

# MINUTES

## MANHATTAN URBAN AREA PLANNING BOARD

City Commission Room, City Hall  
1101 Poyntz Avenue

**October 7, 2019**

### MEMBERS PRESENT

Ken Ebert  
Phil Anderson  
John Ball  
Debbie Nuss

Jerry Reynard, *chair*

### MEMBERS ABSENT

Neil Parikh  
Gary Stith, *vice-chair*

### STAFF PRESENT

Chad Bunger, Asst. Community Development Director; Barry Beagle, Senior Planner

## 1. CALL TO ORDER

- 1.1. Reynard 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 September 16, 2019 Manhattan Urban Area Planning Board meeting
- 2.2 Consider the Final Plat of K-State Research Park, Unit Four, a 10.72-acre, 3-lot plat located on the west side of North Manhattan Avenue across from Bakers Way (file no. SUB-19-060; owner/applicant: Kansas State University Foundation)

**Ball moved that the Board approve the Consent Agenda; Ebert seconded. Motion passed 4–0–1, with Anderson abstaining.**

## 3. GENERAL AGENDA

- 3.1. **A public hearing to consider the Concurrent Plat for a 13.24-acre tract of land into two residential lots, generally located at the southwest corner of S. Manhattan Avenue and Collins Lane (owner/applicant: Barta)**

Bob Isaac, Riley County Planner, presented the staff report. County Staff recommended approval of the concurrent plat.

Carol Barta, 1425 Collins Lane, Manhattan Kansas, mentioned that she was unaware

of the septic regulations because most of the property is grandfathered in. With this addition, their property would not be condemned if anything were to happen to the septic system. To the east of their house, there is a round spot that is barren due to flooding. Her intention is to deepen the area that floods as to catch the storm water which would allow her to plant an orchard and other plants without them being washed away. Ebert asked for clarification as to what she meant by condemned. Barta said that if the septic system were to fail, her property is just under the one acre minimum which could result in Riley County leaving her the obligation of managing her own septic situation.

Anne Collins, 1321 Collins Lane, Manhattan, Kansas, said she is the seller of the property. She said they have agreed on a reasonable and minimal sum. She said she has known the applicant for many years and is glad to be able to help.

Ball moved the Board to recommend approval of the concurrent plat of the Collins Addition as it meets the Manhattan Urban Area subdivision, Riley County and sanitary regulations. Anderson seconded. Motion carried 5–0–0.

#### **4. WORK SESSION**

##### **4.1 Discussion of digital billboard policies**

Chad Bunger presented the current and potential changes of the digital sign regulations as proposed by Thomas Outdoor Advertising.

Ebert asked what the standard size of a billboard in Manhattan is. Bunger said approximately 260 square feet. Nuss asked about communities that have done the sign swap, she wanted to know if those existing signs were in close proximity or nonconforming. She asked how many signs this could potentially impact in town. Bunger said there would be a decent number of signs in the downtown and Aggieville where there are nonconforming signs or billboards that do not align with the Aggieville vision. If Manhattan adopted a swap program, every two or three existing signs could be replaced for every digital sign. Ball said he wanted to clarify what the actual issues to address were. Reynard and Nuss had some responses to other Board members but microphones were not used.

Leighton Thomas, owner of Thomas Outdoor Advertising, said that they set up a meeting with Community Development and other departments to discuss safety concerns. He said when they initially met in 2015 to discuss this topic, there were numerous safety studies being conducted which have not been finalized. He said what the studies generally show is that digital signage has not been shown to increase the risk of traffic accident. He said since the world is evolving to be more digital, Thomas Outdoor Advertising is coming back to the table. He said they had never intended to do animation due to state and federal laws. Thomas said they have received requests for digital signage from consumers.

Ball asked which regulations their business finds most restrictive. Bart Thomas mentioned the intervals by which screens can change images. Bart Thomas said they are in favor of a tear-down ratio for digital billboard signs. They are in favor of a 2.5-mile

radius separation between each other and limiting the total amount of digital billboard signs. Thomas said they find the off-premise sign regulations restrictive and would like them adjusted. He said this adjustment would also require the illumination regulations to be adjusted as well to accommodate the allowance of off-premise advertising. Thomas said they would like to have the transition time to be adjusted to eight seconds which is optimal time for passersby. Thomas said the last item is they would like billboards to be permitted in LMSC and C-5 zoning districts. Bart Thomas said these signs are beneficial for not only businesses but for the City as well. These signs have the ability to be accessed in emergencies to display emergency messages. Thomas and Thomas acknowledged that some cities have had regulatory language that was too loose that led to market oversaturation and they would like to avoid that.

Anderson asked for clarification as to whether the city would be given an 8-second time slot for advertising events, weather, or emergencies. Thomas clarified that weather is its own timeslot but a timeslot would be reserved for city promotions and the whole system could be overridden for emergency announcements, such as tornado warnings. Anderson asked how they will control the quality of the sign. Anderson wanted to know about their company's own standards of quality. Thomas and Thomas said they have standards for content and visual quality. They said adjusting the billboard sign regulations could help to push 'buy local' advertising.

Ebert asked what the fundamental differences are between static signs and digital billboards and what is the big deal. Bunger said aesthetics and safety were the City's concerns. He said there have been quite a few studies done on safety and when the regulations are designed properly, digital billboard signs are generally shown to be safe. Ebert asked if there were any studies on community's preference for the aesthetics of either static billboards or digital billboards. Bunger said that the aesthetics are determined by each community

Anderson said he felt that the major issue would be animation, but since that is not permitted, a single pole with multiple uses would be cleaner than what is currently allowed. He said what needs to be debated is probably the spacing. Ebert said he thinks billboards are billboards and doesn't see any real issue with the subject. The only real problem he would want to avoid is the sudden change from a very dark background to a very bright one. He said the concept of the swap is onerous. Bunger said some justification for a swap is that it would help with old and deteriorating static billboard signs and reduce clutter. Ebert said it sounded like a covert way to slowly get rid of static signs and does not find the sign swap necessary. Anderson said the city would also have the added benefits of safety such as weather and the ability to send out messages. Bunger said that Community Development is not pursuing message access to the signs as part of regulating them, but may form a separate agreement with Thomas Signs at a later time.

Nuss said she found multiple-peer-reviewed research articles that discredit the Federal Highway's research on public safety. She said she would prefer to wait on this subject for more research to come out. If the subject is pursued, she would prefer it to be a greater public discussion instead of something decided at a public hearing. Ball said that city staff should look at all information objectively. He agrees that full

motion video should not be allowed. He said that after the Board and city staff find some resolution on the safety of the billboards, he would be in favor of the proposed amendments as long as the safety studies supported it. As far as the billboard swap goes, he wants to ensure that it won't unfairly support any one business. He agreed with Bunger about the public service announcements and does not want to mandate that. City access would be a public service, similar as other radio and television stations in the area offer. Reynard said that he is generally in support of the digital signage. He said that inside the city limits, speeds are controlled at a slower rate of speed. He said these billboards may work in Manhattan since we have speed controls. He said the MUAPB should move forward with it. Anderson agreed.

## **5. REPORTS AND COMMENTS BY BOARD MEMBERS AND STAFF**

- 4.1. Planning updates from staff: Barry Beagle presented information on future agenda items.
- 4.2. Comments from Board members: Anderson said he will be meeting with Thomas Signs to get a sign designed for the riverfront project.
- 4.3. Next meeting. Chair announced the next meeting is October 21, 2019.

## **6. ADJOURNMENT**

Meeting was adjourned at 8:10 p.m.

Submitted by Dre'VeL Taylor, Planning Intern