

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
December 19, 2011
7:00 p.m.

MEMBERS PRESENT: Gary Stith, Vice-Chairperson; Phil Anderson; Linda Morse; Mike Hill; and, Mike Kratochvil.

MEMBERS ABSENT: Jerry Reynard and Stephanie Rolley.

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; and, Chad Bunger, Planner II.

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

APPROVE THE FINAL PLAT OF LOT 1 AND LOT 2, LSB ADDITION, UNIT ONE, GENERALLY LOCATED ON THE NORTHWEST CORNER OF CANDLEWOOD DRIVE AND GARY AVENUE (APPLICANT/OWNER: LEONARDVILLE STATE BANK - JON POPE PRESIDENT)

Kratochvil moved that the Board approve the Consent Agenda. Anderson seconded the motion, which passed on a vote of 5-0.

III. WORK SESSION AGENDA

CONTINUATION OF A DISCUSSION REGARDING A RECOMMENDATION FOR CREMATORIUM.

Zilkie recapped the previous Planning Board meetings and said the purpose of this evenings meeting was to make a recommendation on an alternative to forward to the City Commission. He said at the previous meeting it was suggested that Alternative 4 to locate a crematorium in Sunrise Cemetery, which would be considered based on a Request for Proposals. He also said if that is the Board's choice, the motion will need to specify that alternative as well as some clean up issues such as adding definitions related to crematoriums, or determining if crematoriums should be prohibited as an accessory use to a funeral home in the C-1 District, and zoning changes that may be needed to accommodate a crematorium in the cemetery.

Anderson asked what would be the obstacles to adding crematoriums as a use near Menards. Zilkie said that would involve adding the use to a specific zone, such as the I-2

District. Anderson said he had talked to Eric Londeen and they would be willing to pick out a lot in the general vicinity of Menards, which would be a suitable area and would address resident concerns of locating the crematorium on Poyntz. Zilkie reviewed the location of I-2 Districts in the city, of which one I-2 District is on the west side of town off Amherst Avenue in relatively close to residential neighborhoods. He also mentioned that the Board may need to determine if there will be an emission level or distance requirement from residential neighborhoods, and other applicable use limitations.

Anderson said a study Londeen provided to Anderson indicated the remains for mercury was 3/1000 of a percent. He said he had also consulted with a dentist.

Stith said he didn't think the City would be capable of regulating mercury emission given the regulatory environment because no one else in the country regulates emissions. Stith said the city has grown and cremation is becoming a means of disposal of the deceased and the city needs a crematorium and, if the city was going to have a crematorium, the Board should consider where to locate and control the use through zoning. He said the idea of allowing a crematorium on Poyntz didn't seem appropriate due to emissions and residential neighborhoods. He said an industrial zone makes sense except one near residential neighborhoods. Stith said a distance could be set to separate a crematorium from a residential zone. If an industrial zone is chosen, the I-2 District on the east side of town appears to make the most sense due to its location, size and what's around it.

Stith said the Sunrise cemetery option didn't seem viable because there are residential neighborhoods to the north and future residential to the east of the cemetery unless more information was available.

Morse said she originally thought Sunrise might be an option but the prevailing wind might disperse emission throughout the city. She said if there was going to be one crematorium then she wouldn't support the conditional use process, which requires BZA approval, but sited and considered in a specific zone. She also said the Poyntz locations are not viable and regulating emissions isn't workable. She said she didn't understand why it had to be in the city and could be in an island of the city. She agreed the terms need to be defined. She said a crematorium could be outside the city in Riley or Pottawatomie Counties. She felt the Board needed to come up with a reasonable proposal.

Kratochvil and Hill said they didn't think anything needed to be done and the Poyntz location was appropriate. Kratochvil said any of the alternatives could be a problem given the right person opposed to it. He said the Board doesn't have the data or knowledge to support any of the alternatives, other than alternative one, which is to leave the crematorium at its proposed location on Poyntz. They both agreed there was no other location that is better than another.

Anderson suggested someone from the Kansas crematorium association should provide information on the emission levels from a crematorium. He also asked that emission be put in some context because he's been led to believe that emissions from his wood

burning stove cause more problems than a crematorium because the process is much more efficient. Board members agreed they needed more specific information and if the Commission wants an answer sooner than later. Zilkie said he would try to contact someone to speak to the Board.

CONTINUATION OF A DISCUSSION REGARDING AMENDMENTS TO THE MANHATTAN ZONING REGULATIONS, ARTICLE VII, OFF-STREET PARKING AND LOADING REQUIREMENTS.

Bunger presented an overview of the current zoning regulations and proposed changes.

Hill asked if side entry garages would be included or only front entry. Bunger said the width requirements would apply in both circumstances. Hill asked if the regulations would not allow a four car garage. Cattell said there is no limit on the number of bays. The proposed requirements are, in part, attempting to allow newer homes with larger garages and driveways and at the same time maintaining landscaped front yard space so parking lots are not created.

Kratochvil said, as a home builder, there are locations where 40 feet for backing space is needed for side loaded garages as well as locations for storage of boats subject to private covenants, which require wider driveways. He also asked if there were comments from builders outside of the newer larger home developments. Bunger said most comments have been from the newer larger home developers.

Bunger said staff was looking for direction on where to measure, to the closest point of the house or the furthest side of the house. Hill said the front of the house makes the most sense to him. Hill asked where the problem was coming from. Bunger said mainly in the newer larger home areas.

Stith suggested certain parts of the dwelling unit, such as a side loaded garage could be excluded from the calculation and staff agreed that was a good idea and was one of the suggested changes.

Kratochvil asked how larger driveways were being constructed now contrary to the regulations. Bunger said there's been no consideration with the review of single family homes and the driveway regulations in past years.

Bunger said the proposed regulations were trying to provide the least amount of requirements for larger garages and, if necessary, apply to the Board of Zoning Appeals (BZA) for an Exception rather than a Variance.

Hill said some homes are being built where a three car garage is not sufficient. His concern is creating regulations that discourage good design resulting in parking in back yards where it isn't appropriate.

There was a brief discussion regarding the width of curb cuts at the street, which needs to be addressed concurrently with the zoning regulations.

Morse said she was concerned about overbuilding driveways and perhaps the relief by the BZA should be removed.

Kratochvil said the 24 to 36 foot driveways are a good idea for garages that face the front of the house. He also said there needs to be another calculation for side loaded garages for some latitude, especially when it is on the side of the house. Bunger said one of the proposed changes is to eliminate the 960 square foot requirement. He also mentioned one of the problems is that no permit is required for driveways.

Staff said they would contact Kratochvil for examples of side loaded garages.

Hill asked if the proposed changes would affect duplexes. Bunger said the changes affect single-family homes. He also asked for some examples showing how the proposed changes would affect a property.

Stith summarized the Board's comments that the Board is reasonably comfortable with the proposed changes but wants more information on side loaded garages to be sure they are accommodated and examples of how the proposed requirements would apply.

Stith also confirmed that the approval process involves the Planning Board conducting a public hearing to adopt the proposed requirements, and forwarding a recommendation to the City Commission, which adopts an ordinance amending the zoning regulations. Bunger confirmed that was the process.

REPORTS AND COMMENTS BY BOARD MEMBERS

Cattell said the Housing Roundtable forum was held the preceding Friday, with the discussions to be prepared in written form. He mentioned there seemed to be a consensus that Manhattan has a strong housing market and that there is need for more land. Cattell said the land absorption rate for housing will be presented to the Board in January as part of the annual review of the Comprehensive Plan.

Morse said there was also a good discussion about benefit descriptions.

There was no further discussion and the meeting was adjourned.

Respectfully submitted,

Steve Zilkie, Senior Planner