

**MINUTES**  
**MANHATTAN URBAN AREA PLANNING BOARD**  
**City Commission Room, City Hall**  
**1101 Poyntz Avenue**  
**December 2, 2013**  
**7:00 p.m.**

**MEMBERS PRESENT:** Linda Morse, Chairperson; Gary Stith; Jerry Reynard; Ron Hageman; and Mike Kratochvil

**MEMBER ABSENT:** Phil Anderson, Vice-Chairperson; John Ball

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

**OPEN PUBLIC COMMENTS**

No one spoke.

**CONSENT AGENDA**

**APPROVE THE MINUTES OF THE NOVEMBER 18, 2013, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**

Stith moved that the Board approve the Consent Agenda. Reynard seconded the motion, which passed on a vote of 4-0-1, with Kratochvil abstaining.

**GENERAL AGENDA**

**TABLE A PUBLIC HEARING TO CONSIDER THE REPLAT OF LOT 1 OF MURRAY ADDITION UNIT TWO AND LOT 1 OF WILDCAT WRECKER SUBDIVISION INTO ONE (1) LOT. (BRIGGS)**

Kratochvil moved that the Planning Board table the public hearing to the December 2, 2013, Manhattan Urban Area Planning Board meeting. Reynard seconded the motion, which passed on a vote of 5-0.

**REMOVE THE PUBLIC HEARING FROM THE TABLE AND CONDUCT A PUBLIC HEARING TO CONSIDER REZONING AN APPROXIMATE 14.7-ACRE TRACT OF LAND IN THE PROPOSED INTERLACHEN ADDITION, A REPLAT OF GRAND MERE ADDITION, UNIT THREE, FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, GENERALLY LOCATED 650-FEET NORTH OF THE INTERSECTION OF VANESTA PLACE AND VANESTA DRIVE. (APPLICANT: SMH CONSULTANTS – JEFFREY HANCOCK, ON BEHALF OF THE OWNERS: FIELDHOUSE DEVELOPMENT, INC.- ZAC BURTON; BACK 9 DEVELOPMENT INC.-THOMAS L. VILKANSKAS JR.; AND, PMG PROPERTIES, LLC-THOMAS L. VILKANSKAS JR.)**

**REMOVE THE PUBLIC HEARING FROM THE TABLE AND CONDUCT A PUBLIC HEARING TO CONSIDER REZONING AN APPROXIMATE 8.75-ACRE TRACT OF LAND IN THE PROPOSED INTERLACHEN ADDITION, A REPLAT OF GRAND MERE ADDITION, UNIT THREE, FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, GENERALLY LOCATED 650-FEET NORTH OF THE INTERSECTION OF VANESTA PLACE AND VANESTA DRIVE. (APPLICANTS: SMH CONSULTANTS – JEFFREY HANCOCK, ON BEHALF OF THE OWNERS: FIELDHOUSE DEVELOPMENT, INC.- ZAC BURTON; BACK 9 DEVELOPMENT INC.-THOMAS L. VILKANSKAS JR.; AND, PMG PROPERTIES, LLC-THOMAS L. VILKANSKAS JR.)**

**REMOVE THE PUBLIC HEARING FROM THE TABLE AND CONDUCT A PUBLIC HEARING TO CONSIDER REZONING AN APPROXIMATE 4.02-ACRE TRACT OF LAND IN THE PROPOSED INTERLACHEN ADDITION, A REPLAT OF GRAND MERE ADDITION, UNIT THREE, FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO C-2, NEIGHBORHOOD SHOPPING DISTRICT, GENERALLY LOCATED 650-FEET NORTH OF THE INTERSECTION OF VANESTA PLACE AND VANESTA DRIVE. (APPLICANTS: SMH CONSULTANTS – JEFFREY HANCOCK, ON BEHALF OF THE OWNERS: FIELDHOUSE DEVELOPMENT, INC.- ZAC BURTON; BACK 9 DEVELOPMENT INC.-THOMAS L. VILKANSKAS JR.; AND, PMG PROPERTIES, LLC-THOMAS L. VILKANSKAS JR.)**

**APPROVE THE FINAL PLAT OF THE PROPOSED INTERLACHEN ADDITION, A REPLAT OF LOTS 55-77, TRACT A AND EXISTING ROAD RIGHTS-OF-WAY , GRAND MERE ADDITION, UNIT THREE, GENERALLY LOCATED 650-FEET NORTH OF THE INTERSECTION OF VANESTA PLACE AND VANESTA DRIVE. (APPLICANTS: SMH CONSULTANTS – JEFFREY HANCOCK, ON BEHALF OF THE OWNERS: FIELDHOUSE DEVELOPMENT, INC.- ZAC BURTON; BACK 9 DEVELOPMENT INC.-THOMAS L. VILKANSKAS JR.; AND, PMG PROPERTIES, LLC-THOMAS L. VILKANSKAS JR.)**

Stith moved to remove all three (3) Public Hearings from the table and then conduct Public Hearings and consider the rezoning of each item. Kratochvil seconded the motion, which passed on a vote of 5-0.

Bunger presented the staff reports for the three (3) related Interlachen rezoning items as well as the Final Plat of Interlachen Addition; and, recommended approval of three rezoning, and approval of the Final Plat with three variations and four conditions.

Morse asked what the street width would be. Bunger indicated 27 feet wide with parking on one side.

Kratochvil asked about access to Vanesta Drive from the proposed C-2 tract. Bunger said that Vanesta Drive will provide the only access to the C-2 lot.

Kratochvil asked about access to the clubhouse. Bunger explained that there will be access to the clubhouse with a dedicated right-of-way along Colbert Hills Drive that would include arrangements for a cart path crossing at the golf course and pedestrian access.

Kratochvil expressed concern with the variations of cul-de-sac length with regard to Fire Department requirements for in-home sprinklers.

Bunger said that the Fire Department has required that the bulb of the cul-de-sac have a diameter of 96 feet, but did not indicate that the houses needed to be sprinklered. He said that requirement is a combination of cul-de-sac length and the number of homes involved.

Morse said that cul-de-sac length and Fire Department access is always a concern when the Board is looking at proposals but given the large lots and closeness of the new Fire Station it is less of a concern to her in this case. She said the Grand Mere Master Plan speaks to pedestrian and bicycle access and asked if a variation was being requested at the end of the one cul-de-sac, and would sidewalks be provided.

Bunger said that sidewalks are a required on at least one side of all the streets.

Morse asked about the proposed build out of Colbert Hills Drive. Bunger said that he will let the applicant answer that question, but the Fire Department wants the access and street connection to the Clubhouse.

Stith asked about restricting access onto Vanesta Drive from the R-3 lots because they all have access to other streets. He asked about adding the restriction as a condition of approval. Bunger agreed that it could be added.

Stith asked if there would be temporary turnaround at the end of Colbert Hills Drive due to the wider right-of-way width. Bunger said that he will let the applicant answer that question.

Stith asked about the screening between the C-2 District and residential districts. Bunger said that there is a screening requirement and that the difference in the grade will help with the screening.

Stith asked if there was restricted access from the C-2 lots to Society Circle. Bunger said that restriction is already shown on the proposed plat.

Morse opened the public hearing.

Jerry Petty, project director for Grand Mere Development, said that the wider right-of-way at the north end of Colbert Hills Drive that was mentioned is to accommodate the existing and proposed utility easements, sidewalks and the street. Petty then said that the

access from Vanesta Drive to the clubhouse was a part of the Grand Mere Master Plan to provide additional access to the clubhouse and that it will include sidewalks and golf cart crossings. He then said that Grand Mere Parkway has not yet been extended to the north because there has not been a market demand for it to be extended.

Morse expressed her concerns that it would become routine to ask for longer cul-de-sacs by setting a precedent.

Stith asked about the division of the two cul-de-sacs on the north side. Petty said that it was a result of the larger lots being divided because of the demand for smaller lots.

Kratochvil asked if restricting connection of the R-3 lots to Vanesta Drive was considered. Petty said that it was not looked at in detail.

Reynard asked about the sprinkler systems in regard to private design standards for the development. Petty said that they rely solely on the Fire Department's requirements and recommendations.

Zac Burton, owner and applicant, said that there are no plans to have access to Vanesta Drive for the townhome R-3 lots. Burton then said that he held a number of neighborhood meetings, resulting in positive feedback.

Morse closed the public hearing.

Stith moved that the Planning Board recommend approval of the proposed rezoning of Tract 1 from R, Single-Family Residential District, to R-1, Single-Family Residential District, based on the findings in the Staff Report.

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

Stith moved that the Planning Board recommend approval of the proposed rezoning of Tract 2 from R, Single-Family Residential District, to R-3, Multiple-Family Residential District, based on the findings in the Staff Report.

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

Stith moved that the Planning Board recommend approval of the proposed rezoning of Tract 3 from R, Single-Family Residential District, to C-2, Neighborhood Shopping District, based on the findings in the Staff Report.

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

Bunger said that he received an answer about the fire sprinkler regulations in regard to cul-de-sac length and the regulation requires sprinkler systems if there are more than thirty (30) homes with only one single means of access.

Stith moved to approve the Final Plat of Interlachen Addition, based on conformance with the Manhattan Urban Area Subdivision Regulations, with the four (4) conditions recommended by City Administration and one (1) additional condition:

1. The rezoning of the vacant, platted lots and road rights-of-way from R, Single-Family Residential District to R-1, Single-Family Residential District, R-3, Multiple-Family Residential District and C-2, Neighborhood Shopping District shall be approved.
2. A Variation of cul-de-sac length for Society Circle and Fieldhouse Circle shall be approved.
3. A Variation of the maximum allowable street grade for a local street on Colbert Hills Drive, Society Circle and Fieldhouse Circle shall be approved.
4. A Variation to not provide pedestrian access from a local street to a nearby collector street shall be approved.
5. Prohibit direct access to Vanesta Drive from the R-3 zoned lots.

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

**A PUBLIC HEARING TO CONSIDER THE REZONING OF BODY FIRST MASSAGE ADDITION, AN APPROXIMATE 5.37-ACRE TRACT OF LAND AT 3615 CLAFLIN ROAD, FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO PUD, COMMERCIAL PLANNED UNIT DEVELOPMENT DISTRICT. (APPLICANT/OWNER: BODY FIRST LLC - DOUG SELLERS)**

Bunger presented the staff report and recommended approval.

Stith asked for clarification that the additional services have to be subordinate and accessory to the health club, so that the health club has to remain the primary use in the future. Bunger said that is correct.

Stith then asked if the outdoor tennis courts are illuminated at night. Bunger said that there are private covenants in place that do not allow for illumination of the outdoor tennis courts. Bunger then said that there have not been any concerns from the neighbors about the screening of the tennis courts.

Doug Sellers, applicant, said that the parking lot expansion along the entrance drive was completely finished. He said the traffic issues in the neighborhood are created by the Amanda Arnold School parents picking up and dropping off children and not due to his customer traffic. He said he frequently has to tell parents where not to park. He said no changes to the site are proposed with the PUD.

Sellers asked if there was any way to expedite the rezoning process. Cattell explained the statutory timeline that a rezoning must follow.

Morse expressed her gratitude for the applicant's efforts during the process to address the neighborhood's previous concerns.

Judd Annis, 1325 Hudson, indicated he spoke in opposition to the C-2 request in September, but that the PUD is an improvement. He asked if the sign for the property is going to be illuminated.

Bunger said that it is going to be externally illuminated which is allowed in a residential district. Annis then asked about the fence noted on the site plan and said that he does not want a fence there if one is not required.

Sellers said that there is not a fence that is proposed on the site plan between Body First and Annis's property. The fence is a wire fence on the property farther to the south.

Annis then asked about the addition of landscaping on the east side of the property to screen the newly expanded parking area and asked if there is going to be additional parking added over time due to an increase in business.

Stith said that if the parking was expanded in the future then the PUD would have to be amended.

Bunger said that there are shrubs and locust trees on the site plan.

Sellers said that he planned to add landscape screening for the expanded parking to block the view of the cars as best as possible, from the property to the east. He said it had not been platted yet because the parking was just completed.

Morse expressed her appreciation for comments made by Annis.

Tom Eyestone, 1226 Windsong Lane, said he had spoken in opposition to the C-2 request in September and that the PUD now addresses all his concerns. He expressed appreciation for the efforts made by the applicant since the last public hearing. He said he built his house directly west of the outdoor tennis courts and didn't want screening.

John Thurston, 1217 Windsong Lane, said he had spoken in opposition to the C-2 request in September and that he thinks the PUD is a good idea and protects the neighborhood. The parking improvements will help the area and he supported the PUD application.

Morse closed the public hearing.

Kratochvil asked about the reason for not requiring a landscaping plan with the PUD.

Bunger said that the landscape plan shows the existing landscaping on the site and he recalls there was a condition to add shrubs to the parking area with the Conditional Use. Bunger then said additional landscape screening could be added as a condition for the PUD rezoning.

Stith moved that the Planning Board recommend approval of the proposed rezoning of Body First, located at 3615 Claflin Road, from R, Single-Family Residential District, to PUD, Commercial Planned Unit Development District, based on the findings in the Staff Report, with the five (5) conditions recommended by City Administration and adding a

sixth and seventh condition by the Planning Board:

1. Permitted Uses shall include a Health and Fitness Club and its associated accessory sales of health and fitness items and equipment; and, accessory uses that are subordinate to and serve the principal Health and Fitness Club that shall be limited to a Beauty Shop, and Professional Services oriented towards health and wellness including chiropractic, acupuncture, massage therapy, physical therapy, and psychology and their associated accessory sales.
2. An amendment of the PUD shall be approved prior to the construction of any building additions or significant changes to the site plan as defined by Section 9-108(C).
3. Signage shall be limited to signs proposed in the application documents.
4. Exempt signage shall include signage described in Article VI, Section 6-104 (A)(1),(2),(4),(5), (6) and (7); and, Section 6-104 (B)(2) and B(5).
5. Landscaping and irrigation shall be maintained in good condition.
6. No lighting shall be added to the outdoor tennis courts.
7. Additional landscape screening shall be added to screen the expanded parking lot from the property to the east.

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

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

Cattell said that emails will be sent out in the next few days for the kickoff meetings to the Comprehensive Plan Update. He said the consultant team will be in Manhattan on December 18<sup>th</sup> and 19<sup>th</sup> to start the meetings.

Stith suggested that someone from K-State come to talk to the Planning Board about the K-Sate Campus Master Plan.

Cattell said that the City contacted K-State and that they will provide an overview to the Board in February.

Stith suggested that staff might consider working with a planning and landscape architecture class to help provide support to start the design guidelines for the Eureka Valley Plan. Cattell said that coordination could be challenging because of classes work on a semester timeline.

Evans said that there is a rough draft of the design guidelines for the Gateway Plan and he has started the draft guidelines for the Eureka Valley Plan.

There being no further business, Stith closed the meeting.

Respectfully submitted,  
Chase Johnson, Planning Intern

