

MINUTES

MANHATTAN URBAN AREA PLANNING BOARD

City Commission Room, City Hall
1101 Poyntz Avenue

February 4, 2019

MEMBERS PRESENT

Ken Ebert, *chair*

Jerry Reynard, *vice-chair*

Debbie Nuss

Phil Anderson

Gary Stith

Neil Parikh

John Ball

MEMBERS ABSENT

None

STAFF PRESENT

Chad Bunger, Assistant Director of Community Development; John Adam, Senior Planner; Barry Beagle, Senior Planner; Brian Johnson, Assistant Director of Public Works

1. CALL TO ORDER

- 1.1. Ebert called the meeting to order at 7:00 p.m. Staff called roll and stated there was a quorum.
- 1.2. Open Public Comments: there were none.

2. CONSENT AGENDA

- 2.1. Approve the minutes of the January 24, 2019, Manhattan Urban Area Planning Board meeting

Stith made a friendly amendment to the minutes, removing the word “parking” on page 5 regarding the discussion of buying tenants or employees ATA bus passes.

Stith moved that the Board approve the Consent Agenda with corrections; Nuss seconded. Motion passed 4–0–3.

3. GENERAL AGENDA

Note: Items 3.1 and 3.2 were considered together in a single staff report.

- 3.1. REMOVE FROM THE TABLE and conduct a PUBLIC HEARING to consider the ANNEXATION of 10.84 acres northwest of the intersection of North Scenic Drive and Wildcat Creek Road (*Applicant: Blueville Nursery/Keith Westervelt*;

file no. ANX-19-001).

- 3.2. REMOVE FROM THE TABLE and conduct a PUBLIC HEARING to consider the REZONING of 27.44 acres located on both sides of North Scenic Drive between Anderson Avenue and Wildcat Creek Road/Cumberland Road from AG, Agriculture, to C-2, Neighborhood Commercial (*Applicant: Blueville Nursery/Keith Westervelt; file no. REZ-19-002).*

Stith moved to remove Items 3.1 and 3.2 from the table and conduct a public hearing; Nuss seconded. Motion passed 7–0–0.

Adam presented the staff report for the annexation and rezoning of the property southwest of the intersection of Anderson Avenue and North Scenic Drive.

Anderson asked if the southern portion will be set aside as a retention area. Adam replied yes, it will be storm water detention.

Anderson ask how much the western section elevation is above Wildcat Creek. Adam replied he did not know.

Stith asked if the potential of an archaeological site could be discussed now or under the discussion of the subdivision regulation. Adam replied under the subdivision regulation. He added that Statute states if artifacts are found, it needs to be reported and work needs to cease. There are not additional protections to archaeological sites. Ebert asked if it is known to be an archaeological site or suspected to be. Adam said there were previous reports of arrowheads in the area.

Public hearing open.

Brad Waller, 3208 Kimball Avenue, said he has been working on this project for 18 months to achieve the annexation and rezoning. He said he feels this will be beneficial for his client and the city. He said they currently do not know what will happen with the property; they are preparing for future development. He said they have had two neighborhood meetings; one prior to the September 2018 flood and one after. He said the development will clean up the right-of-way for Scenic Drive and realign Cumberland Road with Wildcat Creek Road.

Anderson asked how he approached the potential flood issues with the proximity to Wildcat Creek. Waller said the flooding has been at the forefront of their mind throughout the process. He said they designed the detention pond to the capacity if the site was fully developed to decrease runoff based on a drainage impact study in accordance with the City of Manhattan's regulations.

Brain Johnson, Public Works, commented that the applicant did submit a drainage study and staff agrees with the recommendations. He said the pond will reduce the 100-year flow coming off the site by approximately 5 percent. He said today there

are 320 cubic feet per second coming off the site; following full build-out with the detention pond, the site will have about 305 cubic feet per second of runoff.

Anderson asked how high that development is above Wildcat Creek. Waller said he did not know the elevation but they will be building the lots and detention pond above the 100-year floodplain.

Anderson said he is concerned about increasing the flood impacts for other properties. He asked staff if any progress has been made on retention ponds for Wildcat Creek. Bunger said staff is working on it but it will be a long process. He said the Resilient Wildcat Creek Plan will kick-off this week with the Citizen Advisory Team. The goal is to create an action plan and budget for potential projects.

Anderson asked if this development would have to buy flood insurance even though they are above the floodplain. Bunger replied no, they will not be required to but they would have the option to purchase flood insurance. Nuss asked if there was any discussion about the possibilities of the archeological sites and what the implication would be.

Rich Seidler, 3214 Kimball Avenue, commented that this project has been scrutinized by the development team and City staff to ensure this would not negatively impact Wildcat Creek. He said it meets all the criteria that it is supposed to meet for floodplain development. He said they have been contacted that this site may potentially be an archeological site but they were not told the specific information of the sites or any evidence that one exist. He said they understand construction will need to stop if anything is found.

Johnson said it is likely that there will be city projects for water, sewer, and road so they would fall under City purview and the City's contractor. He said we do not know if there is anything there and the contractor will be required to notify the City if anything is discovered.

Ebert asked some questions about detention ponds and long-term impoundment. Johnson said that such systems would be similar to the levee gate system and would require a lot of detention on site. He added that communities do not require that level of stormwater management.

Ebert asked if he know how many cubic feet per second might flow through this site during a 100-year flood event. Johnson said it is around 15,000 or 18,000 cubic feet per second on Scenic Drive.

Public hearing closed.

Stith moved to recommend approval for the annexation of 10.84 acres northwest of the intersection of North Scenic Drive and Wildcat Creek Road based upon the findings in the staff report; Ball seconded. Motion passed 7-0-0.

Stith moved to recommend approval for the rezoning of 27.44 acres located on both sides of North Scenic Drive between Anderson Avenue and Wildcat Creek Road/Cumberland Road from AG, Agriculture, to C-2, Neighborhood Commercial based upon the findings in the staff report; Ball seconded. Motion passed 7-0-0.

- 3.3. REMOVE FROM THE TABLE and conduct a PUBLIC HEARING to consider the PRELIMINARY PLAT of Blueville Addition, Unit 2, a 27.44-acre, nine-lot, two-tract commercial subdivision located on both sides of North Scenic Drive between Anderson Avenue and Wildcat Creek Road/Cumberland Road (*Applicant: Blueville Nursery/Keith Westervelt; file no. SUB-19-003*).

Stith moved to remove Item 3.3 from the table and conduct a public hearing; Ball seconded. Motion passed 7-0-0.

Adam presented the staff report for the preliminary plat.

Stith asked Adam to address the variation for the sidewalk that is mentioned in the staff report. Adam replied they would typically be required to build sidewalk on both sides but there is a steep drainage through the area and it is not possible to build a sidewalk without piping the drainage. It is topographically challenged and there is sidewalk connectivity surrounding the site.

Stith said he understands but he is curious why there could not be a sidewalk added on the south side of Anderson Avenue. Johnson said on the south side of the roundabout there is a large box structure under Anderson Avenue which causes slope issues. The Parks and Recreation Department has not determined the trail connection across Scenic Drive; they want to develop that plan before placing a connection. The applicant is interested in placing a TDD request to pay for future projects. Stith clarified that the TDD is a condition of approval. Adam confirmed.

Anderson asked if the developments will have to come before the board at a PUD. Adam replied no; this is a subdivision with C-2 zoning.

Ebert asked if there is only one point of access to Lot 9. Adam replied yes. Ebert asked if there was intent to make connection to the PUD to the east. Adam said the applicant attempted to get an access agreement through the PUD but it was unsuccessful.

Ebert asked if the entrance is required to be 150 feet from an intersection. Adam replied yes, from the center line. Johnson said there is no other alternative for access as they will not allow access off Scenic Drive or Anderson Avenue.

Stith asked if the volume of movements onto that lot will be small. Johnson replied yes.

Stith asked if the land west of Westervelt Way was owned by a different property

owner. Adam said yes. Stith commented it provides great connectivity.

Public hearing open.

Rich Seidler, 3214 Kimball Avenue, commented that the C-2 is a down-zone from the initial plan. he said the comfort level of the staff was keeping with the rest of the commercialization of that area. He said they would be able to develop anything permitted under C-2; he envisions food, business or professional office, or auto repair shop uses but it will be driven by market demand. He said they will be mindful about placing uses on this site.

Anderson commented that he is not concerned about the uses but about the impacts to Wildcat Creek. He asked if they have considered pervious surfaces. Seidler said that is beyond his area of expertise but he has to keep development cost low while taking environmental concerns into consideration.

Nuss asked what happens if the application for the Transportation Development District does not get approved as it is a condition of approval. Johnson said the application will be presented with the plat and can be approved concurrently.

Stith asked if an alternative could be a bond issue. Johnson said a better alternative would be a benefit district and imposing a petition.

Public hearing closed.

Stith moved to recommend approval of the preliminary plat of Blueville Addition, Unit 2, a 27.44-acre, nine-lot, two-tract commercial subdivision located on both sides of North Scenic Drive between Anderson Avenue and Wildcat Creek Road/Cumberland Road based upon the findings in the staff report with conditions of approval; Ball seconded. Motion passed 7-0-0.

Ball commented that he appreciates the developers and City staff working together to deliver a good development. Bunger commented that this item will go before the City Commission on February 19.

3.4. A PUBLIC HEARING to consider an AMENDMENT of the St. Isidore's Catholic Student Center PUD, a 1.54-acre, single-lot campus ministry located at 711 Denison Avenue (*Applicant: Roman Catholic Diocese of Salina; file no. PUD-19-008*).

Adam presented the staff report for the PUD amendment.

Stith asked if the striping for pedestrians was recommended because there was not room for a raised sidewalk. Adam said sidewalks may not fit within the travel lane but it is possible to consider pedestrians in this space.

Stith asked if the number of accessible spaces meets the requirement. Adam said yes, there are seven. Anderson asked if the handicap-accessible parking is only accessible from the west. Adam said yes, both access points are ingress only.

Stith asked about the facade materials. Adam replied that it is mostly stone with some stucco.

Ebert asked if the non-committal arrangement to share parking with the university gave staff pause. Adam said they did not expect a promise from the university to use the parking forever but did submit sufficient documentation. He said it could cause a problem for parking in the future, but he does not foresee it being eliminated anytime soon.

Anderson asked if the development of this site will add to runoff into Wildcat Creek. Johnson replied that this is a part of the Downtown East Watershed and there are \$70 million of CIP projects to help with the downtown watershed drainage issues. He said the applicant will submit a drainage report and they will have to meet drainage regulations.

Parikh commented that there are conditions of approval for drainage and traffic study; he asked if they would normally be included in the application. Adam said yes.

Parikh asked what it means for the application to be substantially compliant with the regulations. Adam said when they turned in the application all of the parts were there but during the analysis staff found items it would like to see corrected.

Johnson said the applicant has an existing lot with an existing building; if this was a new development it would be further scrutinized. He said this was previously approved by the board in 2005, updates still need to be made, but he said staff does not need to see them in advance. Adam also commented that they are not attempting to approve their final development plan at the same time so there is time to make corrections.

Stith asked if there is an easement with the university for the access that empties into the West Stadium parking lot. Adam said yes, it is within the parameters of their existing agreement but is not an official easement.

Ebert asked if there is a time schedule or phasing of development. Adam said there are two phases; one is a remodel and the other is the new construction. He does not know the relationship of the two phases.

Ebert asked if the remodel will be interior or exterior. Adam said it is an interior remodel with exterior changes.

Ebert asked if there is an anticipated timeline of the project. Adam said they are

entering a fundraising phase currently.

Public hearing open.

Bruce McMillian, 555 Poyntz Avenue, project architect, said he has had the opportunity to work with St. Isidore's since 2002. He said they have brought forth the previous project which added a second floor to the church from 2009 to 2011. He said the second floor constricted the driveway to the north, it also brought other issues to the site. He said they are planning to proceed with the proposed project in one phase. He said as fundraising develops, phasing may be implemented. He said there is an agreement with the University from 2005 for the utilization of the parking lot for services. He said an updated agreement was obtained. McMillian then explained the placement of the existing and proposed road access and parking on the site. He said he anticipates the facility opening in fall 2022.

Stith commented that he liked the idea of reconfiguring the accessible parking to give better pedestrian access into the building.

Greg Fief, Schwab Eaton, said the accessible parking spaces could be reconfigured, moving them to the east but it would make the pedestrian access more difficult.

Stith commented that it would be best to avoid people on the sidewalk from the north walking behind the accessible spaces than crossing the road, however he will not request it is a condition of approval.

Fief addressed the sidewalk along Anderson Avenue that crosses the deceleration lane, saying they designed the existing crossing to preserve a tree on the site. Johnson said that could be addressed by putting a sign on the deceleration lane that designates a pedestrian crossing.

Public hearing closed.

Ball moved to recommend approval of the amendment of the St. Isidore's Catholic Student Center PUD, a 1.54-acre, single-lot campus ministry located at 711 Denison Avenue based upon the findings in the staff report with conditions of approval; Stith seconded. Motion passed 7-0-0.

4. REPORTS AND COMMENTS BY BOARD MEMBERS AND STAFF

4.1. Planning updates from staff

Bunger corrected the event of the date for "Planning and Pints" for Wednesday, February 6. He said the Citizens Advisory Committee for the Resiliency Wildcat Creek plan will meet Thursday, February 7 and will be open to the public.

Stith asked if staff was involved in the planning process for the Green Valley Neighborhood. Adam commented that he is on the advisory committee and they will be

meeting tomorrow evening.

4.2. Comments from Board members

Anderson announced the Riverfront Development Committee meets the first and third Thursday of every month at Radina's in Aggieville at 4:00 PM and anyone is welcome to attend.

Ebert said some board members attended the open meeting seminar last week and it was very constructive. He asked if notice would have to be given to the public if multiple board members attended the Riverfront Development meetings. Adam replied yes; it would have to be announced if there was a quorum.

4.3. Next meeting is on Monday, February 18, 2019.

5. ADJOURNMENT

Meeting was adjourned at 8:40 p.m.

Submitted by Lesley Frohberg, Planning Intern