

**MINUTES**  
**MANHATTAN URBAN AREA PLANNING BOARD**  
**City Commission Room, City Hall**  
**1101 Poyntz Avenue**  
**September 6, 2012**  
**7:00 p.m.**

**MEMBERS PRESENT:** Gary Stith, Chairperson; Linda Morse, Vice-Chairperson; Phil Anderson; John Ball.

**MEMBERS ABSENT:** Jerry Reynard; Mike Hill; and, Mike Kratochvil.

**STAFF PRESENT:** Steve Zilkie, Senior Planner; Kevin Credit, Planner; Monty Wedel, Director of Planning and development for Riley County; and, Bob Isaac, Planner.

**OPEN PUBLIC COMMENTS**

No one spoke.

**CONSENT AGENDA**

**APPROVE THE MINUTES OF THE AUGUST 20, 2012, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**

Morse moved that the Board approve the Consent Agenda. Anderson seconded the motion, which passed on a vote of 4-0.

**GENERAL AGENDA**

**A PUBLIC HEARING TO CONSIDER AN AMENDMENT OF ORDINANCE NO. 6693 AND THE APPROVED FINAL DEVELOPMENT PLAN OF STONE POINTE TOWNHOMES RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD), WHICH WILL DELETE TWENTY-TWO (22) APPROVED TOWNHOMES FROM THE APPROVED PUD AND REPLACE THE TOWNHOMES WITH A PROPOSED NINETEEN (19) DWELLING UNIT APARTMENT BUILDING AND LEASING OFFICE, AND A PROPOSED TEN (10) DWELLING UNIT APARTMENT BUILDING. THE AMENDMENT SITE IS GENERALLY LOCATED EAST OF N. SCENIC DRIVE, AND SOUTHEAST OF THE INTERSECTION OF STONE CREST DRIVE AND STONE CREST COURT. (APPLICANTS: STONE CREST LAND CO. LLC – TIM SCHULTZ AND EXCEL DEVELOPMENT GROUP - BILL CATON/OWNER: STONE CREST LAND CO. LLC – TIM SCHULTZ)**

Zilkie presented the staff report and recommended approval with conditions.

Stith opened the public hearing.

Chris Bailey, President of the Manhattan Area Housing Partnership, said the Partnership

serves the Manhattan area and it has done several apartment complexes in the area, notably an apartment complex owned by the Housing Authority, Gardens at Flint Hills, and the renovation of Flint Hills Place. The proposed project is a large project they would manage themselves. This will allow the Partnership to have a more certain future and serve persons on fixed income and families of low and moderate income families, that he referred to as the working poor.

Ball said he was not familiar with Kansas but in Maryland similar projects were torn down, but mixed income projects worked well in mixed income neighborhoods. He said this project would serve the working poor and fixed income. He asked if the problems back east were similar in Manhattan.

Bailey said they haven't existed long enough that the problems Ball described have occurred. All of the projects have been tax credit projects, which require a 15 year pro forma describing how the facilities will be maintained and require significant reserves for maintenance. He said these were not public housing projects that could be mismanaged. He said if the development was not maintained or managed correctly, the limited partner could take over. Bailey said the 29 units are not mixed income market rate but the neighborhood is a mix of incomes. He said tenants are not destitute but have to meet income qualification guidelines.

Jill Jacoby, Executive Director, Manhattan Area Housing Partnership, said they own eight properties, single family and duplexes in Brookfield, which are well maintained and a person would not be able to tell the difference between their properties and owner occupied homes. She said their properties are very well maintained and they have wonderful tenants. She said they are targeting people, like a family of four with an income of \$35,880 to qualify. She also said they have worked with Tim Schultz in the past.

Ball said he that what he was getting at was the attitude of tenant towards the property and that has been addressed quite well.

Anderson asked Bailey or Jacoby to speak to the demonstrated need for the housing in the community. Jacoby said rents are high and the need is pretty great and the unit rents are affordable. She said they have a waiting list and are at one hundred percent capacity and have units are in demand.

Anderson asked if Joann Sutton, Director of the Manhattan Housing Authority, was aware of the proposal and in support. Jacoby said Sutton was aware and in support and had written a letter of support. Sutton's letter was one of ten letters in support of the proposed project. Bailey added that a market study was submitted with the tax credit request and the credits would not have been awarded if there was not a demand. Anderson also asked if they could rent more units, say 60 units. Bailey said they expect to rent the unit in four to five months and could rent 40 but was uncertain about a specific number of units.

Tim Schultz said this was his fifth or sixth project with the applicant and the existing

units are well maintained and well managed. He also said 96 of the 244 units Highland Ridge units are tax credit and are 100% occupied while the market rate occupancy is 92% to 93%. He said he expects to be back with similar projects in the coming years.

Ball said he didn't see the results of the neighborhood meeting. Schultz said two people showed up and were looking for information about Independence Place PUD. Ball asked if there was any pushback from the neighbors about the change. Schultz said he had some calls about value and concerns about parking on the east side of the street adjacent to the front doors of the apartment buildings. He asked if staff would look into a townhome tenant concern about backing into the street opposite the apartment building.

Bill Caton, Excel Development Group, said the original design had some parking on the street but all of the parking was moved to behind the buildings. He thought if there was someone with a handicap wanting to visit someone on the second floor they may want to park on the street. He said the parking behind the building has accessible spaces but may be a little more inconvenient. However, he thought it would be a good idea to restrict the parking and did not object.

Zilkie suggested a condition could be added to the PUD to restrict parking on the east side of the street fronting on Lot 1.

Ball asked if anyone from the townhomes objected to the apartments. Schultz said only two people came to the meeting and thought it was about a different development.

Schultz said the future area to the south is still being determined and may include two townhomes and 20 apartment units. Schultz asked if staff could evaluate the street parking before a condition was added and would not prefer a line of cars. Stith said it could be solved later by the city. Zilkie said he would communicate the parking issue to the City Engineer.

Stith closed the public hearing.

Stith asked about the steep slope off the parking lot and any treatment of the slope. Schultz said additional matting may be used to establish the native grass. He also mentioned that the runoff from the parking lot does not sheet flow over the edge and is directed to the edge of the parking lot.

Stith asked about the playground because there were no specifics or descriptions, and clarified he was not asking for a specific design, only that there would be a quality amenity. Caton agreed the area should be a quality amenity and \$25,000 is budgeted for the equipment and said specific discussions with Schultz haven't happened yet.

Stith asked staff, in the future, to have developers provide more specifics about playground equipment.

Anderson said he was reasonably confident the developer would provide a quality playground amenity given the quality of the design and surrounding area. Stith and Morse

agreed the developer will provide a quality amenity.

Ball said there is a clear need for quality affordable housing. He said the developer is doing it correctly in a mixed income setting. A project, like the proposal, should not be set off by itself. Stith agreed that there is a need for quality affordable housing. Morse said she thought the project was a quality proposal and glad to see the applicant involved and supported scattered site affordable housing. She also thought the proposal is a model for future projects.

There was no further discussion.

Morse moved that the Manhattan Urban Area Planning Board recommend approval of the proposed amendment of Ordinance No. 6693 and the approved Final Development Plan of Stone Pointe Townhomes Residential PUD to be known as the Final Development Plan of Stone Pointe Townhomes, Unit Three, Residential Planned Unit Development, based on the findings in the Staff Report, with the following conditions of approval:

1. Permitted uses shall include seventy four (74) residential townhome units and twenty-nine (29) dwelling units and a leasing office in two (2) multiple-family residential apartment buildings.
2. Signs shall be provided as proposed in the application documents, and shall allow for exempt signage described in Article VI, Section 6-104 (A)(1),(2),(4),(5),and (7); and, Section 6-104 (B)(2) and B(5), of the Manhattan Zoning Regulations.

Anderson seconded the motion, which passed on a vote of 4-0.

**APPROVE THE FINAL PLAT OF STONE POINTE TOWNHOMES ADDITION, UNIT THREE, RESIDENTIAL PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED EAST OF N. SCENIC DRIVE, AND SOUTHEAST OF THE INTERSECTION OF STONE CREST DRIVE AND STONE CREST COURT. (APPLICANT/OWNER: STONE CREST LAND CO. LLC – TIM SCHULTZ)**

Zilkie described the Final Plat and recommended approval.

Morse moved that the Manhattan Urban Area Planning Board approve the Final Plat of Stone Pointe Townhomes, Unit Three, Residential Planned Unit Development, based on conformance with the Manhattan Urban Area Subdivision Regulations, based on the findings in the Staff Report, with the following condition:

1. An amendment of Ordinance No. 6693 shall be approved.

Anderson seconded the motion, which passed on a vote of 4-0.

**REVIEW THE PUBLIC HEARING DRAFT OF THE PROPOSED AMENDMENTS TO THE RILEY COUNTY ZONING REGULATIONS PERTAINING TO ADVERTISING SIGNS (BILLBOARDS). (RILEY COUNTY PLANNING & DEVELOPMENT)**

Monty Wedel, Riley County's Director of Planning and Development, reviewed the process and proposed changes.

Stith asked if it possible to put up a billboard on a county road? Wedel said that would not be allowed. Stith asked if the definitions clarified the restrictions to digital advertising signs. Wedel said the restrictions applied to digital advertising signs and the language was approved by the County Attorney.

Ball asked if prohibiting digital billboards is a safety issue due the distraction and movement, which is a concern more than aesthetics. Wedel said aesthetics could also be a reason, and, at this time, both issues are sufficient to prohibit digital billboards.

Wedel said most of the billboards are in the Manhattan Urban Area, and the request tonight is for the Board's approval to proceed to public hearing using the public notice provided to the Board. However, the Board may want to revise the notice. He also said the Board could take public comment tonight. He mentioned staff will also have a work session with the Riley County Planning Board before the Oct 15<sup>th</sup> MUAPB meeting.

Ball asked if commercial sign advertisers had concerns. Wedel said he coordinated with sign advertisers and had no feedback.

Morse said the changes are in the spirit with the Gateway Master Plan and the County's Master Plan. One of her concerns was that as the highway changed there would be a proliferation of billboards. She also liked the coordination with the City's requirements.

Anderson said Wedel had worked with Bart Thomas, who had no objections.

Stith said he had a concern about separation and thought 1,200 feet of separation may be better than 800 feet. Wedel thought the KDOT separation was 500 feet, which is the current requirement. Ball suggested the requirements have been coordinated by the working group and thought it could be revised at a later date. The Board agreed to the 800 foot spacing.

Morse moved the Manhattan Urban Area Planning Board direct the staff to publish the notice of public hearing for the regulations, as proposed. Anderson seconded the motion, which was approved 4-0.

Stith asked if the Board could make changes at the public hearing and Wedel said the Board could make changes.

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

There were no reports or comments.

Respectfully submitted,

Steve Zilkie, Senior Planner