

**MINUTES**  
**MANHATTAN URBAN AREA PLANNING BOARD**  
**City Commission Room, City Hall**  
**1101 Poyntz Avenue**  
**Monday, May 2, 2005**  
**7:00 p.m.**

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

**MEMBERS ABSENT:** Gwyn Riffel.

**STAFF PRESENT:** Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Ockert Fourie, Senior Planner; Cam Moeller, Planner; Bob Isaac, Riley County Planner.

**OPEN PUBLIC COMMENTS**

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

**CONSENT AGENDA**

**1. APPROVE THE MINUTES OF THE APRIL 18, 2005, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**

Hill moved to approve the minutes. Toy seconded the motion, which passed on a vote of 6-0.

**2. APPROVE THE FINAL DEVELOPMENT PLAN OF THE MORO RESIDENTIAL PLANNED UNIT DEVELOPMENT, LOCATED AT 804-816 MORO STREET. (APPLICANT/OWNER: CALVIN EMIG)**

Pepperd moved to approve the Final Development Plan. Kratochvil seconded the motion, which passed on a vote of 6-0.

**3. APPROVE THE FINAL DEVELOPMENT PLAN OF RITCHIE PAVING, A COMMERCIAL PLANNED UNIT DEVELOPMENT GENERALLY LOCATED ON THE SOUTH SIDE OF HIGHWAY K-18 IN THE VICINITY OF W. 52<sup>ND</sup> AVENUE AND K-18. (APPLICANT/OWNER: RITCHIE PAVING, INC. AND SUBS/ALBERT AND LAURA WOOD)**

Kratochvil moved to approve the Final Development Plan. Pepperd seconded the motion, which passed on a vote of 6-0.

**GENERAL AGENDA**

**1. TABLE A PUBLIC HEARING TO CONSIDER THE REZONING OF LOT 2, STREETER SUBDIVISION, UNIT 2, FROM R-1, SINGLE-FAMILY**

**RESIDENTIAL DISTRICT, TO PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT. THE PROPOSED PUD WILL CONSIST OF TEN (10) SINGLE-FAMILY DWELLING UNITS ON PROPERTY LOCATED NORTHEAST OF THE INTERSECTION OF CASEMENT ROAD AND KNOX LANE. (APPLICANT/OWNER: JESSE PLATT)**

Toy moved to table the item until May 16, 2005. Pepperd seconded the motion, which passed on a vote of 6-0.

2. **A PUBLIC HEARING TO CONSIDER REZONING A 20 ACRE TRACT OF LAND FROM "G-1" (GENERAL AGRICULTURAL) TO "R-PUD" (RESIDENTIAL PLANNED UNIT DEVELOPMENT). THE TRACT IS GENERALLY LOCATED APPROXIMATELY 1 ¼ MILES NORTH OF K-18 HWY. AND 700 FEET WEST OF SCENIC DRIVE. (APPLICANT/OWNER: PAUL AND DIANA NICKEL)**

Isaac presented the Staff Report, recommending approval. Isaac read two letters addressed to the Planning Board. One, from Gerald Hughes, a neighboring property owner, spoke against the rezoning proposal. The second, from the Kansas State Credit Union, spoke in support of the proposal.

Hill asked whether the zoning change that would permit a bed and breakfast would run with the land or whether it would expire when the ownership changes hands.

Isaac said that the zoning change would run with the land.

Zilkie noted that within the City, Bed and Breakfast Homes are permitted uses that run with the land while Bed and Breakfast Inns are conditional uses, in which condition of approval can be linked to ownership.

Ham opened the Public Hearing.

Paul Nickel, the applicant/owner, explained how they built the log home and barn about one and a half years ago. The use of the barn had been unanticipated and has "taken on a life of its own". Nickel said he was willing to have the zoning change tied to ownership. Nickel said that he had informed and met with surrounding property owners.

Ham closed the Public Hearing.

Hill asked if was possible to tie the zoning change to ownership. Isaac said that was not possible, that zoning runs with the land.

Kratochvil moved that the Board forward a recommendation of approval to the Board of County Commissioners, based on the findings in the Staff Report.

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

**3. A PUBLIC HEARING TO CONSIDER THE REZONING OF LOT 14, BLOCK 8, COLLEGE HILL PARK ADDITION – 10<sup>TH</sup> UNIT, FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT 2438 VAUGHN DRIVE. (APPLICANT/OWNER: MERCY REGIONAL HEALTH CENTER)**

Zilkie presented the Staff Report, recommending approval.

Ham opened the Public Hearing.

Dan Woodworth, Mercy Health Center, said the parking would be in the back except for parking for one car in the front driveway. Woodworth said there would be a 6-employee limit and would be used as an office for only one year.

Pepperd asked if they would be required to meet ADA standards. Zilkie said that Code Services would address that.

Rebecca Ponce (2429 Vaughn) said that she and her neighbors initially had concerns about the amount of cars and traffic that would be added, but those questions have now been answered.

Ham closed the Public hearing.

Toy moved that the Board recommend approval of the proposed rezoning of Lot 14, Block 8, College Hill Park Addition – 10<sup>th</sup> Unit, at 2438 Vaughn Drive, from R, Single-Family Residential District, to R-1, Single-Family Residential District based on the findings in the Staff Report.

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

**4. A PUBLIC HEARING TO CONSIDER THE REZONING OF LOT 32, HACKBERRY ADDITION FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R-2, TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT 2400 CASEMENT. (APPLICANT: LUTHER PENNELL; OWNER: VINEYARD CHRISTIAN FELLOWSHIP)**

Zilkie presented the Staff Report, recommending approval.

Fred Gibbs, BG Consultants, said he is working with the applicant and would be happy to answer questions.

Reynard asked if the Church grounds would be rezoned to R-2. Gibbs said it would.

Jack Rader (209 Parker Drive) asked if there was going to be sufficient drainage. Rader noted that the neighborhood is pretty compact as it is and is concerned about

increased congestion and noise. Rader said that Parker Drive is already crumbling from all of the existing traffic.

Mark Boucher (125 Parker Drive) asked how close the buildings would be to their backyards. Boucher had concerns about the proposal.

Gibbs said the distance from the backyards on Parker Drive to the closest buildings would be at least 100 feet. Gibbs described how drainage will go out to the street and then move northeast.

Hill asked when the Board would see the plat. Zilkie said it would be a replat.

Ham closed the Public Hearing.

Pepperd expressed concern about density and the amount of traffic in this area.

Zilkie described the proposed location of the street, and said at its closest would be about 10 feet from the rear property line of lots on Parker Drive.

Hill said because of the issues that had been raised, he was reluctant to rezone the property without seeing the plat.

Reynard agreed with Hill.

Pepperd asked if the Board could table the proposal until the applicant is present.

Ham asked if it was possible to tie the plat and rezoning together.

Hill asked Gibbs if that would be workable for them. Gibbs said it would. Gibbs said they would like to do a drainage report too.

Hill moved to table the item until June 6<sup>th</sup>, 2005. Reynard seconded the motion, which passed on a vote of 6-0.

5. **CONSIDER THE ANNEXATION OF A 2.591-ACRE TRACT OF LAND, GENERALLY LOCATED SOUTH OF MARLATT AVENUE AND APPROXIMATELY 750 WEST OF CASEMENT ROAD. THE TRACT IS A PORTION OF THE MARLATT AVENUE DRAINAGE DITCH, WHICH ADJOINS THE SOUTH SIDE OF MARLATT AVENUE, AND THE NORTH SIDE OF BROOKFIELD ADDITION, UNIT FIVE. (APPLICANT/OWNER: SSF DEVELOPMENT, LLC)**
6. **A PUBLIC HEARING TO CONSIDER THE REZONING OF A 10.6-ACRE TRACT OF LAND, TO BE KNOWN AS BROOKFIELD ADDITION, UNIT SIX, FROM COUNTY G-1, GENERAL AGRICULTURAL DISTRICT, AND R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R-2, TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED**

**SOUTH OF MARLATT AVENUE AND APPROXIMATELY 750-WEST OF CASEMENT ROAD, AND EAST OF THE EISENHOWER BASEBALL COMPLEX. (APPLICANT/OWNER: SSF DEVELOPMENT, LLC)**

Zilkie presented the Staff Reports for items #5 and #6, recommending approval of each.

Pepperd asked about manholes in the area. Gibbs said those are sealed sanitary sewer manholes.

Toy moved that the Board recommend approval of the annexation of a 2.591-acre tract of land, proposed to be part of Brookfield Addition, Unit Six, generally located south of Marlatt Avenue and approximately 750 feet west of Casement Road, based on conformance with the Manhattan Urban Area Comprehensive Plan, the Growth Vision, and the Capital Improvements Program (CIP).

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

Ham opened the Public Hearing for item #6.

Gibbs offered to answer any questions.

Ham closed the Public Hearing.

Kratochvil moved that the Board recommend approval of the proposed rezoning of proposed Brookfield Addition, Unit Six, an approximate 10.6-acre tract of land, generally located south of Marlatt Avenue approximately 750 feet west of Casement Road, from County G-1, General Agricultural District, and R-1, Single-Family Residential District, to R-2, Two-Family Residential District, based on the findings in the Staff Report.

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

7. **A PUBLIC HEARING TO CONSIDER THE REZONING THE MANHATTAN CORPORATE TECHNOLOGY PARK, LOCATED GENERALLY BETWEEN WILDCAT CREEK ROAD AND THE MANHATTAN REGIONAL AIRPORT, FROM A COMBINATION OF I-3/AO, LIGHT INDUSTRIAL DISTRICT WITH AIRPORT OVERLAY DISTRICT, AND I-5/AO, BUSINESS PARK DISTRICT WITH AIRPORT OVERLAY DISTRICT, TO ADD THE CTPO, CORPORATE TECHNOLOGY PARK OVERLAY DISTRICT TO THE EXISTING ZONING CLASSIFICATIONS WITHIN THE MANHATTAN CORPORATE TECHNOLOGY PARK. (APPLICANT: CITY OF MANHATTAN)**

Zilkie presented the Staff Report, recommending approval.

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

Toy moved that the Board recommend approval of the proposed rezoning of the Manhattan Corporate Technology Park, generally located between Wildcat Creek Road and the Manhattan Regional Airport, from I-3/AO, Light Industrial District with Airport Overlay District, and I-5/AO, Business Park District with Airport Overlay District, to I-3/AO with CTPO, Corporate Technology Park Overlay District, and I-5/AO with CTPO, Corporate Technology Park Overlay District, based on the findings in the Staff Report.

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

**8. REPORTS AND COMMENTS BY BOARD MEMBERS.**

There was no further business and the meeting was adjourned.

Respectfully submitted,

Cam Moeller, Planner