

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
May 1, 2017
7:00 p.m.

MEMBERS PRESENT: Neil Parikh, Chairperson; Debbie Nuss, Vice Chairperson; Phil Anderson; John Ball; Jerry Reynard; and Gary Stith.

MEMBERS ABSENT: Ken Ebert

STAFF PRESENT: Chad Bunger, Assistant Director of Community Development; John Adam, Senior Planner; and Ben Chmiel, Planner-Long Range.

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE MINUTES OF THE APRIL 3, 2017, MANHATTAN URBAN AREA PLANNING BOARD MEETING.

Stith moved that the Board approve the Consent Agenda.

Ball seconded the motion, which passed on a vote of 6–0.

GENERAL AGENDA

A PUBLIC HEARING TO CONSIDER THE REQUEST FOR A RESIDENTIAL USE DESIGNATOR – EXTRANEIOUS FARMSTEAD, FOR A 20.1-ACRE TRACT OF LAND, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF TUTTLE CREEK BOULEVARD AND SETH CHILD ROAD.

Stith moved that the Board approve the request to receive a Residential Use Designator – Extraneous Farmstead as it has been determined to meet the minimum requirements of the Riley County Zoning Regulations.

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

A PUBLIC HEARING TO CONSIDER THE CONCURRENT PLAT FOR A 20.1-ACRE TRACT OF LAND INTO A SINGLE LOT, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF TUTTLE CREEK BOULEVARD AND SETH CHILD ROAD.

Stith moved that the Board approve the concurrent plat for a tract of land into a single lot generally located at Tuttle Creek Boulevard and Seth Child Road as it has been determined to meet the minimum requirements of the Riley County Subdivision Regulations and that before the final plat is approved, there be a shared agreement on maintenance of the shared travel easement.

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

A PUBLIC HEARING TO CONSIDER THE REZONING OF AN UNPLATTED TRACT FROM "AG" (AGRICULTURAL DISTRICT) TO "R-PUD" (RESIDENTIAL PLANNED UNIT DEVELOPMENT) AND LOTS 1, 6 & 7 AND PARK AREA OF PRAIRIE SOUTH ADDITION FROM "SF-1" (SINGLE FAMILY RESIDENTIAL) TO "R-PUD" (RESIDENTIAL PLANNED UNIT DEVELOPMENT), GENERALLY LOCATED AT THE INTERSECTION OF DEEP CREEK ROAD AND PILLSBURY DRIVE, ON THE WEST SIDE OF PILLSBURY DRIVE.

Stith moved that the Board recommend approval to the Riley County Commissioners the rezoning of "AG" (Agricultural District) to "R-PUD" (Residential Planned Unit Development) and Lots 1, 6 & 7 and park area of Prairie South Addition from "SF-1" (Single Family Residential) to "R-PUD" (Residential Planned Unit Development) generally located at the intersection of Deep Creek Road and Pillsbury Drive, on the west side of Pillsbury Drive as for the reasons stated in the staff report.

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

A PUBLIC HEARING TO CONSIDER THE CONCURRENT PLAT/REPLAT OF ALEXANDER RIDGE ADDITION, A 40.97-ACRE PARCEL OF LAND, GENERALLY LOCATED AT THE INTERSECTION OF DEEP CREEK ROAD AND PILLSBURY DRIVE, ON THE WEST SIDE OF PILLSBURY DRIVE.

Stith moved that the Board approve the request for concurrent plat/replat of Alexander Ridge Addition generally located at the intersection of Deep Creek Road and Pillsbury Drive, on the west side of Pillsbury Drive as it has been determined to meet the minimum requirements of the Riley County Subdivision Regulations.

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

A PUBLIC HEARING TO CONSIDER THE REZONING 1125 WATERS STREET, A 0.37-ACRE LOT, FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO C-2, NEIGHBORHOOD SHOPPING DISTRICT (OWNER: KSU CHARITABLE REAL ESTATE FOUNDATION; APPLICANT: WILLIAM E. & SHARON WASHINGTON, WASHINGTON RENTAL, LLC; FILE NO. REZ-17-034).

Bunger presented the staff report.

Ball asked Bunger what type of dance studio it will be. Bunger stated he would let the applicant answer the question.

Parikh opened the public hearing.

Sharon Washington, applicant, said the studio will be aimed towards performing arts for youth ages four years old through high school.

Larry Fox, KSU Charitable Real Estate Foundation, said this property was given to the Kansas State Foundation to support the McCain Auditorium expansion. The donors asked the Foundation to sell the property to the Washingtons based on agreeable terms. This proposed use goes to support Kansas State University.

Mark Robbins, owner of Schram Dodge, owns the land to the south of the subject site. He was not aware the property was going to be rezoned until the seller notified him of the transaction with the Kansas State Foundation. With his experience raising three children, he expects there to be a problem managing children on the subject site and at the existing dance studio across the street. His concern stems from insurance related to his business as a car dealership. His business has transports that use Waters Street to unload vehicles. Also, he has plans to open a new building next to the subject site after demolishing his existing business location on Anderson Avenue. His concern was with visibility as his business will see an increase of 40 to 50 cars moving around the lot to 100 vehicles. He also had concern that the subject site will be used by younger children as opposed to older ones. Another concern of his was that the property was sold as a residential property contingent upon being rezoned and appraised as a residential property. His experience has taught him that commercial property is of higher value than residential property.

Anderson asked if Washington could comment on Robbins' concerns.

Washington said the existing dance studio across the street already features off-street parking. Her plan is to have the proposed studio with its own off-street parking as well and have no need for users of the site to cross the street and access the other studio. She said she was aware of the concerns of crossing the street, and she wants to make it as safe as possible. She also said typically, parents go into the studio to pick up their younger children and walk them to the cars.

Nuss asked Washington about the hours of operations of the proposed dance studio. Washington said they would be during after-school hours. Younger children would use the studio primarily from 4 to 6 p.m.

Stith asked Bunger if there was adequate parking on the site for the proposed use. Bunger said the architectural plans of the proposed use show it meets the minimum parking requirements. Bunger also said the rezoning is from R, Single-Family Residential to C-2, Neighborhood Shopping District. Therefore, any of the uses listed in C-2, Neighborhood Shopping District should be considered, not just the proposed use being considered at this meeting. He asked that the rezoning be "blind" of the particular proposed use following the rezoning. Factors that should be considered include making sure any uses listed in the

C-2, Neighborhood Shopping District fit standards with the comprehensive plan, impact on adjacent properties, etc.

Janice Reiss, 3009 Clafin Road, said she and her husband own the property just to the north of the subject site. She said there is no parking on the east side of Waters Street, so several people that use the Washington Dance Studio have to park on the west side, in the lot being proposed for rezoning. She said people are dropped off if no parking is available, and the addition of the proposed dance studio would increase parking. She said the proposed dance studio would increase safety as parents would use off-street parking and not have to walk their children across the street, which she said happens now.

Parikh closed the public hearing.

Stith moved that the Board recommend approval to City Commission for the rezoning of 1125 Waters Street, a 0.37-acre lot, from R, Single-Family Residential District, to C-2, Neighborhood Shopping District based on the findings in the staff report.

Nuss seconded the motion, which passed on a vote of 6–0.

REMOVE FROM THE TABLE AND CONDUCT A PUBLIC HEARING TO AMEND ARTICLE IV, SECTION 4-203, “C-3, AGGIEVILLE BUSINESS DISTRICT”, OF THE MANHATTAN ZONING REGULATIONS, PERTAINING TO PARKING LOT LOCATIONS, ACCESS POINTS ON MORO STREET, AND PERMITTED AND CONIDTIONAL USES (APPLICANT: CITY OF MANHATTAN; FILE NO. DCA-17-002).

Stith made a motion to remove the item from the table.

Nuss seconded the motion, which passed on a vote of 6–0.

Adam presented the staff memorandum.

Stith said non-conforming residential uses destroyed by fire or natural disaster can built back to the non-conforming use. He asked if this standard applied to commercial districts as well. Adam said that standard only applies to residential uses.

Stith asked if City administration spoke with the city attorney about taking away access from a property adjacent to a public right-of-way. In his experience, he had never seen such a thing done through zoning. Adam said this action would not be eliminating that access. He asked if Stith was talking about Moro Street. Stith said yes. Adam said those sites are not developed in a certain respect, and they should be taking access off the alley. He said the actions were not prohibiting access off 11th Street. He also said the idea of a continuous public realm should continue up to 11th Street along Moro Street. Stith said he does not have a problem with the concept of the action; he was questioning if this was the appropriate method for accomplishing the concept. Adam said it will always be a question when a property is being developed can it maintain its current access. Adam said the City has the ability to say it would not put any more access on Moro Street under access management improvements. He said with the inability to place off-street parking be-

tween the sidewalk and building front, it would be useless to put access onto Moro Street. Stith said they could part a passageway along Moro Street, however. Stith reiterated he agrees with what is trying to be accomplished; he wanted to make sure it was being accomplished in an appropriate way.

Bunger said while the City does not have regulations to control access points in commercial districts, there are the TNO, Traditional Neighborhood Overlay and M-FRO, Multi-Family Redevelopment Overlay that restrict access off streets and directs access to alleys. Chmiel said the same type of limitations on access will be utilized in the UCR, Urban Core Residential District, specifically along North Manhattan Avenue and side streets. Stith asked the staff to check with the city attorney to see if this is lawful following the meeting and before the reading at the City Commission meeting.

Reynard asked if the businesses along Bluemont Avenue supported these amendments. Adam said the proposals were shared with the Aggieville steering committee and if there was not enthusiasm for the amendments, there was at least indifference. Reynard said it will greatly affect Bluemont Avenue. He also asked if owners who sell their property after these amendments are adopted, do they have to change the property to bring it into conformance. Adam and Bunger said no, property owners do not have to change the property to meet the amendments. Bunger said these amendments would only apply if a new or substantially changed building permit would occur on the sites.

Anderson said these amendments would make the properties more valuable for larger development. He views them as positive.

Adam said the thinking behind these amendments and the Aggieville Community Vision Plan was to stop the “anti-pedestrianism” developments. The Board said this would not allow more drive-thru components of businesses and properties.

Stith said he remembers when worked for the City of Manhattan in the 1970s, drive-thru windows were not allowed in Aggieville. He said the building on the site where Popeye’s currently exists had a window on the side of it, but it was only for walk-up service. However, between now and then, drive-thru windows were permissible in the zoning regulations for Aggieville. Adam said City staff could research when that happened. Stith, who was in charge of zoning regulations in the 1970s and 1980s, said it did not happen under his watch.

Parikh opened the public hearing.

No one spoke.

Parikh closed the public hearing.

Stith moved that the Board recommend approval to City Commission to amend Article IV, Section 4-203, “C-3, Aggieville Business District”, of the Manhattan Zoning Regulations, pertaining to parking lot locations, access points on Moro Street, and permitted and conditional uses based on the findings of fact in the staff memorandum.

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

A PUBLIC HEARING TO AMEND ARTICLE IV OF THE MANHATTAN ZONING REGULATIONS TO ADD SECTION 4-113, UCR, URBAN CORE RESIDENTIAL DISTRICT; AND ARTICLE VI OF THE ZONING REGULATIONS TO ADD SECTION 6.215, UCR SIGN REGULATIONS (APPLICANT: CITY OF MANHATTAN; FILE NO. DCA-17-003).

Chmiel presented the staff report.

Stith asked what does the Aggieville Community Vision Plan and Manhattan Urban Area Plan say will happen to the properties along Bluemont Avenue between 11th and 12th Streets. Chmiel said the adopted Aggieville Community Vision Plan calls for higher-density residential with optional ground-floor retail and buildings up to five stories tall. Stith asked if the UCR, Urban Core Residential District applies to this area, and if it does not, would C-3, Aggieville Business District apply to them. Chmiel said the UCR, Urban Core Residential would not apply to these properties, and the Aggieville Community Vision Plan calls for an extension of the C-3, Aggieville Business District to the area. The amendments to the C-3, Aggieville Business District would allow for higher buildings, thus have an effect on the properties in question. Chmiel said an application has been submitted to the City for a Planned Unit Development (PUD) on the five parcels of land generally located at the corner of the Bluemont Avenue and 12th Street. The PUD proposal meets about half of the standards of both of the UCR, Urban Core Residential and M-FRO, Multi-Family Redevelopment Overlay District. He said it is a very good transition between the two zoning districts, but more information would be available at a later date.

Ball said he appreciates the bike parking required in the district, but he wondered if residents would actually use it. He asked if other communities had experience implementing these requirements and how were the bike parking facilities used. He expected people to ride bikes, but he was not sure if people would store them in a public area. He did not want to require something for developers that nobody was going to use. Chmiel said City staff tried to include as many security measures as possible for the bike parking, but at a point, it became cumbersome. However, City staff did require accessibility for all units to the bike parking to help increase foot traffic, and it also had to be completely within the building. Ball followed up on if the space was going to be used. Chmiel said City staff conducted a survey two years ago with Kansas State students and some of the questions were about bike parking and if students would use them if included in the building. A majority of the about 200 responses said they would use the facilities. Ball said they were great standards, but he was curious about the real experience with actually using the bike parking facilities.

Anderson said in his observation, there are “hundreds of” bikes parked in front of Wefald Hall, a dormitory building for Kansas State University, but several are tipped over or poorly parked. This causes a detracting nature to the building. He said if that building was required to have bike parking and storage similar to what is called for in the UCR, Urban Core Residential District, that problem would not exist. He believed most students

would actually prefer to have the bike parking inside the building. He thinks the bike parking requirement is a good thing, especially considering his observed growth in bike use by college students over the last 15 years.

Anderson asked about the ground floor regulations being strictly commercial. Chmiel said commercial use is allowed – not required – on the ground floor but only on North Manhattan Avenue. Anderson asked if a developer could have office space on the second floor. Chmiel said no, and office space counts as an accessory use while anything above the ground floor must be residential. Anderson asked if a proposed café or something similar would be allowed on the rooftop as it could be an attractive place for such an establishment considering the green roofs possibly being implemented on the sites. Chmiel said this would not be allowed strictly speaking, but it could go through a PUD, Planned Unit Development process.

Anderson said this zoning district would have an interesting effect on the city, but it would take a number of years to fully develop. He said he conducted his own count, and there are over 300 “For Rent” signs for apartments around the Kansas State campus. He noticed that some of the housing in the older neighborhoods was being repurposed from rental units. He wondered if the City could encourage rehabilitation of the older homes that were once rental units through tax abatement for redevelopment as it would have a positive effect and create a stimulus to increase that kind of redevelopment.

Reynard asked if there was a long-term plan for the 900, 1000 and 1100 blocks of Ratone, Kearney and Thurston Streets. Chmiel said the area was rezoned to M-FRO, Multi-Family Redevelopment Overlay District about a year ago, which was called for in the Manhattan Urban Area Plan. Reynard said he was not sure what would happen to the properties to the east of the UCR, Urban Core Residential District, and he would like there to be some sort of thought and planning done for the area. He thinks this area is going to be left in “sad need,” and he would like to see the area turned back into single-family homes. He said it has been brought up before about incentive plans, and while he was not sure incentives work, something needed to be done. Anderson mentioned possibly more thought to down-zoning these areas.

Bunger said the long-range plan for the area is to have the M-FRO, Multi-Family Redevelopment Overlay be built out. This process took place in the mid-2000s, and it allows more density, smaller setbacks, more lot coverage, and less parking. He said the long-range vision is to put the apartment buildings adjacent to campus and centralize that predominantly student housing with high density. Another part of that vision is that some of the older homes will revert back to single-family homes as the higher density apartment buildings are constructed.

Ball said in order to stimulate residents, the city needs businesses that create and feature attractive jobs. He said the city needs these additional businesses to attract residents who will come in, buy and develop the older homes back into single-family housing. The apartments are meeting the need for the transient population, but the residential population is looking for good-paying jobs, and he believes Manhattan is short on those kinds of jobs. He was aware other parties, such as the Chamber of Commerce, are working on this

matter, but the jobs are needed to help stimulate the conversion of the older homes from multi-dwelling units into single-family homes. He said incentives do work if you have the populous looking for it.

Parikh opened the public hearing.

No one spoke.

Parikh closed the public hearing.

Stith moved that the Board recommend approval to City Commission to amend Article IV of the Manhattan Zoning Regulations to add Section 4-113, UCR, Urban Core Residential District; and Article VI of the Zoning Regulations to add Section 6.215, UCR Sign Regulations based on the findings in the staff memorandum.

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

Parikh closed the public input meeting at 8:56 p.m.

REPORTS AND COMMENTS BY BOARD MEMBERS

Stith notified the meeting attendees there will be a public workshop for the Joint Land Use Study (JLUS) at 7 p.m. on Thursday, May 4 at Grandview Plaza City Hall. The workshop will go over the preliminary recommendations of the JLUS.

Anderson mentioned during the recent inter-governmental luncheon, the waterfront concepts developed by a Kansas State landscape architecture class were well-received by the City and County Commission. He said it was just the beginning of the ideas and how the riverfront could be redeveloped at some point in the future.

Anderson also said he is involved with picking up Green Apple Bikes, and on the east side of the Kansas State campus along Kearney, Vattier, Thurston, and Ratone Streets, there is parking allowed on both sides of the street. This causes only one car to go down the street at a time as opposed to two. He felt it was dangerous and unsightly. He believed parking allowed on one side of the street is more attractive than that allowed on both sides. He asked if City staff would want to look at his concern and find a possible resolution.

Bunger said the City Manager's office and Community Development department will soon submit a request for qualifications to be approved by the City Commission for a multi-talented team to study traffic flow, parking and streetscape in Aggieville. To make parking counts work in that area, he said City administration is aware it needs to address parking in the outlying areas. He said that process might be a good point to bring up that matter. Adam also said it is not unusual to supply parking that wants to be in that area. Also, the streets in which parking exists on both sides are classified as locals and those streets classified as minor collectors and above have parking on one side. This classification allows for traffic-calming effects on the local streets and redirect traffic to arterial streets. The local streets are meant for only local access one or two blocks at a time.

Bunger notified the Board there will be workshops on May 23 and 24 for the Unified Development Ordinance (UDO) process. Consultants will be in town to host the workshops and discuss development ideas. There will also be a joint meeting on May 23 with the Manhattan Urban Area Planning Board, City Commission and UDO Advisory Committee. Details of the meeting will be announced at a later time.

Following no additional comments or reports, Parikh adjourned the meeting at 9:01 p.m.

Respectfully submitted,
Chris Kutz, Planner