

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
June 18, 2012
7:00 p.m.

MEMBERS PRESENT: Jerry Reynard, Chairperson; Gary Stith, Vice-Chairperson; Mike Kratochvil; Linda Morse; John Ball; and, Mike Hill.

MEMBERS ABSENT: Phil Anderson.

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Lance Evans, Senior Planner; Chad Bunger, Planner II; Rob Ott, City Engineer; and Kevin Credit, Planner.

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE MINUTES OF THE MAY 7, and June 4, 2012, MANHATTAN URBAN AREA PLANNING BOARD MEETINGS.

Stith moved that the Board approve the Consent Agenda. Kratochvil seconded the motion, which passed on a vote of 5-0-1. John Ball abstained.

GENERAL AGENDA

CONDUCT A PUBLIC HEARING TO CONSIDER THE REZONING OF THE PROPOSED PRELIMINARY DEVELOPMENT PLAN FOR THE BLUEMONT AND MANHATTAN COMMERCIAL PLANNED UNIT DEVELOPMENT, AN APPROXIMATE ONE-HALF-ACRE TRACT OF LAND, GENERALLY LOCATED ON THE NORTHEAST CORNER OF BLUEMONT AVENUE AND N. MANHATTAN AVENUE AT 800 AND 810 N. MANHATTAN AVENUE, AND 1222 AND 1224 BLUEMONT AVENUE, FROM R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT WITH M-FRO, MULTI-FAMILY REDEVELOPMENT OVERLAY DISTRICT, AND UO, UNIVERSITY OVERLAY DISTRICT, TO PUD, COMMERCIAL PLANNED UNIT DEVELOPMENT DISTRICT.

Zilkie presented the staff report and recommended approval.

Kratochvil asked whether or not the applicant could put in a small restaurant that served alcohol in the 880 square foot commercial space next to the hotel, despite the fact that one of the conditions listed in the Staff Report disallows taverns and alcohol sales from

occupying that space. Zilkie responded that a restaurant serving alcohol would not be allowed, given that they obtained a license for a drinking establishment. Kratochvil then asked what the definition of a “tavern” was in the Zoning Regulations.

Zilkie answered that a tavern can have up to 100% of its sales from alcohol, while a restaurant can only have up to 35% of its total sales from alcohol, a standard which differs from the requirement to obtain a liquor license. The condition of approval was that the 880 square foot retail space shall not be included within the licensed premises for alcoholic liquor or cereal malt beverage sales.

Kratochvil indicated that in his twelve-plus years of serving on the Planning Board, he could not recall a PUD that proposed close to 100% lot coverage. He asked Zilkie if there were any other PUDs that he knew of that maximized the lot coverage in a similar way. Zilkie said no.

Kratochvil asked if that had raised any red flags. Zilkie said that it had not, in large part due to the fact that the proposal met many of the Design Guidelines outlined in the Aggieville-Campus Edge District Plan. The Design Guidelines anticipate exceeding the levels found in existing PUDs in regard to height and lot coverage, if structured parking is incorporated into the building design. He also mentioned that the project’s close proximity to the Aggieville Business District, which allows 100% lot coverage, could be further justification for allowing such high lot coverage.

Morse asked where the utilities/air conditioning units for the building are planned to be located. Andrew Suber, applicant, replied that the main central air conditioning units for the building would be mounted on the roof, with separate units for each individual room mounted underneath the windows.

Morse then asked about the building façade, and whether or not the Aggieville -Campus Edge District design guidelines had recommended the use of brick in building façades as a unifying design element. Zilkie explained that the stone on the building was proposed to be a tan or limestone color, and mentioned that he was not aware of any guidelines specifying the use of brick in the Aggieville Business District; he said he had only looked at the guidelines for the Bluemont/Aggieville Corridor portion of the area, in which the proposed hotel would be located.

Morse then asked about North Manhattan Avenue being designated as a collector street. She thought it would have been an arterial, which is designed to carry a higher level of traffic. Morse asked whether the requirements for curb cuts, setbacks, turn lanes, or the overall design concept would be any different if North Manhattan Avenue had been interpreted as an arterial road.

Ott explained that the required space between the intersection of two arterials and any curb cut increases to 500 feet, compared to the 300 feet required distance from the intersection of a collector street and an arterial. The length of turn lanes and design speed also increases for arterials. He also clarified that North Manhattan Avenue has been

considered as a collector rather than an arterial since the adoption of the Manhattan Area Transportation Strategy in 2000.

Zilkie revisited Linda's comments concerning building material and appearance, indicating that this development is going to be the first in the corridor and that it is most likely to set the tone for the corridor. Presently the building façade requirements for this area do not impose a brick façade. He also clarified that there is a conceptual framework in place that would guide redevelopment of the corridor in terms of street appearance and land uses to achieve a smaller neighborhood retail-type character.

Stith said that according to his understanding, the plan for the corridor intends a pedestrian-friendly streetscape; however, the proposed streetscape would not be pedestrian-friendly without any street-lights, street-trees, landscaping and other such amenities.

Ott clarified that the KDOT would not pay for these amenities and that the City Commission had to decide if the City would bear these costs, and explained that, concurrent with the widening of the street, the City had proposed to install new pedestrian crosswalks at North Manhattan and 12th Street, including medians for pedestrian refuge, and was also looking at a contra-flow bike lane north from Aggieville on North Manhattan. Ott said that he could not speak to lighting, because the plans were only 50% complete.

Stith proposed the possibility that the developer pay for these streetscape amenities, considering the benefits reaped by the developer through almost 100% lot coverage, which is more than typically allowed for commercial PUDs, which is 50%. The City is giving a significant amount of development capacity to this developer, he said, and there is nothing in return that compliments the community or Aggieville. He further added that the pedestrian-friendly streetscape that is called for in the Aggieville - Campus Edge Plan would enhance the value and attractiveness of the project. Perhaps the loss of the valuable trees existing on the site could be mitigated through the provision of new street trees, by setting the building back more from the sidewalk, as there is no landscaped area in the PUD.

Stith also said that the existing condition of the alleyway concerns him, as much of the access to the site enters through the alley. He also indicated that the trash collection area that is proposed to be shared between the hotel and the existing condominium building north of the alley had a broken gate and the dumpster itself was out into the alley. He hoped that the new shared trash facility will be constructed and maintained better than it currently is.

Zilkie explained that they can submit information about agreements between the condominium and the hotel as to trash collection with the Final Development Plan, assuming it gets approved, and Stith agreed, that is what he would like to see. He then asked about the location of loading and service areas, which Zilkie explained may have to be located in the parking garage.

Stith mentioned that the developer may want to consider an area for guests who are registering at the hotel to temporarily park their cars while going inside. He then discussed the idea, brought up at the neighborhood meeting, that the hotel join the Aggieville Business Improvement District, and he said the Board may want to consider making that a condition of approval.

Zilkie explained that rather than making it a condition of approval, which puts the City Commission in a potentially awkward position, the Board may want to forward that as a separate strong recommendation.

Stith added that the gate to the parking garage should be designed and reviewed so that queuing at the gate does not block the alley, which can be accomplished by putting it at the bottom of the ramp.

Stith continued that the cumulative effect of many projects, no matter how small their individual stormwater impact, matters in terms of flooding, and he expressed his concern that the stormwater analysis conducted by the developer had recognized the existing overburdened nature of the area's stormwater system, without doing anything to mitigate it. He suggested there are ways of dealing with drainage, such as detention on the building's roof or possibly a green roof.

Kratochvil asked whether the developers have left enough right-of-way along the north side of Bluemont Avenue to allow for additional streetscaping, left turn lanes, or road expansion.

Ott explained that, with 100 feet of right-of-way, they are able to get 2 lanes eastbound, a center concrete median, a left turn lane westbound, 2 through-lanes westbound, and a westbound right turn lane, curb and gutter, and 8 feet of sidewalk. He also said that further to the east, the number of lanes is reduced, allowing more room for green space or streetscape improvements.

Kratochvil said that his concern is if the Board were to condition the developer to install streetscape improvements, that the improvements are not torn up when the City widens Bluemont Avenue. He also asked about the timetable for the improvements for Bluemont Avenue and Ott replied that the plans should be finished by the end of the year, with the intention of beginning construction next summer.

Ott explained that the Bluemont Corridor is one of the highest traffic accident areas in the City, and that the funding for the road improvement project is coming from KDOT in the form of a traffic safety grant. Unfortunately, the City had asked KDOT for decorative landscaping and amenities, and had not received funding for them.

Stith responded by saying that would not preclude the developer from funding the improvements, which the City could install in the last phase of its road widening.

Ott agreed, and mentioned that one of the best aspects of this project from a pedestrian point-of-view was the fact that the building is cut off at a 45 degree angle at the corner, allowing increased line-of-sight and openness down both North Manhattan and Bluemont Avenue.

Andy Suber, representing Excel LLC the applicant, said that he was happy to answer any questions. Stith asked him to respond to some of the questions he had raised. Suber said that the property is not right up against the property line, giving them some room to add streetscape amenities, and that in the design phases of the project they had tried to incorporate as many of the pedestrian-friendly elements from the Aggieville – Campus Edge District Plan into their design as possible. He mentioned the outdoor eating area, limestone knee wall, and retail mixed-use space as examples of pedestrian-friendly elements that had been incorporated into the design.

Suber continued that, in terms of Morse’s question about brick, the architects had looked at using brick elements in the façade, but they felt that blending the building with the limestone aesthetic of the Kansas State campus on the opposite corner was more important for this particular development, while future developments to the east might begin to use more brick, which would also achieve some of the variation in facades that is called for in the Campus Edge Plan. Suber indicated they plan to repave the portion of the alley behind their project, and that the plan for the dumpster is to remove the existing enclosure, improve access to it for the condominium residents, and install a gate on the improved enclosure.

Stith asked about delivery access. Suber replied that it will be through the parking garage for the most part, while special accommodations will have to be made for any truck that cannot fit in the garage such as using the alley as is done downtown.

Stith asked about short-term parking for registering guests at the hotel. Suber replied that the entrance off North Manhattan is the designated area for registering guests, and that during football weekends or other busy periods, they may have a valet to take guests down into the garage. The parking accessed directly off of the alley could also be used for registration purposes.

Stith brought up his concerns about stormwater management, and Suber replied that he is totally reliant on his civil engineering consultant for stormwater issues, but that Stith’s concerns were duly noted.

Kratochvil asked about the possibility of flooding in the underground garage during an extreme rain event. Suber said that they will construct the entrance of the ramp so that stormwater will not drain into the garage, and as a backup, there will be grates at the bottom of the ramp that are connected to pumps that will lead directly to the storm sewer, and have emergency discharge from there.

Morse asked about the project’s parking provisions. In the application, it mentions that patrons of the retail space may have to use additional parking, “on-street or otherwise,”

and she wondered what was entailed by that phrasing.

Suber explained that the on-street parking mentioned would be further into the neighborhood, or in Aggieville, and that “otherwise” could include those parking a great distance away, or on University property, especially on weekends when K-State’s lot is not patrolled. He said that they have not designed for an overflow of parking at the retail space. Morse added that the additional event and meeting space mentioned in the plans, some of which has not been fully developed, could also add parking demand to the hotel.

Morse asked about the location and meaning of the freestanding screening and knee walls mentioned in the application. Suber explained that they are 2-3 foot tall walls, about knee high such as around the outdoor eating area, and can be used as benches, that mimic what the University has on the west side of the street in order to tie everything together. He also said that full-height walls will shield the ground-level parking from view from the street.

Ball then asked for clarification about streetscaping and if there are going to be trees planted along the sidewalk, due to the fact that the building is set back somewhat.

Suber said that, in the current plan, no trees are shown and he does not see trees as viable, due to the lack of space. He added that they do have space for smaller-scale landscaping such as shrubbery or other hardscape elements, such as masonry.

Ball asked what distance the building setback from the 8-foot sidewalk was, specifically. Suber answered that it varies, from about six to eight feet, with more space at the outdoor eating area, which cuts into the building.

Ball asked Suber’s opinion on the conditions of approval listed in the Staff Report. Suber said that he thought they were reasonable.

Hill asked Suber’s opinion on being involved in the Aggieville Business Improvement District. Suber replied that he does not have a feeling one way or another on it and it was brought up at the neighborhood meeting. They would be open to discussing the possibility, although he does not know what exactly that would entail for the development.

Reynard asked whether the hotel is planned to be a regular hotel, or a residential hotel. Suber said the idea of providing for long-term residents is something that they had considered, but for now this is a standard hotel.

Reynard then asked Ott whether the hotel is doing anything to help improve traffic safety in the Bluemont corridor, due to the fact that it will cause an increase in traffic in the area. Ott stated that the south side of the corridor currently has a highway business commercial component, with many drive-through establishments, and that the consultants and City Commission have come to the conclusion that a raised median at mid-block points to eliminate some of the left-hand turns will reduce the number of crashes along

this corridor, as well as rear-end collisions.

Ott also mentioned that the City had received a grant from KDOT for an intelligent transportation adaptive responsive system that goes from Sunset Avenue all the way to 11th Street, with the intent to move a platoon of cars through the entire network in order to reduce the number of stops and queues.

Reynard stated that the City is realizing that pedestrians are acute to this area, and improvements, such as closing off Aggieville to vehicle traffic altogether, to the pedestrian realm may help to alleviate some of these traffic issues, as people can just park their cars and start walking.

Reynard asked Ott if, due to the fact that the stormwater infrastructure is undersized for this area, there were any planned improvements in the future.

Ott stated that due to the fact that the runoff from the building is only 1cfs, perhaps a solution at the building scale is best. He then explained the 1995 Stormwater Management Master Plan identified two projects in this general corridor: one is the Bertrand system and the other is the Bluemont system, and stated that the planned street improvements for Bluemont will include an increase in the number of inlets, although the planned pipe sizes have not been determined. Ott also said that, concurrent with the proposed McCall Road extension plan, the City had developed a plan of phased stormwater improvements starting at Tuttle Creek Boulevard and moving west towards North Manhattan Avenue, but that the Bluemont stormwater improvements themselves were currently budgeted for 2020, unless the McCall Road extension plan was taken back up in the next 5-7 years.

Stith said that the cost to the City to provide these systems all at once would be significant, but the incremental cost to each developer to slow down the water coming off of each individual roof would be minor in terms of overall construction cost.

Jeff Hancock, SMH Consultants, explained that City Staff had not indicated that the project would need any stormwater detention or retention. Thus, they had only done a hydrological analysis, rather than a hydraulic analysis. However, Hancock said that he would imagine, given that it is only 1 cfs, and by the time the water falls, is captured by the roof drains, and moved around the building, there is probably detention occurring within the system on the site. Hancock said that it was his understanding that the City has taken a different approach to stormwater management in this part of the community, due to the fact that it is in the lower reaches of the watershed. He said that on smaller development sites, the City has typically taken the stance that the cost of building and maintaining on-site detention outweighs the benefit. He went on to explain that it is difficult to say what kind of benefit detention in this part of the community actually serves. If water is detained in the lower reaches of the watershed, it could create a situation where, by the time the water being detained in the upper reaches of the watershed reaches this point, it all comes together at a head at the same time, which is exactly what the City is trying to avoid by doing detention in the upper reaches.

Zilkie mentioned that the Board should ask the applicant how the strip of land on the east side of the site is going to be landscaped. Suber stated that it was going to be river rock.

Reynard opened the public hearing.

No one spoke.

Reynard closed the public hearing and said that he would entertain a motion.

Hill said that he thought this is a good project, and wanted to pass along the idea that this could be a future historic building on a very prominent corner in the community. He asked that the developer keep that in mind as they continue the project.

Hill then moved that the Manhattan Urban Area Planning Board recommended approval of the variation of the proposed driveway spacing along North Manhattan Avenue and the proposed rezoning of the Bluemont and Manhattan Hotel Commercial PUD from R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, and UO, University Overlay District, to PUD, Commercial Planned Unit Development District, based on the findings in the Staff Report, with the eight conditions recommended by City Administration and adding a ninth condition, as follows:

1. The Permitted Uses shall include all of the Permitted Uses of the C-3, Aggieville Business District, excluding Automobile Service Stations, Bed and Breakfast Homes, Bed and Breakfast Inns, Carpet and Rug Stores, Laundry Establishments, Miniature Golf Courses, Pet Grooming Shops, and Taverns.
2. The ground floor 880 square foot commercial space, as shown on the first floor plans, shall not be included within the licensed premises for alcoholic liquor or cereal malt beverage sales.
3. Prior to the use of the fifth floor future development space, an amendment of the PUD shall be approved.
4. Signage shall be limited to signs proposed in the application documents.
5. Exempt signage shall include signage described in Article VI, Section 6-104 (A)(1),(2),(4),(5), and (7); and, Section 6-104 (B)(2) and B(5).
6. If landscaping and irrigation are provided, a landscape and irrigation plan shall be provided with the Final Development Plan.
7. If landscaping and irrigation are provided, they shall be maintained in good condition.
8. If landscaping and irrigation are provided, a landscape performance agreement shall be approved, prior to issuance of a building permit.
9. A landscaping plan shall be submitted with the Final Development Plan to provide greenery including bushes and shrubs along the fronts of the building.

Hill also made a separate recommendation that the City Commission recommend that the applicant join the Aggieville Business Improvement District.

Kratochvil seconded the motion.

Zilkie clarified that the ninth condition requiring a landscaping plan would be submitted with the Final Development Plan.

Reynard suggested that the landscaping does not have to be green. Hill corrected Reynard, saying that “landscaping” in his motion was intended to be green, and that specifically, he was looking for bushes or shrubbery, some type of green landscaping along the front of the building, although he realized trees might not fit.

Morse asked if the applicant has had input from Kansas State University for the project. Suber said that he did not want to speak for Kansas State University, but they had met with administration at the upper levels and received verbal approval of the concept and look of the project.

Morse said she is going to support the motion, but that she has a concern about the near-100% impervious surface in the project. She went on to say that if every project in this area has a similar kind of lot coverage, they will be creating a major problem, and it seems that the Planning Board should suggest that Staff pay more attention to lot coverage in the future. She also said she appreciated the applicant’s commitment to improving the alley and suggested that City Staff should include alley maintenance more often in their conditions of approval.

Stith said that he agreed with Hill that the project was very high quality, on an important site, and will contribute well to Aggieville. However, while it is a good project, he said, he feels like it could be a great project with a few additions. Stith suggested that while trees may be difficult to maintain there, he has seen trees put into tree pits on fourteen-foot sidewalks on a street that carries 50,000 cars a day, and the trees do quite well. He added that he will not add trees as a condition, but he would like to ask the applicant that when they provide the required landscape plan, they look at and consider the possibility of adding trees, as he thinks they will find it a real enhancement to the project.

On a vote, the motion passed 6-0.

REPORTS AND COMMENTS BY BOARD MEMBERS AND STAFF

Evans said that the Bicycle Advisory Committee is hosting an open house this Thursday, 5-7 pm in the Commission Room to go over an amendment to the Bicycle Policy in the Comprehensive Plan.

Respectfully submitted,

Kevin Credit, Planner