

**MINUTES**  
**MANHATTAN URBAN AREA PLANNING BOARD**  
**City Commission Room, City Hall**  
**1101 Poyntz Avenue**  
**March 5, 2012**  
**7:00 p.m.**

**MEMBERS PRESENT:** Jerry Reynard, Chairperson; Linda Morse; Stephanie Rolley; Gary Stith; Mike Hill; and, Mike Kratochvil.

**MEMBERS ABSENT:** Phil Anderson.

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

**OPEN PUBLIC COMMENTS**

No one spoke.

**CONSENT AGENDA**

**APPROVE THE FINAL PLAT OF BELLERIVE ADDITION, UNIT TWO, GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF GRAND MERE PARKWAY AND HEARTLAND DRIVE INTERSECTION. (APPLICANT/OWNER: BANZAI, LLC, ZACHARY J. BURTON)**

Stith moved that the Board approve the Consent Agenda with one correction to the common lot line dimension of Lot 13A and Lot 13 B. Kratochvil seconded the motion, which passed on a vote of 6-0.

**WORK SESSION AGENDA**

**CONTINUATION OF A DISCUSSION REGARDING DRIVEWAY WIDTHS IN RESIDENTIAL ZONING DISTRICTS.**

Bunger presented a revised proposal of an amendment to Section 7-102(C)(2) of the Zoning Regulations. He asked for feedback from the Board and guidance as to how City Administration should move forward with amending the Zoning Regulations.

The Board discussed at which point on the side of the house, yet still facing the front lot line should be chosen to regulated the width of the driveway for a one-family or two-family dwelling unit.

The Board also discussed the proposed regulation for the width of a driveway to a side loaded garage.

Hill expressed his concerns that the proposed driveway regulation may hinder good architectural designs of homes. He felt that the point on the home that would dictate the driveway regulation would need to be the point closest to the front property line. He asked for City staff to express the need to establish the point on the home to be furthest from the front property line. Bunger expressed his opinion that the driveway width regulation needs to provide the flexibility to accommodate driveways for newer home designs for 3-car garages or side loaded garages and also properly regulate older homes that are being converted to rentals that typically desire more off-street parking. The regulation for the later is to prevent a large concrete parking lot to be placed in front of a house, which may adversely impact the surrounding neighborhood.

Cattell further explained the proposed driveway regulation amendment.

Kratochvil commented that he like what was proposed. He felt that the issue is with single-family homes being converted to two-family dwellings, which causes the desire to have larger, wider parking lots. He felt that the “furthest away point” was most appropriate. The proposal would take away the confusion of trying to calculate the current 75% open landscape space requirement. He felt that the regulation was good for front loading garages. He did feel that the 30 foot width restriction was too narrow for side loaded garages and would recommend the width requirement be 40 feet. Kratochvil did raise his concerns of circular driveway. He wondered if more restrictions could be developed to prevent a home owner or developer from pushing a house way back on a lot to obtain a circular driveway.

Hill agreed with the concept of the “furthest from” point for a front loaded garage, but “closest to” for a side loaded garage. He made the recommendation that the percentage of open landscaping for circle driveways should be reduced to 70%. Cattell commented on Hill’s recommendation that ideally, all properties affected by regulations should be treated the same. So, Cattell suggested dropping the percentage requirement to 70% for that specific regulation would be better than individual standards.

Morse asked if the current regulations would allow for a 3-car garage. Bunger responded that the current regulations as they are interpreted, makes it extremely challenging for a 3-car drive to meet the regulations. Morse asked if a property with cars parked illegally in the front yard would be accepted. Bunger said that it depends on the size of the garage or carport present on the property. Morse commented on how easy it was to have an Exception or Variance to be approved by the Board of Zoning Appeals. She felt that the size of lots needs to be larger to accommodate the larger driveways if that was wanted. She felt reducing the amount of open landscape space was not the answer. She was not willing to accept all of the proposed regulations. She felt that landscape space was something that is needed to be valued. Morse said that she did not have any issues with the regulations for a side loaded garage.

Bunger addressed Mrs. Morse’s concerns.

Kratchovil asked if these regulations would simplify the review process of the building permits. Bunger answered that it was the additional intent of the regulations to make it much easier to review and approve building permits based on the size of the garage or carport and its driveway width.

Kratchovil addressed Morse's comments regarding the Board of Zoning Appeals process.

Kratchovil asked how these proposed regulations address new driveways for existing houses, some of which are being converted to rental units. Bunger explained that there is currently no permit required for a drive and that a driveway could be easily installed over weekend. He explained that the Zoning Inspectors try to view all neighborhoods for changes in driveways, but it is challenging to have a property conform to the regulations once a driveway is put in place.

Rolley expressed her concerns that these regulations would direct people to design a more simplistic house form to meet the requirements of the driveway regulations and not allow a home owner to have a variety in architectural form. She felt that a one-size fits all driveway regulations may not be adequate. Bunger reiterated the intent of the proposal and the challenges to the regulations.

Stith felt that City Administration has done a great job drafting the regulations. His experience that the regulation has to be enforceable and for those few exceptions to the rule, there are options for them to seek relief. He agreed with Kratchovil's recommendations of keeping the "furthest point" option, a 40 foot side loaded garage requirement, and maintain the 75% open landscape space requirement.

Reynard felt that keeping the regulation simple was more appropriate. He was not interested in the 75% requirement because most new homes were being built along streets that have curves, which makes it difficult to establish a uniform appearance. Reynard was fine with the 40 foot wide driveway for a side loaded garage.

Kratchovil reiterated his approval of the proposed regulation amendment. He did want the City Commission to look at the game day parking regulation for those areas around campus. He was concerned of the poor appearance created by parking allowed in front yards in that area.

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

Cattell reminded the Board of the up-coming Wildcat Creek Working Group meeting on April 5, 2012. He updated the group on the products being provided by the USACE Silver Jacket Project, which includes stream gauges, road warning lights and the flood plain management plan. The up-coming meeting will focus on goal setting for the flood plain management plan.

He also updated the Board on the work of the K-18 Corridor Master Plan. A public open house is to be scheduled soon. An update to the work on the Bicycle Master Plan was also provided. Evans added that the Bicycle Committee is working towards updating the plan's goals and hope that those goals can be adopted into the Manhattan Urban Area Comprehensive Plan.

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Cattell informed the staff's continued work on NBAF impact studies and that the follow up meeting to the housing summit will occur soon.

Respectfully submitted,  
Chad Bunger, AICP, CFM, Planner II