

**MINUTES**  
**MANHATTAN URBAN AREA PLANNING BOARD**  
**City Commission Room, City Hall**  
**1101 Poyntz Avenue**  
**November 21, 2011**  
**7:00 p.m.**

**MEMBERS PRESENT:** Jerry Reynard, Chairperson; Phil Anderson; Linda Morse; Stephanie Rolley; and, Mike Kratochvil.

**MEMBERS ABSENT:** Mike Hill and Gary Stith.

**STAFF PRESENT:** Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Lance Evans, Senior Planner; Chad Bunger, Planner II; Monty Wedel, Planning and Special Projects Director; Bob Isaac, Riley County Planner; and, Peter Van Kuren, Airport Director.

**OPEN PUBLIC COMMENTS**

No one spoke.

**CONSENT AGENDA**

**APPROVE THE MINUTES OF NOVEMBER 7, 2011, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**

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

**GENERAL AGENDA**

**CONTINUATION OF A PUBLIC HEARING TO CONSIDER A SPECIAL USE PERMIT TO ESTABLISH AND OPERATE AN ELECTRICAL SUBSTATION. GENERALLY LOCATED APPROXIMATELY 830 FEET WEST OF THE INTERSECTION OF TUTTLE CREEK BOULEVARD AND PURCELL ROAD, AND 800 FEET NORTH OF PURCELL ROAD. (WESTAR ENERGY)**

Rolley moved that the Board remove the item from the table. Anderson seconded the motion, which passed 5-0.

Isaac gave a brief overview of the proposed use, presented the revised conditions and background in response to the Board's requests from the previous meeting, and then recommended approval with eleven conditions.

Rolley asked if the maintenance of the hillside would occur annually and Isaac confirmed that was correct.

Anderson asked if Westar would be responsible for runoff impacts for rainfalls greater than seven inches per hour. Isaac indicated if there is a malfunction or negligence of the pond's design, then Westar is responsible but couldn't provide an answer for rainfall amounts and runoff impacts greater than seven inches per hour.

Reynard opened and closed the public hearing with no one speaking.

Kratochvil moved that the Manhattan Urban Area Planning Board forward a recommendation of approval to the Board of Commissioners of Riley County for a special use permit to allow for the construction and operation of an electrical substation, based on the Staff Report with the eleven conditions of approval.

Anderson seconded the motion.

Rolley said she appreciated the work that has been to resolve the request and that it's the best resolution for the circumstances. She also said that with the University Master plan update that there should be dialogue with the University about things that impact the community to find the best solutions. She commented that as a front door to the University the area has been treated like a backyard.

Rolley also said that, as mentioned at the previous meeting, as the University planning process moves forward City Staff needs to be fully engaged in the process.

Morse agreed with Rolley's comments and was hopeful that the engineering analyses related to storm water were accurate.

On a vote the motion passed 5-0.

**A PUBLIC HEARING TO CONSIDER THE REZONING OF A 0.70 ACRE TRACT OF LAND IN THE SOUTHWEST PART OF LOT 10, ROCKHILL ESTATES ADDITION, GENERALLY AT 2035 ROCKHILL ROAD, FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO C-1, RESTRICTED BUSINESS DISTRICT. (APPLICANT/OWNER: STEVE R. AND MARY K. SPRINGER)**

**APPROVE THE FINAL PLAT OF LOTS 1 AND 2, ROCKHILL ESTATES ADDITION, UNIT FIVE, GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF FT. RILEY BOULEVARD AND WESTWOOD ROAD AND SOUTHWEST OF ROCKHILL ROAD CUL-DE-SAC. (APPLICANT/OWNER: STEVE R. AND MARY K. SPRINGER)**

Bunger presented the staff report and recommended approval. He then presented the Final Plat and recommended approval of the Final Plat based on conformance with the Manhattan Urban Area Subdivision Regulations.

Morse asked what about the widths of the existing driveway to the south of proposed Lot 1 and proposed driveway width on Lot 1 that connect to Westwood Road. Morse said the widths implied a good size development. Bunger said both are 30 feet is typical at the street, which would accommodate 24 foot wide two way driveways and turning movements.

Morse asked how much excavation will be allowed. Bunger said that is a Code issue subject to engineering standards.

Morse asked what the distance was of the existing driveway to Master Landscape to Ft. Riley Boulevard and the same for the proposed driveway. Bunger said the existing driveway is 25 feet north of the Elm and Westwood intersection and 170 feet north of Ft. Riley Boulevard and Westwood intersection. The proposed driveway is 105 feet north of Elm and Westwood intersection, 80 feet north of the existing driveway and 250 feet north of Ft. Riley Boulevard and Westwood intersection. Bunger then explained the driveway variation proposed with the Final Plat.

Kratochvil said the steepness of the hillside makes it difficult and expensive to grade the hill.

Reynard opened the public hearing.

Steve Springer, applicant, said he had intended to build on the vacant C-1 lot where the metal polishing business was located. He said the driveway grade had a maximum of 7% limit and was expensive to accomplish as well as the cost for a retaining wall. Originally they also wanted to have a sign on Ft. Riley Boulevard for the business but the overall costs were too high. He said the hill is too steep to build on. They also accommodated a new utility easement. He said neighbors had previously expressed concerned about what would go on the hill. He said master Landscape has an offer on the new C-1 lot.

Reynard asked if landscaping machinery could be stored on the hillside. Bunger said storage equipment storage wouldn't be accessory to the office use.

Wayne Whitesell co-owner of a building at 2047 Ft. Riley Boulevard, which is south of Master Landscape, and was concerned about run-off. He said runoff has entered his front door several times. His concern is what will happen to runoff if the new lot is developed. He said the runoff crosses under a Ft. Riley Boulevard and forces open a manhole cover and the runoff enters his building.

Morse asked if he contacted the City. Whitesell said he hadn't. She suggested he contact the City.

Springer said he previously had a storm water report done with the building and if anything is built drainage will be improved due to site improvements that will be needed. He also said a lot of maintenance was done by the City to keep the drainage flume clear of brush and was not aware of the problem Whitesell mentioned.

Dave Tilson, 2041 Arthur Drive commented on the number of Exceptions of the Zoning Regulations that may be needed in the future and those previously granted by the Board of Zoning Appeals. He said his concern is the requirements for new C-1 lot may need more Exceptions in the future.

Jerrod Westfahl, 2037 Arthur Drive and owner of Lot 11 in Rockhill Estates Addition, which is next to existing Lot 10, said he felt Springer had a difficult site to develop. He suggested the purchase agreement with Master Landscape be finalized contingent on the rezoning. He said he understood Master Landscapes' future plans but his concern is an unknown future owner if the purchase by Master Landscape doesn't happen. He said the rezoning should be conditioned on Master Landscape as a contingent owner of future C-1 lot, rather than hope they are the owner.

Reynard closed the public hearing.

Rolley asked if the intent is to allow signage on Ft. Riley Boulevard could a Variance be considered. Bunger said a Variance for a business sign on the existing residential lot on Ft. Riley Boulevard wouldn't be allowed.

Kratochvil said he was confident city staff would ensure runoff would be addressed with development of the C-1 site. He also suggested Whitesell contact the Public Works Department about the runoff.

Kratochvil moved that the Planning Board recommend approval of the proposed rezoning of a 0.7 acre tract of land in the southwest part of Lot 10, Rockhill Estates Addition, generally at 2035 Rockhill Road, from R, Single-Family Residential District, to C-1, Restricted Business District, based on the findings in the Staff Report.

Anderson seconded the motion, which was approved 4-1, with Morse opposed.

Morse said she was opposed citing her concern about the placement of the existing southern driveway entrance to Master Landscape on Westwood Road near the intersection of Fort Riley Boulevard. She said she was also concerned about the uncertainty of the future use of the proposed C-1 lot.

Bunger said the southern access exists and has to provide access to the Master Landscape lot. He clarified the northern access was proposed. Morse said she wouldn't compromise on the proximity of the existing southern access point.

Rolley commented to Westfahl that the Board couldn't rezone property for one owner in favor of another.

Kratochvil moved that the Planning Board approve the Final Plat of Rockhill Estates Addition, Unit Five, and a Variation of the Section 10-207 (b)(3) of the Manhattan Urban Area Subdivision Regulations for the location of a driveway from Westwood Road onto

Lot 1, Rockhill Estates Addition, Unit Five, based on conformance with the Manhattan Urban Urea subdivision regulations, with the following condition of approval:

1. The rezoning of the 30,491 square foot portion of Lot 10, Rockhill Estates Addition from R, Single-Family Residential District, to C-1, Restricted Business District, shall be approved.

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

#### **IV. WORK SESSION**

#### **A DISCUSSION OF ADOPTED RESOLUTION NO. 102411-45 DECLARING A ONE-YEAR MORATORIUM, IN THE UNINCORPORATED AREA OF RILEY COUNTY, UPON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR PERMITS FOR “ADVERTISING SIGNS”, AS DEFINED IN THE RILEY COUNTY ZONING REGULATIONS. (RILEY COUNTY PLANNING STAFF)**

Monty Wedel, Planning and Special Projects Director, said the memo was provided for the Board’s information and answer questions.

Kratochvil asked if billboard regulations have ever been changed. Wedel said one time when billboards were determined not to be allowed in agricultural and commercial areas but otherwise not since 1974. He said a committee will study the issue and thinks it can be resolved in one year.

Anderson asked about the proposed bridge pier LED sign and if he should assume the moratorium would not apply to the bridge pier sign. Wedel said he should not make that assumption and that the moratorium applies county wide and not just to the K-18 corridor.

#### **UPDATE ON THE MANHATTAN REGIONAL AIRPORT TERMINAL AREA PLAN. PETER VAN KUREN, AIRPORT DIRECTOR AND MARK BACHAMP, OLSSON ASSOCIATES, WILL PROVIDE AN OVERVIEW OF THE MANHATTAN REGIONAL AIRPORT TERMINAL AREA PLAN, WHICH IS IN THE PROCESS OF BEING COMPLETED, AND TALK ABOUT THE POTENTIAL FOR COMMERCIAL DEVELOPMENT NEAR THE TERMINAL AND ANSWER QUESTIONS FROM THE PLANNING BOARD.**

Peter Van Kuren, Airport Director, discussed the Terminal Area Master Plan as a planning document not a design document.

Mark Bachamp, Olsson Associates, said his focus is on the impact of the K-18 realignment on the airport and how the airport can take advantage of the highway. He talked about the potential for commercial development and discussed several possible lot layouts. He discussed potential uses such as convenience stores, gas stations, rental car

service areas and maybe a restaurant. He indicated the lots would be leased from the city due to FAA restrictions, not owned separately. He indicated the site was about 25 acres in area.

In response to Lanning Board questions, it was noted that businesses would pay sale taxes and may pay business property tax, and that the site was annexed and subject to the AO/Airport Overlay District requirements.

Bachamp said the demand for parking is dictating the layout of the Airport Terminal parking lot. Van Kuren said the terminal building design process is separate and will occur as later phase. He mentioned that structured parking was currently cost prohibitive. He also said there was adequate space for terminal expansions in the future and that the commercial area would not interfere with the future expansion of the terminal.

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

Cattell said the K-18 Corridor steering committee has met four times and the results of the Terminal Area Plan will be one of the inputs the committee will consider. He said more staff work will occur with property owners, utility companies and other agency stakeholder interviews and that a public open house will be scheduled after the first of the year.

Cattell said the Wildcat Working Group met and he mentioned the Corps of Engineers' Silver Jackets pilot project to develop a Wildcat Creek Floodplain Management Plan. He also indicated that the Development and Freeboard subcommittee is working on a draft floodplain development moratorium in FEMA identified areas of the Wildcat Creek basin. He said the Planning Board and both Governing Bodies will review the draft moratorium.

Respectfully submitted,

Steve Zilkie, Senior Planner