

MINUTES

MANHATTAN URBAN AREA PLANNING BOARD

City Commission Room, City Hall
1101 Poyntz Avenue

August 5, 2019

MEMBERS PRESENT

Ken Ebert, *chair*
Phil Anderson
John Ball
Debbie Nuss

Jerry Reynard, *vice-chair*
Gary Stith

MEMBERS ABSENT

Neil Parikh

STAFF PRESENT

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

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 July 15, 2019 Manhattan Urban Area Planning Board meeting
- 2.2. Consider the final plat of Scenic Crossing, Unit 4, a 5.1-acre, 4-lot commercial subdivision located on the northeast corner of the intersection of Anderson Avenue and Scenic Landing (file no. SUB-19-042; applicant: Scenic Crossings LLC)

Stith moved that the Board approve the Consent Agenda with corrections to the July 15, 2019 minutes; Reynard seconded. The motion for the final plat passed 6–0–0. The motion for the minutes passed 4–0–2, with Anderson and Ball abstaining.

3. WORK SESSION

- 3.1. Review of portions of the Unified Development Ordinance, covering base and overlay zoning districts, including development types, tables of permitted, limited, and conditional uses, and tables of bulk regulations

Chad Bunger presented portions of the Unified Development Ordinance.

Ball asked for clarity on “limited uses”—they are permitted use by right as long as they

meet certain conditions which are reviewed by the zoning administrator. Bunger said that is correct.

Ebert asked why the longstanding 25-foot front yard setback had been replaced with different minimums. He said the 15-foot setback seems like it would cause vehicles in the driveway to block sidewalks. Bunger agreed and looked for a cause. He and Adam explained the documents have undergone reformatting and editing, which may have resulted in formatting and transcription errors [editor's note: Adam was mistaken; Mr. Taylor had faithfully transcribed the figures].

Anderson asked about the language of the Bed and Breakfast portion of the UDO, he wanted staff to expand the wording to make the intent more clear. Anderson also asked what the effect of the passage of the Unified Development Ordinance would have on the MUAPB. Bunger said the regulations would be changed but scope of authority would generally stay the same. Anderson then asked what the status of accessory dwelling units was. Bunger said based on feedback by the community and City Commission, they would not be in the new development regulations. He said Ben Chmiel is currently working on developing ideas and proposed regulation to address concerns. Anderson said he did not see a reason for strict regulation. He felt as if additional regulation would cause an undue burden.

Stith asked whether the UDO addresses Airbnbs. Bunger said staff will address Airbnbs separately from the UDO. There are some proposed regulations by staff, but there is not an exact timeline on those.

Ebert asked if there will still be a Board of Zoning Appeals, Bunger said yes, but staff hope to have to use them less frequently.

Ebert said he was concerned about the five- and 10-acre minimum size requirements for the districts listed in Table 26-2D-2. Bunger and Adam explained that those would be the thresholds to rezone. If a zoning district is in existence already and a developer would like to simply add one or two acres to it, that would still be allowed. The intent is to prevent spot zoning.

Various Board members mentioned having trouble remembering the abbreviations within the document. Staff acknowledged that it is an entire new document and that it will take some time to get used to. All abbreviations are explained in the beginning of the document though. Staff said they will attempt to make the transition easier but there will still be a learning curve regardless.

Ebert asked if the dashes in Table 26-2D-3 signify that there are no requirements or not applicable. Staff confirmed. Ebert also asked whether staff have created a new zoning map with the conversions to ensure there is nothing falling through the cracks. Bunger said they have not yet, but it will be done soon.

Ebert asked whether low-density dwellings would still be allowed in high-density districts. Bunger said that prohibition already exists for the Urban Core Residential district; it's being extended to the high-density RH district. The idea is to not squander its capacity potential on single-family homes. Ebert asked if there was any news on the subdivision regulations. Bunger said planning staff are working closely with Public Works to get those regulations finished. The next step is to get this version finalized, then obtain a clean draft to submit to

the MUAPB, City Commission, and City Attorney's office.

Ebert asked if the UDO would alleviate the need for PUDs. Bunger said that the UDO does incorporate other provisions that would reduce the number of PUDs because other options would exist.

4. REPORTS AND COMMENTS BY BOARD MEMBERS AND STAFF

4.1. Planning updates from staff

There were none.

4.2. Comments from Board members

Ebert brought up the issue of what constitutes substantial compliance with a preliminary plat when they are considering a final plat, referring the same question he raised at the July 1 meeting for Scenic Crossing, Unit 3. Bunger explained that for item 2.2 on this agenda, the utilities, stormwater, traffic, and uses of the plat had stayed largely the same. The only significant changes were the way the developer proposed to change the split of the lot.

Ebert asked how a situation like this would get processed in the UDO. Bunger said the travel easements would be allowed through the regulations and flag lots would still be discouraged. He said the PUD system in place is currently broken and the goal of the UDO is to move away from them and provide a better system. Nuss said she thought the staff report could have used more explanation of what the staff thought of the proposal. She said some additional background or context in the staff report would be helpful.

Anderson said it is important for Manhattan to examine and prioritize development of the riverfront. He said he was in Wichita for the Taco Festival and was amazed by how many people it drew in. The development of the Wichita waterfront has been a great economic and public asset.

4.3. Next meeting: Monday August 19, 2019

5. ADJOURNMENT

Meeting was adjourned at 8:11 p.m.

Submitted by Dre'Vel Taylor, Planning Intern