

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
Monday, February 7, 2005
7:00 p.m.

MEMBERS PRESENT: George Ham, Chairperson; Jerry Reynard; Mike Hill; Mike Toy; Loren Pepperd; Mike Kratochvil.

MEMBERS ABSENT: Gwyn Riffel.

YOUTH IN GOVERNMENT: David Wilcox.

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Ockert Fourie, Senior Planner; Julie Kruse, Planner; Cam Moeller, Planner; Steve Higgins, Zoning Enforcement Officer, Riley County.

OPEN PUBLIC COMMENTS

Ham opened and closed Open Public Comments with no one speaking.

CONSENT AGENDA

1. **CONSIDER THE MINUTES OF THE JANUARY 3, 2005, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**
2. **CONSIDER THE FINAL PLAT OF THE MEADOWLARK HILLS RETIREMENT COMMUNITY, UNIT TWO, A REPLAT OF LOT 1, OF THE FINAL PLAT OF MEADOWLARK HILLS RETIREMENT COMMUNITY. (OWNER/APPLICANT: MANHATTAN RETIREMENT FOUNDATION, INC.)**

Hill moved that the Board approve the Minutes of the January 3, 2005 Manhattan Urban Area Planning Board meeting and table the Final Plat of Meadowlark Hills Retirement Community, Unit Two, A Replat of Lot 1, until February 24, 2005. Reynard seconded the motion, which passed on a vote of 6-0.

GENERAL AGENDA

1. **A PUBLIC HEARING TO CONSIDER AN AMENDMENT OF THE FINAL DEVELOPMENT PLAN AND THE MEADOWLARK HILLS RESIDENTIAL PLANNED UNIT DEVELOPMENT, WHICH IS GENERALLY LOCATED WITHIN MEADOWLARK HILLS PUD, AND EAST OF MEADOWLARK ROAD, NORTH OF KIMBALL AVENUE AND BLUEHILLS SHOPPING CENTER, WEST OF TUTTLE CREEK BOULEVARD, AND SOUTH OF UNDEVELOPED KANSAS STATE UNIVERSITY RANGE LAND. THE AMENDMENT IS FOR THE PROPOSED CONSTRUCTION OF A NEW STREET AND FIVE (5) NEW DUPLEXES, AND OTHER RELATED IMPROVEMENTS. (APPLICANT AND OWNER: MANHATTAN**

RETIREMENT FOUNDATION INC.)

Kruse presented the Staff Report, recommending approval.

Mike Mayo, architect with Ken Ebert Design, said the proposed changes to the PUD, which consist of a few additional duplex units, are minor.

Ham opened and closed the Public Hearing, with no one speaking.

Hill moved that the Board recommend approval of the proposed Amendment of the Final Development Plan of the Meadowlark Hills Residential Planned Unit Development, and Ordinance No. 6049, based on the findings in the Staff Report, with the three (3) conditions by City Administration.

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

2. **A PUBLIC HEARING TO CONSIDER THE REZONING OF 804, 810, 812, AND 816 MORO STREET FROM R-M, FOUR-FAMILY RESIDENTIAL DISTRICT, WITH TNO, TRADITIONAL NEIGHBORHOOD OVERLAY DISTRICT, TO RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT. THE MORO PUD IS PROPOSED TO CONSIST OF SIXTEEN (16) DWELLING UNITS, OFF-STREET PARKING, LANDSCAPING AND OTHER IMPROVEMENTS. (APPLICANT: CALVIN EMIG/OWNERS: CALVIN AND GENIE EMIG, AND PETER AND G. A. GARRETSON)**

Calvin Emig, applicant, and Tracy Anderson, architect, provided an overview of the project proposal. Emig described the conditions and use of the existing structures on the site and surrounding properties.

Zilkie presented the Staff Report, recommending approval with the five conditions listed in the Staff Report.

Reynard asked about purchasing the town-homes. Zilkie explained that the PUD would restrict purchase of individual dwellings and that there would be covenants and restrictions regarding the common area.

Ham opened the Public Hearing.

Ernest Peck, 619 N. Juliette, said the amount of surface parking would affect the existing drainage problems in the area. Peck said he would not want to see this development move into the neighborhood.

Harold Kraus, 612 Laramie, said he was concerned that if this project were to be approved, it would establish a mechanism for this type of proposal to be repeated. Kraus said that the TNO District was established for specific purposes and this PUD proposal circumvents the requirements of the TNO. Kraus said he was leery about establishing a precedent.

Michael Lambert, 800 Ratone, spoke as president of the Goodnow Neighborhood Association. Lambert said that the project would create a traffic bottleneck and is a non-complying use of the property. He was concerned about traffic impacts and the antiquated utilities in the area.

Pepperd asked Lambert what steps the Neighborhood Associations are taking to improve their neighborhoods and asked about the number of families that have moved back into the area and that are working on their homes. Pepperd said he checked with Codes Services and there have not been many building permits issued in that neighborhood, indicating that families are not renovating houses.

Lambert said he did not have a list of addresses, however he knew of many families that are renovating their homes. Lambert suggested that someone who lives within the East Park Neighborhood might be able to provide more specific information.

Bonnie Lynn-Sherow, 529 Pierre, said she was speaking as a citizen and not as Chair of the Historic Resources Board. Lynn-Sherow said that building permits are not a good sign of the amount of activity that is going on related to home renovations, as they are not always required. In response to Pepperd, Lynn-Sherow noted the major role that the Neighborhood Associations had in the adoption of the TNO rezonings.

Dixie West, 1014 Houston, spoke as representative of the Manhattan/Riley County Preservation Alliance. West spoke of the work that went into downzoning and applying the TNO to the older neighborhoods. West questioned whether this site is right for this type of development and whether it is consistent with the policies of the Comprehensive Plan. West referred to the review criteria for Planned Unit Developments, which includes the criteria that PUD developments take into account the character of the neighborhood. West said the scale of the development is very large for the area and she does not believe its placement fits the Comprehensive Plan or the review criteria for PUDs. West said she would regret the loss of any historic structures.

Kay Ring, 423 Fremont, said she was concerned about the loss of the stone house. Ring was critical of people profiting from letting houses deteriorate. Ring said she owns two rental properties in the area that are in better condition than when they first purchased the property. Ring said that two of the houses proposed for demolition as part of this project had been allowed to severely deteriorate by their previous property owners.

Ring asked about the number of parking stalls that are normally required within the R-M/TNO Zoning Districts. Zilkie explained the parking requirements for multiple-family structures. Ring said that more parking spaces should be required for projects such as this one.

Jerri Garretson, 804 Moro, said she is owner and lives in the stone house proposed to be removed at the east end to the PUD. Garretson said they have owned the home since 1973 and they have done extensive work on the house over the years. Garretson

said the area used to be a quiet neighborhood with children and older couples but it has deteriorated dramatically over the past twelve years. Garretson noted that in the past they have spoken out against similar projects but they have come to realize that the neighborhood has changed and that their house has outlived its usefulness. Garretson said the four-plex built by the applicant to the north across the alley has been the first real improvement in the neighborhood in years. Garretson said The Moro would be an improvement to the neighborhood. Garretson said that not every old house can be saved and that it is time to let theirs go. She referred to her written comments that she had submitted to the Board.

Marion Kundiger, 723 Pottawatomie Avenue, said she is Jerri Garretson's mother and that she herself lived in the stone house for a number of years. Kundiger discussed the condition of the house and the difficulty in making additional improvements. Kundiger said the house cannot have central air conditioning and that it would cost a fortune to install a new furnace. Kundiger also said that it would be necessary to remove asbestos. Kundiger said the neighborhood has already declined and that proposed project would help improve the neighborhood.

Lynn Blecha, 6130 Tuttle Terrace, said he is a contractor who has built several of Emig's projects. Blecha said he has received many positive comments about Emig's four-plex building located at the corner of 8th and Bluemont. Blecha said this project would provide affordable housing, which the community has been talking about. Blecha said Emig is a conscientious landlord and builder, who wants to use good materials.

Barbara Peck, 619 N. Juliette, said she was a former member of the Older Manhattan Neighborhood Association and described how they had worked for years to get the zoning changed in their neighborhoods. Peck said too many variances have been granted over the years and the uncertainty of the types of development that will be allowed may be part of the reason why families are leery of moving into the older neighborhoods.

Kraus, in response to Pepperd's earlier question related about the number of families moving into the area and renovating houses, provided a number of examples of homes currently under renovation within the vicinity of this project, including: the 600 block of Laramie, 612 Juliette, the 500 block of Laramie, the 700 block of Laramie, the 500 block of Moro, and the corner of 6th and Moro.

Ham closed the Public Hearing.

Toy asked about the percentage of owner-occupied homes compared to rental properties in the area. Zilkie said he could not provide any percentages but said the majority of properties are rentals in the nearby area, however there is more owner occupancy as you go farther to the east and southeast.

Reynard said the information presented by Kraus about the number of homes being renovated within the area east of Juliette Avenue suggests that the recent zoning changes are having their intended effect. Reynard said that the applicant deserves a

“gold star” for what he is proposing and expressed his support.

Pepperd discussed the difficulty in bringing older homes up to meet City Code. Pepperd said the 800 Block of Moro is made up almost entirely of rental properties. He said the ability to sell the town-homes will help promote affordable housing.

Hill said the architecture of the proposed project deserves an “A+”. Hill said this type of project should be the minimum standard the City should expect, compared to the large new boxes. Hill said that while everyone will have different opinions as to whether this proposal meets the intent of the TNO guidelines, in his mind it does and he will support the project.

Kratochvil asked about the number of structures that could be built under the existing R-M/TNO zoning if the applicant did not go through the PUD process. Zilkie replied that the applicant would have the ability to replat the five lots into four lots, and build four 4-plexes with an almost equivalent number of total bedrooms as the proposed project.

Kratochvil said would support the project for the reasons that had been given by the other Board members. Kratochvil said he looks at this proposal as condominiums and not as apartments. Kratochvil commended the design of the project.

Toy noted the project’s proximity to Aggieville and said it is difficult to bring families back to this particular area to renovate structures for single-family housing. He said that new housing is a strong player in the economic development of Manhattan and that the project would be an improvement to this area of town.

Ham said he would support the proposal too. Ham referred to the difficulties in bringing the existing structures up to code, and said he did not see the difference between one 16-unit building, as proposed, and four 4-unit buildings that would be permitted under the existing zoning.

Wilcox said that he had heard great points from both sides and felt there had been a good discussion of the issues involved.

Reynard moved that the Planning Board recommend approval of the proposed rezoning of The Moro Addition, from R-M, Four-Family Residential District with TNO, Traditional Neighborhood Overlay District, to PUD, Residential Planned Unit Development District, based on the findings in the Staff Report, with the conditions recommended by City Administration.

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

3. A PUBLIC HEARING TO CONSIDER AN AMENDMENT OF THE RILEY COUNTY ZONING REGULATIONS, REVISING CERTAIN PORTIONS OF THE CURRENT FLOODPLAIN REGULATIONS IN ORDER TO BE IN CONFORMANCE WITH THE NATIONAL FLOOD INSURANCE

PROGRAM AND THE STATE OF KANSAS (APPLICANT: RILEY COUNTY BOARD OF COMMISSIONERS)

Higgins, Zoning Enforcement Officer and Flood Plain Administrator for Riley County, presented the Staff Report, recommending adoption of the regulations as published.

Higgins discussed with the Board the effect of the proposed amendment.

Higgins announced that the Riley County Planning Board would consider the amendment on February 14th and the Riley County Commission would consider the amendment on February 24th.

Ham opened and closed the Public Hearing, with no one speaking.

Kratochvil moved that the Board recommend adoption of the regulations as published.

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

4. A PUBLIC HEARING TO CONSIDER AN AMENDMENT OF THE MANHATTAN ZONING REGULATIONS CONCERNING:

- **ARTICLE V ACCESSORY USES, TO REDUCE THE SIDE YARD AND REAR YARD SETBACK REQUIREMENTS FOR ENCLOSURES FOR TRASH RECEPTACLES ALONG ALLEYS.**
- **ARTICLE IV DISTRICT REGULATIONS: RDO REDEVELOPMENT DISTRICT OVERLAY; C-6 HEAVY COMMERCIAL DISTRICT; AND THE LM-SC LIGHT MANUFACTURING - SERVICE COMMERCIAL DISTRICT, TO ADD A CROSS-REFERENCE NOTE THAT ADULT BUSINESS ARE PROHIBITED.**
- **ARTICLE IV DISTRICT REGULATIONS, TO ADD A NEW SECTION 4-307 ESTABLISHING THE CTPO CORPORATE TECHNOLOGY PARK OVERLAY DISTRICT.**
- **ARTICLE XI AIRPORT OVERLAY DISTRICT, TO REMOVE SPECIFIC REFERENCE TO 1,058 AS THE AIRPORT ELEVATION; AND TO MODIFY THE AIRPORT NOISE EXPOSURE ZONE DECIBEL CONTOUR FROM 55 TO 65 LDN TO MATCH FEDERAL AVIATION ADMINISTRATION GUIDELINES.**
- **(APPLICANT: CITY OF MANHATTAN)**

Zilkie presented the Staff Report, recommending approval.

Ham opened and closed the Public Hearing, with no one speaking.

Reynard moved that the Board recommend approval of the amendments to the Manhattan Zoning Regulations: Article IV, District Regulations; Article V, Accessory

Uses, Temporary Uses, Home Occupations; and Article XI, Airport Overlay District, as proposed, based on the findings in the Staff Memorandum.

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

5. PLANNING BOARD DISCUSSION REGARDING SUGGESTIONS FOR THE 2006 – 2011 CAPITAL IMPROVEMENTS PROGRAM.

Cattell introduced the item.

The Planning Board discussed suggestions for inclusion in the 2006 - 2011 Capital Improvements Program. Jerry Reynard identified the need to continue the parking garages and parking improvements projects, in the Aggieville and Downtown areas, identified previously by Gwyn Riffel.

Mike Hill reiterated his suggestion from last year that the City continue to consider identifying projects and funding sources in the CIP for appropriate sections of the Bluemont Avenue – Anderson Avenue Corridor, from Tuttle Creek Boulevard, to Scenic Drive for any necessary improvements and upgrades.

Loren Pepperd asked if there were any CIP programming needs for the Marlatt Avenue corridor, from Casement Road to US 24, given that much of the affordable housing for Fort Riley is in the northeastern portion of the community.

The Board generally agreed to keep the other remaining Planning Board projects in the current CIP:

6. REPORTS AND COMMENTS BY BOARD MEMBERS.

There was no further business and the meeting was adjourned.

Respectfully submitted,

Cam Moeller, Planner