

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
May 15, 2017
7:00 p.m.

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

MEMBERS ABSENT: Neil Parikh, Chairperson

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

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE MINUTES OF THE MAY 1, 2017, MANHATTAN URBAN AREA PLANNING BOARD MEETING.

Stith moved that the Board approve the Consent Agenda.

Reynard seconded the motion, which passed on a vote of 5–0–1 with Ebert abstaining.

GENERAL AGENDA

TABLE THE PUBLIC HEARING TO CONSIDER A REZONING OF AN APPROXIMATELY 1.10 ACRE TRACT OF LAND, GENERALLY LOCATED AT THE REAR OF THE PROPERTY AT 1320 SHARINGBROOK DRIVE; AND AMENDING ORDINANCE NO. 7060 AND THE FINAL DEVELOPMENT PLAN OF THE BODY FIRST WELLNESS & RECREATION CENTER, COMMERCIAL PLANNED UNIT DEVELOPMENT TO ALLOW FOR A PROPOSED BUILDING EXPANSION (*APPLICANT/OWNER: BODY FIRST, LLC DOUG SELLERS; FILE NO. PUD-17-037*)

Stith moved that the Board table the public hearing for the proposed Rezoning of 1320 Sharingbrook Drive and the Amendment to Ordinance No. 7060 and the Body First Health and Wellness Center, Commercial Planned Unit Development District (PUD) to the June 5, 2017, Manhattan Urban Area Planning Board meeting.

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

A PUBLIC HEARING TO CONSIDER THE REZONING AND PROPOSED PRELIMINARY DEVELOPMENT PLAN FOR THE 12TH & BLUEMONT LOFTS PUD, A 37-UNIT, FOUR-STORY APARTMENT BUILDING ON A 0.87-ACRE TRACT COMPRISING SIX LOTS AT THE NE CORNER OF NORTH 12TH STREET AND BLUEMONT AVENUE, FROM R-3/M-FRO TO PUD/12TH & BLUEMONT LOFTS (OWNER: 12TH & BLUEMONT, LLC/TJ VILKANSKAS; APPLICANT: BRETT LOUK, SMH CONSULTANTS; FILE NO. PUD-17-026).

Chmiel presented the staff report.

Stith asked if this project was consistent with the new UCR, Urban Core Residential zoning district. Chmiel said it is more in the characteristics of the UCR than what it is currently zoned on the lots, and it seemed reasonable to hold the project to some of the UCR standards. Stith said it seems the developer has maximized the possible development in terms of density of housing.

Ball asked for clarification regarding the condition of approval pertaining to management of the permeable surface maintenance. Chmiel said he would have the applicant speak more in detail to that question, but from his understanding, it would be a part of this rezoning that the City and applicant set up a covenant to ensure maintenance of the stormwater management system on the site. Ball said the area is subject to flooding, and he wanted there to be a proactive approach to make sure there is proper maintenance of the permeable surface.

Nuss asked if the enforcement of the stormwater management covenant is a responsibility of Code Services. Bunger said the responsibility will be within the stormwater division of Public Works. He said most likely, City staff will ask the applicant and consultants to provide a maintenance performance program of when and how maintenance will take place to ensure full performance. He also said typically a restricted covenant is finalized by the time a building permit is issued or if a final plat is filed.

Ball said this is similar to a property that has a backflow preventer. The owner and operator must submit an annual review of the system to the City to prove maintenance. He wanted to ensure the agreement is spelled out and clear maintenance is taking place for the subject site. He said it reminded him of the National Bio Agro Defense Facility (NBAF) plans and standards. He was concerned no one is able to make sure the standards and plans are being followed.

Bunger said the City's normal covenants on pipes and detention basins, the maintenance performance is not spelled out. However, for unique items such as underground storage or permeable pavements, the applicant will determine how the system will be maintained and the City will agree to the terms and include it a covenant. If the applicant does not follow the maintenance covenant, then the City will maintain or repair before charging any costs to the property owner or manager.

Anderson asked if the permeable concrete on the site is as durable as normal concrete. Chmiel said the applicant would be the best person to answer that question.

Anderson asked if the width of the sidewalk on the subject site along Bluemont Avenue would be the same as the one in front of Bluemont Hotel. Chmiel said the subject site's building is set back more than the Bluemont Hotel and sidewalk widths are between six and seven feet. He said during the pre-application meeting, City staff recognized the Bluemont Hotel may have been set too closely to Bluemont Avenue.

Anderson said the main floors are apartments and would have access to the parking lot in the rear as well as in the front along Bluemont Avenue.

Chmiel said the subject site features a swing gate for pedestrian access.

Chmiel said there are no improvements required to the site as part of this application.

Bunger said from his understanding, the City's policy on alley maintenance is it will only enforce a benefit district through a volunteering by affected property owners or City Commission implementing one through its own action. If an alley is paved, then it is a part of the normal City maintenance. However, the priority of maintaining an alley is lower than maintaining streets. He said it should not be expected to force a benefit district, and there will not be a mechanism put in place for this project or the adjacent alley.

Anderson said the renderings show it will be difficult to "soften" the edge between the street and building with trees or landscaping. He said one of the renderings presented by Chmiel showed possible locations of trees, and wanted to know if such trees or landscaping will be required as part of this application. Chmiel said the rendering was from the Aggieville Community Vision Plan and not submitted by the applicant. He also said there is an agreement in the application for the maintenance of trees shown in the site plan located within the property line. He also said there are currently no trees along Bluemont Avenue adjacent to the subject site in the public right-of-way and the one tree near the northeast corner of the Bluemont and 12th Street intersection will most likely be removed.

Stith asked what the distance will be from Bluemont Avenue to the sliding gate at the entrance of the parking lot. Chmiel said it is about 70-80 feet from the center of the driveway. Stith was concerned about stacking of vehicles or blocking of the sidewalk due to the speed of the sliding gate. Chmiel said the City's traffic engineer approved the project. Also, the intersection of Bluemont and 12th is "right-in, right-out," and there is not as much traffic going north on 12th Street as one might anticipate.

Stith asked about the 30-inch tall knee wall along Bluemont Avenue, between the sidewalk and the building. He said he would like it be removed from the project because it can collect trash and cause the sidewalk to feel tighter.

Ebert said he would like to hear the applicant's reasoning for the knee wall, but there is a similar knee wall along North Manhattan Avenue near the Bluemont Hotel. He said on Fake Patty's Day, the knee wall might become a place where people sit and hang out.

Chmiel said there is a knee wall at Popeye's across from the subject site, contributing to a theme of knee walls along Bluemont Avenue.

Nuss opened the public hearing.

Ron Janasek, 321 Denison Avenue, said the wall on the east side of the subject site is hindering vehicles on his property directly to the east from parking to his standards. Stith asked to clarify whether Janasek was saying he would like vehicles from his property to have the ability to park overhanging the subject site's property line by one foot. Janasek said yes, there is currently a curb on the subject site that was constructed to enable vehicles on his property to park in this way.

Nuss asked Chmiel to show what wall Janasek was referring to. Chmiel showed the site plan from his presentation to show that the wall in question was a six-foot tall wall along the east property line.

Janasek asked what were the minimum parking standards for the subject site. Chmiel said there are 105 bedrooms on the site and 80 off-street parking spaces—about three spaces for every four bedrooms. The requirement for the current zoning is one space per bedroom, but since the application is for a PUD, the applicant can propose fewer parking spaces. The ratio of 0.75 parking spaces per bedroom is similar to the minimum off-street parking spaces for the UCR, Urban Core Residential district. Janasek asked how will it be enforced that vehicles do not park in his parking lot in the property. He also said his property was subject to minimum off-street parking requirements of 1.5 spaces per bedroom. Chmiel said that requirement, which is a part of the M-FRO, Multi-Family Redevelopment Overlay District, was lowered to one off-street parking space per bedroom after Janasek's property was completed.

Janasek said during the Bluemont Hotel construction, trucks used the alley between Bluemont Avenue and Vattier Street and caused damage to it. He wanted to know who is responsible for repairing the alley.

Janasek reiterated he would like parking for his property to be incorporated into the subject site and repairs made to the alley. He also said he favored the project and it would be good for Manhattan. He just wanted to see his property protected.

TJ Vilkanskas, 3417 Vannesta and applicant, said the six-foot screening wall on the east side of the subject site is within his property and will not intrude upon Janasek's property. He also said to help limit the possibility of people parking in Janasek's parking lot, the subject site has walls all along the exterior and the only access point to the parking area is on the west side of the site along 12th Avenue—the farthest point from neighboring properties on the east.

Nuss asked about the knee wall along Bluemont Avenue. Vilkanskas said it would be reviewed with the project's architects based on the feeling and look of the subject site, but him and his team believed it was easier to put it into the site plans as part of the application and possibly remove it later if costs were too high. He said the knee wall was to

mainly serve as a decorative feature, but the primary walls on the site would be placed on the east side and north side along the alley to prevent access.

Ball followed up on his concerns regarding the maintenance of the permeable surface in the parking lot to ensure proper stormwater management. He encouraged the applicant to work with the City on making sure the system and permeable surface perform to standards.

Ebert asked what material would be used on the screening wall on the east side of the subject site. Vilkanskas said it was left open-ended and could be a landscaping fence or stone wall. He said while Code Services requires the fence to be six feet tall and in place, the application does not specify the material.

Ebert said the plan does not show a leasing office or management office on the site. Vilkanskas confirmed this was correct, and he personally manages his properties.

Ebert said, in regards to Janasek's concerns for parking, it would be very generous of Vilkanskas to allow encroachment of parking from neighboring properties onto the subject site.

Stith said the Board could not require a property owner to allow for encroachment of parking onto neighboring properties. He said the agreement must be between the two parties.

Anderson asked if the stairwells would be exposed or inside the building. Vilkanskas said all the stairwells will be enclosed in the building.

Anderson asked about the durability of the permeable surface in the parking area. Brett Louk, 2605 Brook Lane and applicant, said it is as durable as normal concrete due to the bigger aggregate to create more space for water to infiltrate below. Stith asked if freeze and thaw cycles are a problem for the permeable surface. Louk said the cycles are not a problem because the sand and salt used during the winter time enters into the system. A vacuum truck will be used to clean the system. A layer of filter fabric will be above the rock basin to help catch any particles that should not enter the stormwater system, and the vacuum truck will capture these particles. Four-inch wells will also be installed to help monitor water is moving through the system.

Nuss asked if the permeable surface has been used elsewhere in Manhattan. Louk said no, but Midwest Concrete Materials did a test patch and the Kansas Department of Transportation (KDOT) has conducted some tests on highways in southwest Kansas. Ebert said there is a section in the Kansas State University parking garage that features a driveway for service vehicles with a permeable surface. Louk said it is an expensive feature, but for this application, it was the best solution.

Anderson said this surface will help alleviate any stormwater runoff issues in this area.

Nuss closed the public hearing.

Ebert said this project is the “very example of what is trying to achieved” by the Aggieville Community Vision Plan.

Stith moved that the Board recommends approval of the proposed rezoning of all of Lot Six Hundred Thirty (630) through Lot Six Hundred Thirty-Four (634) of Ward Three (3), City of Manhattan, Riley County, Kansas from R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, to the 12th & Bluemont Lofts Planned Unit Development District, based on findings in the staff report, with the six conditions of approval recommended by City Administration.

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

CONTINUATION OF THE ANNUAL REVIEW OF COMPREHENSIVE PLAN. PLANNING BOARD REVIEW AND DISCUSSION OF THE COMPREHENSIVE PLAN AND COMMENTS RECEIVED DURING THE PUBLIC INPUT SESSION (FILE NO. CPA-17-027).

Adam presented the staff review.

Stith said it is important to look at density of lots, and not just acres, for the residential land absorption portion of Adam’s presentation. He was concerned future developments in the northwest portion of the Manhattan Urban Area boundary were going to be developed at lower densities due to topography; therefore, measuring by acres might not tell the full story. Adam said the data collection to measure density on lots is underway, and he expects to present such information in future presentations.

Stith asked how many years of residential capacity based on readiness to build and infrastructure in place does the Manhattan Urban Area have. Adam said closer to two years.

Cattell said The Links, a multi-family development on the northeast side of town, will have more than 600 units and enter the market all at once in August. Therefore, from a multi-family development perspective, it will take several years to absorb.

Stith said he was concerned about affordable single-family housing because the market will be “soft” for rental properties. Cattell said the North Wing Addition, a subdivision on Marlatt Avenue and west of The Links, did its phase one about eight years ago, but has recently expressed a desire to continue the next phase of its development. Cattell said while he does not expect it to be “affordable housing,” it will be less expensive than some of the other areas in Manhattan.

Stith said he is concerned about the preservation of the potential industrial area north of Eureka Drive near the Manhattan Regional Airport (this area was proposed industrial in the Future Land Use map of the Manhattan Urban Area Comprehensive Plan). He said McCall Road used to be Manhattan’s industrial area, but that has changed. He suggested rezoning the land north of Eureka Drive to industrial, and it will not affect the property tax of the current land owners because the use will still be agricultural. He said rezoning

it now should be considered because someone could start building houses on the land and make it difficult to become industrial land use in the future.

Adam said the annexation plan staff would like to undertake of the land north of Eureka Drive would help the rezoning and planning process for the area. Stith said the land is currently in Riley County, but he was not sure if the Riley County Board of Commissioners would be willing to rezone it from a political standpoint. Cattell said the Manhattan Urban Area Comprehensive Plan was adopted by Riley County, and not rezoning it would be counter to the Plan. Cattell also said there has been interest in using this land for industrial uses by outside parties. Stith said it is important to utilize this area as industrial because there is a need in the region. Cattell said City staff has identified the whole Eureka Valley as a good place for industrial land for a few reasons: it is near the airport; within the Fort Riley Noise Impact zone; and has proximity to rail and vehicular access.

Nuss asked Stith what he proposed to be done to protect the land for industrial uses. Stith said the best way to protect it would be to rezone it for industrial use. He said that would not change the property tax implications for the current landowners as long as they use it for agricultural purposes.

Cattell said for the City to rezone the area, it would have to annex it in unilateral fashion. He said the first step towards that would be to develop the annexation and services plan. Bunger said the City cannot unilaterally annex the land. Cattell said this was correct due to the state statute changing. Bunger said the City would have to “connect the dots” between the airport, Eureka Valley industrial park, and the nearby residential area to unilaterally annex and rezone. Bunger added by just annexing the area around the airport, it would have to be done voluntarily through an island annexation process. He said the other option is for Riley County to rezone it on its own. Stith said he was not sure if Riley County has the political will to rezone the area.

Nuss said it “was about time” the Downtown Tomorrow plan was revisited.

Anderson said he would like to see the Downtown Tomorrow plan explore incorporating the riverfront. He said a class at Kansas State this past spring developed concepts for what the riverfront could look like in the future. He said this could give the entrance to the city a dynamic look, and it could include commercial and residential uses. He also understood it would take time and money to make this happen, but that vision should be a part of the Downtown plan. He thinks it is important to explore the possibilities.

Stith said revisiting the Downtown Tomorrow plan is a good idea and there are areas for infill development. The new plan could help identify those infill opportunities. He said there is not much restriction on density now, so there are not incentives in place for developers. Cattell said there are some underutilized areas north of Fort Riley Boulevard in the 5th Street area. He also said the portions to be looked at in the updated Downtown Tomorrow plan would be in the area’s southwest and northwest portion in addition to any other portions identified later.

Adam said he lives near Downtown, and there is a discontinuous feeling in some parts. He said when plans like this are undertaken, it gets the interest of certain entities such as City administration and downtown stakeholders. He said that the plan will spur the interest and get people to look at the infrastructure projects to help the continuity feeling. By reviving the plan, it will keep the interest going.

Stith said high density tends to mean apartments, and he was not sure the market is saying Manhattan needs more apartments. He said the only other option for density was condos, but he was not sure if Manhattan was ready for a condo market.

Ball followed up on Anderson's comments regarding the vision for the entryway into Manhattan that ties in the river, the land on the east side of the river, and walking trails. He asked if there was any discussion about the mall and its future use. He said malls are on a decline nationwide, and while he was not proposing the mall be converted into something else, he wondered what the vision was for its future use and the land around it. He said the IMAX theatre is a nice amenity for the community, but wondered what else could be done with the land around the mall in the future.

Adam said other cities across the country have experienced the problem where their downtown malls, which were constructed in the 1970s and 1980s, have reached the end of their lives. Some cities have prepped themselves for what redevelopment will look like for these places. He said it may be premature to guess what will replace the land use of current Manhattan mall site, but the City should be prepared in some way, such as restoring a grid of streets and ensuring an active life on the streets takes place.

Stith noted the City owns the land underneath the mall. Adam said while the City may own the land, it needs the policy direction to know what to do with the land.

Stith said the first step for Downtown should be to create stronger connections with the area to the south that includes the Flint Hills Discovery Center. He said it is filled with parking lots, and to fill that in would create a better walkable area. He said it was a missed opportunity to connect it with the previous redevelopment. He targeted the west side of 3rd Street on the south end as one area that could be developed with a retail area near the sidewalk. Adam said he identified that area as one of the gaps in connectivity.

Nuss said she would like the Community House to be included in the new Downtown Tomorrow plan. She said she felt it has been neglected. Cattell provided an update on the Community House, saying Community Development Block Grant (CDBG) funds were used to pay for 30-percent plans produced by Bruce McMillan to design and phase in ADA improvements to the building. He said this was needed because the main floor is higher than the outside's ground level. He said it will be expensive to make the ADA improvements, and to put social services entities into the building, which was determined through a previous study, the building must be made ADA accessible.

Nuss asked if social services agencies have expressed interest in going into the Community House building. Cattell said this was correct. Ball said he was aware of agencies who were "ready to move in tomorrow."

Anderson said the Community House was historically significant because it was built by Henry Winter, an architect who graduated from Kansas State University.

Stith said he hopes the Unified Development Ordinance (UDO) makes it easier for mixed-use development projects to occur, especially in the Downtown area, and a developer does not feel like he or she has to go through the PUD process to complete it. Cattell said that is one of the goals expressed to the consultants working on the UDO project as well as creating a standalone mixed-use zoning district.

Anderson asked what was the occupancy rate of the Strasser developments near Downtown. Nuss said it is high, and seniors that visit the senior center view those apartments as a desirable place to live. Anderson said that might suggest Downtown be an attractive place for condos. Nuss and Stith said that is a different market.

Nuss said the community needs to address its affordability issues for housing. She said the housing affordability issue will affect the workforce. Stith said there might be an oversupply of apartments. Cattell said after The Links opens, it may affect affordability over time. He also said when the Strasser Landing first opened, the units were rented out before construction was complete. Strasser Village also featured near full occupancy once it was opened, and there is a market, but it is not an “affordable” market. Nuss said the seniors that she is aware of that live in the Strasser developments are “people with means.” Stith said millennials are looking for these types of higher-density housing. Nuss said she wished there was more green space around the developments.

Anderson said the water area around Blue Earth Plaza was filled with families over the weekend. He supported Nuss’ point about green space, saying it would be utilized.

Nuss said once the senior high-rise building is completed with its renovations, it will pull those people out of the community and back into the building. Anderson said there are about 80 units in this building. He said the process of fixing the windows in the building is being delayed by HUD. Cattell said in addition to the window issues, there are sewer problems.

Nuss said there needs to be a conversation about income-based housing in the Downtown area.

Anderson said there are plenty of charming structures in the Downtown area, and there should be incentives for developers to continue to redevelop these buildings and homes. He said hundreds of homes are structurally sound, and there is a need to encourage more redevelopment of this kind.

Cattell provided an update on the Aggieville Community Vision Plan, saying the City Manager’s office is going to put out a Request for Qualifications (RFQ) to hire a consultant to conduct the traffic and circulation survey. He said by the end of the year, the circulation and utilities work, the street design, and the Triangle Park design should be done.

Nuss closed the public input meeting at 8:21 p.m.

REPORTS AND COMMENTS BY BOARD MEMBERS

Anderson said he attended the Tulip Festival in Pella, Iowa two weekends ago. He said the hour-and-half long parade for the festival ran two times a day for three days in a row. Also, people with brooms washed the streets before each parade. He said Pella is one of the “seven wonders of the small town world.”

Bunger provided an update on the next steps in the UDO process. He said the consultants will hold a design workshop on May 23 and 24 and use the Aggieville Community Vision Plan as part of the design charrette process. The workshops will also give some visual representations of what the new UDO will look like in Aggieville and Downtown. There will also be a joint meeting between the Board and City Commission in the City Commission room on Tuesday, May 23 at 5:30 p.m. A public open house will follow at 7 p.m. to show what Gateway, one of the consultants in the project, comes up with following Tuesday’s design workshop. On May 24, the consultants will meet with some developers from aging retail centers to discuss the areas for the future with mixed-use regulations and find any barriers hindering the properties from being redeveloped. He said there will be some small group discussions with Downtown stakeholders but there will not be a design workshop because there is not an up-to-date community vision in place, similar to Aggieville.

Stith asked what time the coffee meeting will take place on May 23. Bunger said 8 a.m. in the Bluemont Hotel lounge.

Following no additional comments or reports, Nuss adjourned the meeting at 8:26 p.m.

Respectfully submitted,
Chris Kutz, Planner