

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
August 18, 2014
7:00 p.m.

MEMBERS PRESENT: Linda Morse, Chairperson; Phil Anderson, Vice-Chairperson; Gary Stith; Ron Hageman; Jerry Reynard; and Neil Parikh

MEMBERS ABSENT: John Ball

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Chad Bunger, Senior Planner; Lance Evans, Senior Planner; Benjamin Chmiel, Planner; Chase Johnson, Planner; Brian Johnson, City Engineer

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE MINUTES OF THE JULY 21, 2014 MANHATTAN URBAN AREA PLANNING BOARD MEETING

APPROVE THE FINAL PLAT OF THE K.F.C ADDITION, LOCATED AT 901 N. 3RD STREET. (APPLICANTS/OWNERS ARE RAJEEV & DIMPLE JAIN).

Stith moved that the Board approve the Consent Agenda.

Reynard seconded the motion. The motion passed on a vote of (6-0).

GENERAL AGENDA

A PUBLIC HEARING TO CONSIDER THE REZONING OF THE PROPOSED PRELIMINARY DEVELOPMENT FOR THE NOOR RESIDENCE MIXED USE PLANNED UNIT DEVELOPMENT, AN APPROXIMATELY 1.45 ACRE TRACT OF LAND, GENERALLY LOCATED TO THE SOUTHEAST OF THE INTERSECTION OF CLAFLIN ROAD AND HYLTON HEIGHTS ROAD, FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT TO PUD, MIXED USE PLANNED UNIT DEVELOPMENT DISTRICT. (APPLICANT/OWNER: NORTH AMERICAN ISLAMIC TRUST, INC.- DR. HAYDER RASHEE).

Bunger presented the staff report with the recommendation of approval with nine (9) conditions listed in the staff report.

Anderson asked if restaurants are required to have public toilets.

Bunger answered that most likely they are required to, but the layout of the project does not show it but probably will implement public toilets.

Morse asked what the current use is of the grass strip to the southeast of the property.

Bunger said it is used as an open/playground space but there will be no playground in the new development.

Morse asked why the development is being split into two (2) lots rather than combined into one (1) lot.

Bunger stated that he did not know and that the City had recommend providing a cross parking and access easement between the two (2) properties.

Morse stated her concern that if the property is later sold, there would not be sufficient parking for the complex.

Bunger stated the cross easement is needed to help ensure adequate parking is available.

Anderson asked if the vehicular entrance off Claflin was required and that it could create additional traffic issues.

Bunger stated that he was not sure if the entrance is required, but does meet all the engineering standards. Brian Johnson, City Engineer, confirmed that the proposed entrance on Claflin met all requirements.

Stith asked if a left turn off Claflin into the proposed driveway would create a traffic issue.

Johnson explained that the City plans to construct a left turn lane for Claflin Road in the CIP in 2017 or 2018.

Stith stated that a left turn lane could create even more traffic issues and if it would be better to restrict the driveway to a right-in and right-out only.

Johnson stated that it was not necessary and the City could later mandate a right-in and right-out if needed.

Morse asked about proposed fencing on the southern boundary of the site.

Bunger explained that there will be screening fences along the eastern and southern boundaries.

Reynard asked if an ATA bus stop already exists at the site or is just being proposed.

Bunger explained that a bus stop does not exist near the site but has been suggested by the applicant.

Stith asked if the shared parking analysis was based on students and professors without cars and if the requested exception for the reduction of parking was too much.

Bunger explained that the complex will have thirty-one (31) bedrooms. Under current proposal one (1) stall is provided per bedroom, which has been standard in many developments. An additional five (5) stalls will be provided for the coffee shop, for a total of thirty-six (36) parking stalls.

Haydar Rasheed, the applicant, addressed the Board and elaborated on the project. He said the development is important to international students and visiting professors and will also provide short term leases.

Anderson asked if the proposed coffee shop/restaurant is geared towards the residents of the complex rather than the general public.

Rasheed stated that the purpose of the coffee shop is to serve the residents in the complex.

Morse opened the public hearing.

Loren Pepperd, indicated his office was across the street on Hylton Heights and expressed concern over traffic safety but also interest in visiting the coffee shop. He also stated that the development should be considered as one lot rather than two. Pepperd discussed his parking concerns and issues for the existing mosque on Fridays. He stated that he would like to see the apartments be an equal opportunity rental and not just for international students.

Tim Schultz, Schultz construction located across the street in Hylton Square, reiterated many of Pepperd's concerns. Schultz also stated that the mosque currently lacks sufficient parking and that the proposed complex will exacerbate the problem. He indicated general support of the project, but proposed that the development should stop after the first phase, until more parking is acquired for phase two.

Reynard asked if the additional thirty-five (35) parking spaces will alleviate parking concerns on Fridays.

Schultz answered that if the parking was only for the mosque it would help, but will not help if the apartments are constructed.

Reynard stated that many foreign students do not drive cars and the proposed parking is appeared to be sufficient.

Schultz stated that if the development was to change hands, it could detrimentally affect the neighborhood if sufficient parking is not provided.

Dolly Anderson, G & A Real Estate located across the street at Hylton Square, expressed how the proposed development and entrance off Claflin could exacerbate traffic on Claflin Road. She also stated that while she agrees short-term leases are a good idea, they are not economically viable and could create problems in the future.

Mary Molt, 1122 Hylton Heights Road, described her concerns about traffic and parking on Hylton Heights Road. She discussed how many foreign students do drive and that the proposed parking is not sufficient. Molt stated that the development threatens the character of the neighborhood and area which is primarily single-family residential.

Ben Eckart, 1121 Hylton Heights Road, discussed his traffic and parking concerns on Hylton Heights Road and that the development will exacerbate traffic and parking in the area.

Ian Reekie, consultant with Schwab-Eaton, explained how the traffic study and parking analysis were conducted. Reekie stated that the development will have sufficient parking in accordance with city requirements and shared parking principles.

Johnson elaborated that a right-in and right-out along Claflin Road would be unusual, but would increase safety. Also, a center island may also increase safety.

Schultz asked if the consultant could analyze current conditions of parking, particularly on Fridays. He also suggested reanalyzing the parking conditions after Phase One is completed to determine if sufficient parking exists to accommodate Phase Two.

Rasheed discussed the financial feasibility of short term leases.

Hageman asked Rasheed about peak attendance at the mosque and if current parking fully accommodates all attendees.

Rasheed discussed peak attendance at the mosque and the transient nature of the mosque community. He also mentioned that the mosque is generally not used during the day and/or during times when there are no services or activities.

Morse asked Rasheed if the mosque community members were aware of the parking situation on Hylton Heights and in Hylton Square, and if they had informed attendees not to park in the Hylton Square parking lot.

Rasheed answered that they have informed attendees not to park in the Hylton Square parking lot.

Morse asked when the traffic study was performed.

Reekie stated that the traffic study was redone in April-May but did not include actual counts.

Dolly Anderson stated that the Hylton Square parking lot currently has a warning sign that informs people that the parking lot is private but is often ignored.

Molt reiterated that traffic is a major issue and can create congestion on Hylton Heights Road.

Pepperd informed the Board that Hylton Heights was once a dirt road and is now a

primary road. He said right-in and right-outs would help with traffic on the road.

Eckart discussed a traffic study performed ten years before that mentioned 1,500 cars a day used the road at the time.

Morse asked if the applicant would consider paving a small piece of land at the southern end of the site for parking.

Bunger answered that all of the proposed parking will be built during Phase One.

Morse closed the public hearing.

Stith moved that the Board recommend approval of the proposed rezoning of the Noor Residence Mixed Use Planned Unit Development from R, Single-Family Residential District to PUD, Mixed Use Planned Unit Development District, with the nine (9) conditions in the Staff Report and with three additional conditions:

1. Cross Easements for parking between the two (2) lots
2. Access off Claflin Road only be right-in and right-out
3. Approve only Phase One of the apartment building and the area for Phase Two of the building be use for additional parking; and Phase Two would only be allowed after an additional parking analysis determined if Phase Two can be built without creating a detrimental impact on the area.

Reynard seconded the motion.

Phil Anderson expressed concern with the Claflin Road entrance and if the Hylton Heights entrance is adequate.

Stith stated that by not having an entrance/exit off of Claflin Road it would put more traffic onto to Hylton Heights Road.

Bunger asked for clarification on Stith's proposed conditions of approval.

Hageman stated that parking for the mosque is not currently adequate and that the Board should table the item for more analysis by the applicant.

Anderson stated that the project should be one lot rather than two.

Stith said that the cross easement solves the problems and issues of having two lots by linking the properties together, regardless of ownership in the future.

Stith withdrew his motion.

Gary Schooley, consultant with Schwab-Eaton, informed the Board that sixty (60) days should allow for sufficient time to revise the plans.

Stith moved that the Board table the item to the October 20, 2014 Planning Board meeting date, to allow the applicant time to develop a revised plan showing Phase One;

the building footprint of Phase Two as additional parking; a right-in and right-out on Claflin Road; and a notation of cross easements for the two lots, in addition to the existing nine conditions.

Anderson seconded the motion which passed on a vote of (6-0).

CONSIDER ANNEXATION OF THE PROPOSED THE TRAILS AT MANHATTAN RESIDENTIAL PLANNED UNIT DEVELOPMENT, AN APPROXIMATELY 37.60 ACRE TRACT OF LAND, GENERALLY LOCATED 1,000 FEET TO THE WEST OF THE INTERSECTION OF CASEMENT ROAD AND MARLATT AVENUE ON THE NORTH SIDE OF MARLATT AVENUE (APPLICANT: THE TRAILS AT MANHATTAN, A LIMITED PARTNERSHIP, OWNER: LYNDA & RONNIE PHILLIPS, JASON HUFF, K R & C S McKAY TRUST, AND MARY BETH IRVINE).

A PUBLIC HEARING TO CONSIDER THE REZONING OF THE PROPOSED PRELIMINARY DEVELOPMENT PLAN FOR THE TRAILS AT MANHATTAN RESIDENTIAL PLANNED UNIT DEVELOPMENT, AN APPROXIMATELY 37.60 ACRE TRACT OF LAND, GENERALLY LOCATED 1,000 FEET TO THE WEST OF THE INTERSECTION OF CASEMENT ROAD AND MARLATT AVENUE ON THE NORTH SIDE OF MARLATT AVENUE FROM COUNTY AG, AGRICULTURE DISTRICT AND SF-2, SINGLE-FAMILY DISTRICT TO PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT. (APPLICANT: THE TRAILS AT MANHATTAN, A LIMITED PARTNERSHIP, OWNER: LYNDA & RONNIE PHILLIPS, JASON HUFF, K R & C S McKAY TRUST, AND MARY BETH IRVINE).

Bunger presented the staff reports for the two items with the recommendation of approval.

Stith asked if the fill on the site to bring the area above the flood level would affect nearby properties.

Bunger answered that it should not affect nearby properties and that the proposed detention basin will help offset elevation changes and the threat of flooding.

Morse asked if the flood maps showed the flood elevation being at 1020 feet and if the apartments would be built at 1022 feet.

Bunger said the maps did show the average flood elevation being at 1020 feet and that the apartments would be built at 1022 feet to protect them from flooding.

Anderson asked if the entire site would be raised to 1022 feet, or just the pad sites and also if the retention pond would be fenced off.

Bunger recommended that the entire site being raised to 1022 feet and that the retention pond would be fenced.

Stith and Reynard commented on the significant reduction of parking and the increased traffic.

Bunger stated that there is one parking space per bedroom with an additional 120 parking spaces for visitors for a total of 1,200.

Morse asked about the storage building's location on the site and its purpose.

Bunger stated that its location is not shown on the site plan and it will be used for storage of maintenance equipment for the complex.

Morse expressed concern about school children getting to Northview Elementary because of the lack of sidewalks.

Brian Johnson, City Engineer, stated that a sidewalk is being constructed along the west side of Casement Road from Marlatt Avenue to Butterfield. A second phase will involve an extension of the sidewalk from Butterfield to Allen Road in 2017.

Morse asked if the Final Development Plan could be reviewed because of changes that can occur during a period of five to ten (5-10) years.

Bunger stated that the Board will most likely be able to review the Final Development Plan before its implementation and that the development will be monitored through phases and that drainage will be analyzed and addressed as accordingly.

Stith asked if the Fire Department had reviewed the plan and if there are circulation concerns, especially in regard to the north end of the site.

Bunger stated that the Fire Department had reviewed and approved the site plan and had no concerns.

Stith also asked if the city would have problems attaining right-of-way for the future Marlatt extension.

Johnson stated that attaining right-of-way for a future extension should not be a significant concern, as this development is matching the amount of right-of-way obtained from Northwing farther to the west.

Kim Fugitt, Architect and Planner with Lindsey and Associates, applicant, provided background information on the company, indicating it owned over 38,000 apartment units and that its business model is to own the apartments and not sell them off. He explained the site layout and design. He said they were not opposed to the suggested shared drive with the two houses to the west and explained that they had agreed with the seller of the land to provide a five foot tall ornamental fence along the east property line. He explained that each building has two front facades and no rear façade so they look good from both sides. He said they have never had an issue with a parking ratio of one stall per bedroom and that they provide 24-hour onsite management that live in the clubhouse.

Hugh Jarrat, Lindsey and Associates explained the demographics of the development, indicating it will reflect the demographics of the community. Because the units are all one or two bedroom they don't have a lot of families with school age kids.

Morse asked about the approximate range of rent for the development.

Jarratt explained that the development will be affordable and rents will be slightly above medium rent rates in the city. Jarratt also explained the development will not use any tax credits or subsidies.

Stith asked about the number and location of trash dumpsters in relation to the apartment buildings.

Fugitt explained there will not be a dumpster for every building but will rather be located at the ends of the parking lots isles.

Morse asked about the height of trees planted at the time of constructed.

Fugitt stated that the trees are typically ten to fifteen feet (10'-15') at the time of planting.

Morse opened the public hearing.

Steve Jones, 1180 Julie Lane, stated that he would like connection to city water since his property is already connected to the city sewer system. He said the county had told him they would address drainage at the north end of Nelson's Landing but that it never did. Jones expressed concern over a potential rise in drug related crimes that could be generated from the apartments. He also stated that the proposed water retention pond could cause problems.

Morse asked if Jones would be willing to be annexed by the City.

Jones stated that he has petitioned to be annexed approximately nineteen (19) years ago but because many of properties are owned by holding companies or banks outside the state, it is difficult to contact them to sign a petition.

Maurine Pruitt, resident in the Brookfield area, stated her excitement for the development but also concern for a potential increase in flood levels that could affect the neighborhood to the south of the site. She asked if Marlatt Avenue could be widened to accommodate the increase in traffic.

Jones asked that during the construction phase, if trash and dust in blown into the surrounding neighborhoods if the developers could pick up the trash and spray water on dust to help maintain the aesthetics and quality of the area.

Bunger stated that the pipes emptying the on-site retention pond into Marlatt ditch are designed to accommodate a 100-year storm and will meter water entering Marlatt ditch to prevent overflow.

Pruitt asked where the drainage from the development and the Marlatt ditch goes.

Bunger explained that water drains into the Marlatt ditch and flows through the neighborhood to the south before emptying into the Blue River.

Johnson stated that the Blue River is the controlling factor when it comes to flooding in the area.

Fugitt stated that drainage and traffic studies are based on best practices and past history.

Jarratt explained that all prospective residents of their developments must undergo a background check in order to lease on the property. Those with a history of felonies, violent or sexual misdemeanors cannot live in Lindsey Company owned developments. He said crime rates inside Lindsey developments are typically a fraction of the community crime rate.

Morse closed the public hearing.

The Board and Staff discussed the fencing styles and locations along the perimeter of the site.

Stith made a motion that the Manhattan Urban Area Planning Board recommend approval of the annexation of the 37.6-acre site, generally located 1,000 feet west of the intersection of Casement Road and Marlatt Avenue, based on conformance with the Future Land Use Map of the Comprehensive Plan, the Growth Vision, and the Capital Improvements Program (CIP).

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

Stith made a motion that the Manhattan Urban Area Planning Board recommend approval of the proposed rezoning of The Trails at Manhattan Planned Unit Development from County AG, General Agriculture and SF-2, Single-Family Residential District, to PUD, Residential Planned Unit Development District, based on the findings in the Staff Report, with the fifteen (15) conditions recommended by City Administration with a modification to recommendation #7 that there be a six (6) foot screening fence on the west perimeter and a fence on the east perimeter of the site.

Anderson seconded the motion which passed on a vote of (6-0).

ANNUAL ORGANIZATIONAL MEETING AND ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSON.

Stith nominated Anderson as the Chairman of the Planning Board.

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

Anderson nominated Ball as the Vice-Chairman.

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

REPORTS AND COMMENTS BY BOARD MEMBERS AND STAFF

Cattell updated the Board on the progress with the Comprehensive Plan.

Stith asked if there was a good response with the online tool.

Cattell stated that there were approximately 167 responses to the online survey.

Stith announced that there is an online interactive map for the Flint Hills regional transportation plan.

Evans introduced Benjamin Chmiel as the new Long-range Planner.

Morse adjourned the meeting.

Respectfully submitted,

Everett Haynes, Planning Intern