on a vote of 4-1, with Reynard opposed.

Rolley moved that the Planning Board recommend approval of the rezoning of a 13.6 acre portion of the proposed Bellerive Addition from County R-PUD, Residential Planned Unit Development District, to R-3, Multiple-Family Residential District, based on the findings of the Staff Report.

Morse seconded the motion, which passed on a vote of 4-1, with Reynard opposed.

Reynard said he has a real problem with the traffic issue and that right now Grand Mere is the seller of all the land, while Mr. Burton is the buyer of the land. He said the traffic and the roundabout are extremely dangerous and denial of this project would force the

burden onto the seller of the land to do something right. He also said we still have the problem of storm water emptying into Wildcat Creek. He said he is all for denial because of traffic and water.

Hill asked if there is any support for tabling the preliminary plat and said he doesn't exactly understand the drainage issue and, in this situation, he feels he needs to be 100% confident about it.

Rolley said part of the answer to the question is if the proposed developer is willing to revisit the storm water drainage and the intersection with Heartland. Hill said the other key player is the owner of the ground, and what is going to happen in the future phases.

Hancock said the information put together was what was required for the application. The storm water can maybe be improved, but the sight distance issue is a real challenge. He said the roundabout is going to be difficult because it is more a traffic control device for Kimball Avenue than Grand Mere Parkway, and it is more a City issue than something that would be under the realm of this developer.

Rolley said the willingness of the developer to come back with revisions makes a big difference in terms of tabling or denying.

Hill said that the drainage is the number one issue, while the site distance is also an issue.

Morse agreed and would support tabling it, because she would like better solutions than currently proposed.

Burton asked that if the entrance was moved, was that what the Board is looking for?

Hill said he would like to see more information on the overall drainage; where, when, and how it is being detained, in what phase, in what direction, and how the site is being drained so that the Board has a better understanding, to know that 100% is being detained based on what year of the flood event.

Kratochvil was asked whether, if the drainage issue was taken care of, he would approve the preliminary plat, or if he is still concerned with the sight distance and drainage issues. Kratochvil replied that there is still an issue with sight distance. He was then asked how water is being detained or held back before it is released to Wildcat Creek. Ott said that if detention is put in with the development, you are detaining 100%.

Hill moved to table the Preliminary Plat of the Bellerive Addition, to July 7, 2011, due to drainage and the traffic/sight distance issues.

Reynard seconded the motion, which passed on a vote of 4-1, with Kratochvil opposed.

A PUBLIC HEARING TO CONSIDER THE CONCURRENT PLAT OF THE BRITT ADDITION, A 3.10-ACRE PARCEL OF LAND, GENERALLY

LOCATED ½ MILE NORTH OF EUREKA DRIVE, ON THE WEST SIDE OF SCENIC DRIVE. (BRITT)

A PUBLIC HEARING TO CONSIDER THE REZONING OF A PORTION OF AN UNPLATTED TRACT, FROM "U" (UNIVERSITY DEVELOPMENT) TO "C-PUD" (COMMERCIAL PLANNED UNIT DEVELOPMENT), GENERALLY LOCATED ½ MILE NORTH OF EUREKA DRIVE, ON THE WEST SIDE OF SCENIC DRIVE. (BRITT)

Isaac presented the staff report and recommended the Board table the request to concurrent plat and rezone until the July 7, 2011, Manhattan Urban Area Planning Board meeting to allow time to determine precisely what is needed regarding any improvements, if necessary, to Scenic Drive as part of the requests.

Kratochvil opened the public hearing.

Jeff Hancock, SMH Consultants, said part of the issue is jurisdictional. The whole reason why Mr. Britt is moving is due to his property being condemned by KDOT due to the K-18 project. He said Britt was served an eviction notice to be out by the end of July 2011. The timeline for K-18 has been moved up, which is why they are scrambling now to get everything figured out. Hancock said he and Leon Hobson, Riley County Director of Public Works, see the need for turn lanes on Scenic Drive differently. The County feels strongly that there needs to be turn lanes, regardless of the traffic study, and the question is how to pay for them. Hancock said is okay with the entire package being tabled.

Hill asked who gave the applicant the eviction notice. Hancock said KDOT.

Rolley said that when KDOT's mission is to "make you whole," it is not to improve the business beyond its existing condition.

Hill said turning lanes do not improve the business at all.

Monty Wedel, Riley County Planning and Special Projects Director, said he disagrees with Hancock regarding tabling the rezoning. Wedel said time is of the essence, and it is in the public interest to keep the KDOT project moving forward. Wedel said he would recommend the Board approve the rezoning, but subject to conditions.

Hill said there are two items before them: they must table the Plat and consider the rezoning based on the preliminary development plan.

Gilbert Rosario, 828 Fossilridge Drive, said his concern is having commercial close to his house. He said the neighborhood is young with a lot of owners that are deployed overseas. The current Britts' Farm is old and looks continually wet. He said would like to keep the scenery on Scenic Drive and would like the proposed development to look nice. He was concerned that the screening of the site needs to be enforced.

Hancock said the farm equipment will be put inside, or at least screened and he explained the landscape plan.

Morse asked about the 2-inch sanitary sewer force main. Hancock said force mains are different than gravity mains and are designed to be smaller. The force main grinds solids, so if the pipe was larger, more would have to be pumped and it would become stagnant and smell. Hancock said the force main transitions into the gravity line at a manhole at Bramblewood Drive and Fossilridge. He said that at some point, the City may build a gravity system that could serve the area, which Britt does not oppose.

Morse asked if this is the first seasonal worker housing in the area.

Richard Britt, 828 S. Scenic Drive, said the reason why migrant housing is included in the building is that mobile homes would be needed. He expects up to twenty people with five per apartment. Currently, he employs only seven migrant workers, who live in a dorm building in the back of the property.

Morse asked if there is going to be on-site public storage units for the public to rent. Britt said no, it would be only for their own equipment.

Kratochvil closed the public hearing.

Hill moved that the Manhattan Urban Area Planning Board recommend approval, to the Board of Riley County Commissioners, of the rezoning of an unplatted tract generally located at ½ mile north of Eureka Drive on the west side of Scenic Drive from U, University Development, to C-PUD, Commercial Planned Unit Development.

Reynard seconded the motion, which passed on a vote of 5-0.

Hill moved to table the Concurrent Plat of the Britt Addition, to the July 7, 2011, Manhattan Urban Planning Board meeting.

Reynard asked if July 7th is enough time when dealing with KDOT. Hancock said he thinks it's enough time.

Reynard seconded the motion, which passed on a vote of 5-0.

REPORTS AND COMMENTS BY BOARD MEMBERS

Selection of a Planning Board Member to Serve on the K-18 Corridor Plan Steering Committee.

Hill moved to select Jerry Reynard to serve on the K-18 Corridor Plan Steering Committee.

Rolley seconded the motion, which passed on a vote of 5-0.

Morse said she wanted to talk about Wildcat Creek.

Kratochvil suggested putting it on the joint city/county commission meeting.

Ott said that is possible, and to keep in mind that by the time the applicants get to the Planning Board they have worked with City Staff for months within the accepted standards.

Hill said he understands and did not want to direct anything towards any of the City Staff. He said the Board is questioning the existing drainage guidelines. Thus, the Board is looking to Staff for direction, and it is time for action.

Morse said the Board wants to start the process to get some sort of master plan for the Wildcat Creek drainage basin.

Rolley said she thinks that the survey information Ott talked about previously is critical, and the survey information is not available to do a master plan.

Bunger said the State and FEMA do not have a timeline to get the information. The process is partly political and partly doing the work. He said that FEMA has put a hold on updating maps, due to the levy accreditation issue.

Cattell said he sees there are three issues: the FEMA map issue; the Stormwater Master Plan policies; and the CIP watershed analysis project.

Hill asked if there are studies to see how to solve this issue. Ott said that a model is necessary to analyze physical changes to the channel. Other options include increasing setbacks or stream buffers.

Hill asked if there are log jams in Wildcat Creek and if the creek needed to be cleaned out. Ott said a lot of Wildcat Creek is on private property and not in drainage easements. The private property owners may have an obligation to clean it out.

Rolley said there is also the land cover issue. She said there are many cities and regions that study this issue, but until all the governmental entities work together, it is not going to work.

Kratochvil adjourned the meeting.

Respectfully submitted,

Ashley Myers, Planning Intern