

**MINUTES**  
**MANHATTAN URBAN AREA PLANNING BOARD**  
**City Commission Room, City Hall**  
**1101 Poyntz Avenue**  
**Thursday, December 19, 2005**  
**7:00 p.m.**

**MEMBERS PRESENT:** George Ham, Acting Chairperson; Mike Toy; Jerry Reynard; Mike Hill; Mike Kratochvil; and Harry Watts.

**MEMBERS ABSENT:** Loren Pepperd

**STAFF PRESENT:** Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Cam Moeller, Planner; Ockert Fourie, Senior Planner; Jeremy Frazzell, Planner; Jason Hilgers, Assistant City Manager; Rob Ott, City Engineer.

**OPEN PUBLIC COMMENTS**

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

**CONSENT AGENDA**

1. **APPROVE THE MINUTES OF THE DECEMBER 5, 2005, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**
2. **APPROVE THE FINAL PLAT OF THE ABBOTT ACRES ADDITION, GENERALLY LOCATED NORTH OF THE INTERSECTION OF LONDONDERY DRIVE AND EVERETT DRIVE (APPLICANT/OWNER: TOM ABBOTT)**

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

**GENERAL AGENDA**

1. **A PUBLIC HEARING TO REZONE AN APPROXIMATE SIX (6) ACRE TRACT OF LAND, LOCATED APPROXIMATELY ONE HUNDRED SIXTY (160) FEET NORTH OF LEAVENWORTH STREET, WEST OF TUTTLE CREEK BOULEVARD, EAST OF NORTH 3<sup>RD</sup> STREET, AND SOUTH OF VACATED LARAMIE STREET, FROM C-4, CENTRAL BUSINESS DISTRICT, AND C-5, HIGHWAY SERVICE COMMERCIAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT. THE DEVELOPMENT IS PROPOSED TO CONSIST OF A BEST BUY STORE, THREE (3) ADDITIONAL BUILDINGS, OFF-STREET PARKING, LANDSCAPING, AND OTHER IMPROVEMENTS. PERMITTED USES ARE PROPOSED TO CONSIST OF ALL OF THE PERMITTED USES AND CONDITIONAL USES OF THE C-4, CENTRAL BUSINESS DISTRICT. THE PROJECT IS**

**REFERRED TO AS MANHATTAN MARKETPLACE. (APPLICANT: DIAL MANHATTAN LLC / OWNERS: DIAL MANHATTAN LLC, AND KANSAS DEPARTMENT OF TRANSPORTATION)**

Zilkie presented the Staff Report, recommending approval with conditions.

Hill asked whether there had been discussions about pedestrian rest areas along the trail that will run alongside Tuttle Creek Boulevard. Zilkie said the applicant would better be able to answer that question.

Ham opened the Public Hearing.

Bob Welstead, Dial Realty, said this PUD proposal is the first step in a major process, and they are anxious for Best Buy to get started. Welstead said the proposed design of the PUD is just the “tip of the iceberg” because there have been numerous discussions and lots of give and take to get to this point.

Patrick Schaub, Bowman Bowman Novick Inc., said it is their hope that the proposed development will fit in and enhance the downtown. Schaub said their charge has been to find a place to accommodate big box retail stores in an area adjacent to downtown without overwhelming the downtown. He said there is an understanding that big box stores will be of a certain size but there are ways to make the boxes friendlier. Schaub noted that they used Manhattan Town Center as a model to follow because it has several big anchor stores that were designed in a way to fit in with the downtown through the use of appropriate materials and color palettes. The redevelopment area has been laid out so it has a “finer grain” of development at the southern end close to the existing downtown with the big box stores pushed further north. He discussed the use of materials, including stone and painted block and brick. Schaub noted that they wanted to retain “authenticity” with building design and that is why they decided against incorporating false windows and awnings into the façade.

Reynard asked about the choice of “KU Blue” for the color of the wedge above the front entrance of Best Buy. Schaub said that is simply Best Buy’s corporate color.

Jason Kraus, Best Buy architect, confirmed that the blue is their corporate color.

Watts asked about the look of the front elevation and asked how the proposed design compared to other Best Buy stores. Kraus said the proposed façade is a fairly typical design. Kraus said elements that are different are the canopy over the entrance and the pilasters.

Watts asked whether there are Best Buy stores with signage different than the proposed wedge. Kraus said there are examples where Best Buy has incorporated an alternative design instead of the wedge. Kraus said it is left up to the developer to choose a different look.

Watts said he liked the display windows and awnings proposed for Buildings B and C and said he feels it helps portray the sense that this is a unique area. Watts asked

what restricts the Best Buy store from incorporating windows and awnings. Kraus said it is difficult to do because Best Buy has merchandise located around all exterior walls. Kraus said that Best Buy also prefers minimal window area for security reasons.

Hill asked whether any thought was given to locating the service bay on the west side of the building so that it was not visible from Tuttle Creek Boulevard. Schaub said the east side was chosen because it works better from an access standpoint and also because they wanted to keep the service area away from the more pedestrian oriented areas along N. 3<sup>rd</sup> Street to the west.

Hill asked whether they are trying to go for a similar architectural theme throughout the development, including the design of retail stores with distinct corporate identifies. Schaub said that is true in that all development must meet the Design Guidelines.

Reynard asked whether a screening wall similar to Wal-Mart's could be considered for the truck service bay. Schaub said there is a 10-foot screening wall in addition to a heavily landscaped berm. Schaub said the proposed screening methods will be similar to Manhattan Town Center. Schaub said the perceived impact from Tuttle Creek Boulevard will be minimal.

Rick Kiolbasa, Dial Realty, in response to an earlier question about pedestrian areas alongside the trail, said they have worked with the City to set aside ground for the trail, but that the City would be responsible for the amenities provided. Hilgers said there will be pedestrian rest areas and benches along the trail.

Kiolbasa asked that the Board consider leaving the monument sign as originally proposed with the tenant identification, and not as City Staff recommends.

Lyle Butler, President of the Manhattan Area Chamber of Commerce, said the downtown redevelopment is a unique project that has been in the planning stages for many, many years. Butler said it is the community's desire that this be a unique place to live, work, and play. Butler said the community is looking towards the Planning Board to provide leadership in making sure this development is something that everyone will be proud of.

There being no one else to speak, Ham closed the public hearing.

Hill asked about the Staff's recommendation that the entrance monument sign be modified. Zilkie said Staff is recommending that the sign be modified to be more consistent with the entrance signage of Manhattan Town Center, which does not include signs for individual tenants.

Ham said he is more receptive to signage that is consistent with that of Manhattan Town Center, and tends to support the Staff's recommendation.

Hill asked the applicant whether there was some middle ground with respect to the

monument sign. Welstead said they would prefer to give their stores greater recognition and would request the monument sign be approved as originally proposed with room for five tenants. He said this setting is different that the mall setting in that many of the major tenants will be located further to the west of Tuttle Creek Boulevard.

Watts moved that the Planning Board recommend approval of the proposed rezoning of Manhattan Marketplace from C-4, Central Business District and C-5, Highway Service Commercial District, to PUD, Planned Unit Development District, based on the findings in the Staff Report, with all of the conditions of approval recommended in the Staff Report, except for Condition Number 5: "Individual back-lit acrylic tenant signs on the ground entry sign shall be deleted and replaced with a compatible stone fascia."

The Board recommended the remaining six (6) conditions of approval listed in the Staff Report are as follows:

1. Permitted uses shall include all of the Permitted Uses and Conditional Uses of the C-4, Central Business District.
2. Landscaping and irrigation shall be provided pursuant to a Landscaping Performance Agreement between the City and the owner, which shall be entered into prior to issuance of a building permit.
3. All landscaping and irrigation shall be maintained in good condition.
4. Signs shall be provided as proposed in the application documents, and shall allow for exempt signage described in Article VI, Section 6-104 (A)(1),(2),(4),(5),(7) and (8); and Section 6-104 (B)(2), of the Manhattan Zoning Regulations, and temporary grand opening signs; and, menu boards for drive-up window restaurants.
5. Additional bike rack locations shall be considered as Final Development Plans are prepared for approval.
6. Screening for the temporary dumpster location for Building A shall be six (6) foot cedar fencing.

Toy seconded the motion.

Kratochvil referred to a letter the Board had received from Downtown Manhattan Inc. expressing concerns about the design of the redevelopment. Schaub said they have made a lot of concessions related to design, however considering the type of retail stores they are accommodating it will be difficult to please everyone.

Reynard asked whether more signs are planned along other edges of the development at future access points. Schaub said there are no current plans for other signs, however there might be a sign on N. 4<sup>th</sup> Street.

Toy said he does not find the monument sign offensive if it is similar to Target's, as has been suggested. He said the community is asking corporations to invest in the city.

The motion to recommend approval with the remaining six (6) conditions, passed on a vote of 6-0.

2. **A PUBLIC HEARING TO REZONE AN APPROXIMATE ONE-HALF (½) ACRE TRACT OF LAND LOCATED GENERALLY EAST OF HOWIE'S RECYCLING, AT THE SOUTHWEST CORNER OF FAIR LANE AND S. 9<sup>TH</sup> STREET, CONSISTING OF LOTS 265-267, WARD 5. THE PROPOSED REZONING IS FROM LM-SC, LIGHT MANUFACTURING – SERVICE COMMERCIAL DISTRICT, TO I-3, LIGHT INDUSTRIAL DISTRICT. (APPLICANT: HOWIE'S RECYCLING / OWNER: CITY OF MANHATTAN)**

Frazzel presented the Staff Report, recommending approval.

Ham opened the public hearing.

Howard Wilson, applicant, spoke to the Board and answered questions. He said he was in the process of purchasing the Covan site and that he might not build on the proposed rezoning site for a year or two but wanted to get it zoned now because he had already started the process. Answering questions from the Board he said that Community Gardens could stay on the site until it was developed if they wanted, however they indicated they had already moved.

Michael Bubendorf, owner of Precision Air 609 S. 9<sup>th</sup> Street, expressed support of the rezoning and asked about the procedure for purchasing land from the city that might become available in the future.

There being no one else to speak, Ham closed the public hearing.

Kratochvil moved that the Board recommend approval of the proposed rezoning of Lots 265, 266, 267, Ward 5 from LM-SC, Light Manufacturing-Service Commercial District to I-3, Light Industrial District, based on the findings in the Staff Report.

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

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

There being no other business, the meeting was adjourned.

Respectfully submitted,

Cam Moeller, Planner II