

**MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
May 6, 2013
7:00 p.m.**

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

MEMBERS ABSENT: Ron Hageman.

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Chad Bunger, Planner II; and, Kevin Credit, Planner.

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE MINUTES OF THE APRIL 15, 2013, MANHATTAN URBAN AREA PLANNING BOARD MEETING.

APPROVE THE FINAL PLAT OF THE CONGRESSIONAL ADDITION, GENERALLY LOCATED NORTH OF THE INTERSECTION OF PLAYERS TERRACE AND BELLERIVE DRIVE ON THE WEST SIDE OF GRAND MERE PARKWAY.

Morse moved that the Board approve the Consent Agenda. Anderson seconded the motion, which passed on a vote of 6-0.

GENERAL AGENDA

TABLE A PUBLIC HEARING TO CONSIDER AMENDMENTS TO SECTION 2-DEFINITIONS; SECTION 6-C ZONES; SECTION 10-PLANNED UNIT DEVELOPMENT REGULATIONS; SECTION 16-AREAS ADJACENT TO TRAFFICWAYS, OF THE RILEY COUNTY ZONING REGULATIONS. (RILEY COUNTY PLANNING BOARD)

Kratochvil moved that the Board table the Public Hearing to the June 3, 2013, Manhattan Urban Area Planning Board meeting. Reynard seconded the motion, which passed on a vote of 6-0.

TABLE A PUBLIC HEARING TO AMEND THE PENNY'S CONCRETE INDUSTRIAL PLANNED UNIT DEVELOPMENT FOR A PROPOSED OFF-SITE ADVERTISING (BILLBOARD) SIGN ON LOT 3, PENNY'S ADDITION, UNIT TWO. (APPLICANT: THOMAS OUTDOOR ADVERTISING INC. – BART THOMAS/OWNER: PENNY'S CONCRETE, INC.)

Ball moved that the Board table the Public Hearing to the May 20, 2013, Manhattan Urban Area Planning Board meeting. Morse seconded the motion, which passed on a vote of 6-0.

A PUBLIC HEARING TO CONSIDER THE REZONING OF LOT 4, MANHATTAN INDUSTRIAL PARK, UNIT FOUR, FROM C-5, HIGHWAY SERVICE COMMERCIAL DISTRICT, TO I-2, INDUSTRIAL PARK ADDITION, GENERALLY LOCATED AT 610 HAYES DRIVE. (APPLICANT: SMH CONSULTANTS – JEFFREY HANCOCK, ON BEHALF OF THE OWNER, CONNIE WESTGATE)

Bunger presented the staff report and recommended approval.

Kratochvil asked about the ownership of the site. Bunger provided the answer as best as he could because the applicant was not present. Kratochvil then asked about the shared access to the site and adjacent sites off of Hayes Drive. Bunger was not aware of a formal arrangement.

Jeff Hancock, applicant, was present to answer the question about the access agreement and the current ownership agreement.

The Board continued discussing the question of access and agreed that it was not a factor into the rezoning request. Hancock said that he would discuss it with the owner in establishing a formal agreement between all owners.

Stith opened the public hearing.

No one came forward from the public to speak on the item. Stith closed the public hearing.

Morse asked about the showroom for the window production and how that fits with the regulations. Stith said that it would need to be accessory to the manufacturing use. Bunger concurred.

Kratochvil moved that the Planning Board recommend approval of the rezoning of Lot 4, Manhattan Industrial Park, Unit Four, from C-5, Highway Service Commercial District, to I-2, Industrial Park Addition, located at 610 Hayes Drive, based on the findings in the Staff Report.

Reynard seconded the motion, which passed on a vote of 6-0.

A PUBLIC HEARING TO CONSIDER THE REZONING OF A VACANT 9.9 ACRE TRACT OF LAND IN THE UNPLATTED PORTION OF THE PROPOSED NORTHLAKE ADDITION, FROM R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, TO R-2, TWO-FAMILY RESIDENTIAL DISTRICT, GENERALLY LOCATED 150 FEET WEST OF THE INTERSECTION OF BROOKPARK DRIVE AND NORTHFIELD ROAD. (APPLICANT: JEFF HANCOCK – SMH CONSULTANTS ON BEHALF OF THE OWNER, OVERLAY PROPERTIES INC. - RUSSEL WEISBENDER)

Bunger presented the staff report and recommended approval.

Morse asked if the Prairie Lakes drainage system was functioning and if the agreement with the developers and the City was working. Bunger was not aware of any issues with the drainage systems. Bunger went on to explain the general details of the agreement.

Stith asked about a temporary turn around for fire access. Bunger stated that the Fire Department did not express any concerns for additional fire access or a turn around. Stith was satisfied with the answer.

Kratochvil expressed that he had a similar concern. Bunger stated that he suspected that the remaining vacant area would be developed in the near future.

Jeff Hancock, applicant, agreed with Bunger that the remaining area would be developed relatively soon.

Morse stated she had concerns with long cul-de-sacs and access for emergency vehicles. Kratochvil agreed with Hancock that the area will be developed sooner rather than later.

Stith opened the public hearing.

With no one from the public speaking, Stith closed the public hearing.

Ball moved that the Planning Board recommend approval of the Rezoning of a vacant 9.9 acre tract of land in the unplatted portion of the proposed Northlake Addition, from R-3, Multiple-Family Residential District, to R-2, Two-Family Residential District, generally located 150 feet west of the intersection of Brookpark Drive and Northfield Road, based on the findings in the Staff Report.

Reynard seconded the motion, which passed on a vote of 6-0.

CONSIDER APPROVAL OF THE FINAL PLAT OF NORTHLAKE ADDITION, UNIT 1, GENERALLY LOCATED 150 FEET WEST OF THE INTERSECTION OF BROOKPARK DRIVE AND NORTHFIELD ROAD. (APPLICANT/OWNER: OVERLAY PROPERTIES INC. - RUSSEL WEISBENDER)

Bunger described the Final Plat and recommended approval with one condition.

Morse moved that the Planning Board approve the Final Plat of Northlake Addition, Unit One, based on the findings in the Staff Memorandum.

Reynard seconded the motion, which passed on a vote of 6-0.

A PUBLIC HEARING TO AMEND THE WAL-MART PLANNED UNIT DEVELOPMENT (PUD) TO ADD A DRIVE-IN RESTAURANT AS A PERMITTED USE IN THE PUD FOR A PROPOSED CHICK-FIL-A DRIVE-IN RESTAURANT, AND OTHER SITE IMPROVEMENTS AND MODIFICATIONS IN THE PUD, ALL GENERALLY LOCATED NORTHEAST OF THE

INTERSECTION OF SARBER LANE AND TUTTLE CREEK BOULEVARD FRONTAGE ROAD. THE AMENDMENT IS IN THE FORM OF A FINAL DEVELOPMENT PLAN. (APPLICANT: RENAISSANCE INFRASTRUCTURE CONSULTING ON BEHALF OF THE OWNER, PROJECT MANHATTAN, LLC)

Zilkie presented the staff report and recommended approval with six conditions.

Kratochvil asked about the number of off-street parking spaces being adequate if a large future tenant went into the center and if staff had discussed that with the owner. Zilkie said parking is based on floor area rather than brand and if the floor space is expanded, staff would have to determine the extent of the change. Staff has not discussed future occupants with the owner.

Stith opened the public hearing.

Jeff Berg, one of the partners in ownership, said the center was purchased last October and the restaurant is one of the first steps upgrading the center. He felt the proposed changes, including new landscaping, are upgrades. The northern curb cut on the frontage road will be closed to improve safety. He said the signage has been modified to delete the second multi-tenant sign at the northwest corner by removing the Chick-fil-A ground sign and merging it with a Staples sign. The result is two ground signs, the multi-tenant entrance sign and a second sign in the northwest corner for Chick-fil-A and its reader board and Staples. He showed the Board an elevation of the proposed sign. The additional sign was a requirement of Staples in order to close the north curb cut. Regarding parking, he said it was considered closely and do not want to hamstring themselves in the future. At some point they may add a big box in the south. For now, Staples and Hobby Lobby have signed long term leases and will be in the center for quite awhile. Also Hobby Lobby and Chick-fil-A are closed on Sunday and the restaurant's traffic is 60% drive-in so they don't create a large parking demand.

Chip Corcoran, consultant for the applicant, described the revised sign to the Board. He also talked about access, circulation, and landscaping.

Ball asked clarified the frontage road signs would now be two signs. Berg confirmed the change.

Anderson said the project improved the visual character of the site. He said he wasn't too concerned about the parking and it may encourage public transportation. He commented on the siltation fence and if was built of materials for long term use. The applicant confirmed the siltation fence was only required during construction.

Stith said there is too much asphalt and underutilized parking areas. He thought the parking requirements for shopping centers were too high. He mentioned dead trees and the applicant said they would replace them with the project. He complimented the site design and circulation.

Kratochvil said his earlier comments were for the owner to know previous tenants used a lot of the parking and didn't want them to be affected by reduced parking if in the future they picked a tenant with a high parking demand. Berg said large retailers are reducing

parking demand for a variety of reasons.

Stith closed the public hearing.

Cattell said staff would work with the owner to revise condition 2 regarding signage if the Board agreed with the change

Ball moved that the Planning Board recommend approval of the proposed amendment of the Wal-Mart Planned Unit Development, and approval of the Final Development Plan of Manhattan Crossing, based on the findings in the Staff Report, subject to the five conditions of approval recommended and modified by City Administration, including a amendment to Condition 2 regarding signs, as recommended by City Administration:

1. A Drive-in restaurant, located in the northwestern portion of the PUD, shall be a Permitted Use, subject to all drawings and documents submitted as a part of the Final Development Plan application.
2. Signage for the drive-in restaurant and the shopping center multi-tenant monument sign, located at the main western entrance of the PUD, shall be constructed as proposed in the Final Development Plan application documents. A smaller two-tenant monument sign proposed at the northwest corner of the PUD shall be constructed as proposed in the modified application documents.
3. 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).
4. Landscaping and underground irrigation shall be maintained in good condition.
5. A landscape performance agreement shall be approved, prior to issuance of a building permit.

Reynard seconded the motion, which passed on a vote of 6-0.

REPORTS AND COMMENTS BY BOARD MEMBERS

Ball asked about the City's plans for the Levee System improvements. Cattell responded that it will primarily be a budgetary issue to be determined by the City Commission. Community Development staff will schedule a work session on the topic. Ball asked if the Planning Board will have a role in recommending a course of action for the Levee System. Cattell said that would be part of the discussion with the Public Works Department work session.

Cattell then updated the Board of possible meeting schedules, work sessions and other planning topics in the community and the region.

Respectfully submitted,

Steve Zilkie, AICP, Senior Current Planner
Chad Bunger, AICP, CFM, Planner II