

MINUTES

MANHATTAN URBAN AREA PLANNING BOARD

City Commission Room, City Hall
1101 Poyntz Avenue

August 19,2019

MEMBERS PRESENT

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

Neil Parikh
Jerry Reynard, *vice-chair*
Gary Stith

MEMBERS ABSENT

none

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 August 5, 2019 Manhattan Urban Area Planning Board meeting

Stith moved that the Board approve the Consent Agenda with corrections; Ball seconded. Motion passed 6–0–1.

3. GENERAL AGENDA

- 3.1. Annual organizational meeting and election of officers

Anderson moved to nominate Jerry Reynard to chair and Gary Stith to vice-chair. Parikh seconded. Ball moved to cease nominations and to vote by acclamation. ___ seconded. Motion carried 7–0–0.

4. WORK SESSION

- 4.1 Review of portions of the Unified Development Ordinance, covering (1) the introductory section to the regulations and (2) transportation system standards

Chad Bunger presented portions of the Unified Development Ordinance.

Stith asked if the Riley County Commission is going to adopt the Unified Development Ordinance (UDO) as well. Bunger said the Riley County Commission is going to adopt the subdivision regulations established by the UDO, but not the zoning regulations. Ebert ask about section 26-1A-1, which is described as the Manhattan Development Code. He asked if the Manhattan Development Code is bigger than the UDO or if they are one and the same. City staff said they are one and the same.

Ebert's inquired about the first purpose statement under "Land Subdivision". Ebert was unclear as to what the section was specifically referring to. Bunger said that the section is intended to protect properties that are placed in flood prone areas; this could include building higher foundations to protect buildings from water damage. Ball included that this could include adding proper drainage or studying the impact that grading has on stormwater. Nuss said she is uncomfortable using adjectives that are not clearly defined, referring to the usage of 'reasonable' within the purpose statements. She asked whether some context or parameters should be established for clarification. Parikh suggested including language along the lines of "what is generally accepted in this field", which would tie some type of standard to the document. Bunger said those were good points but emphasized that those are purpose statements, the actual standards are within their specific section within the UDO. Nuss said that the public often relies on the broad statements written in the purpose statements, so it is important. Bunger agreed.

Anderson asked about number 13 and 16 of section 26-1A-3. He wanted to know how this would strengthen and protect the described locations from abuse and deterioration. Bunger said they will be as strong as city staff and the City Commission uphold them. Ebert noted that under exemptions, utility poles are exempted. He wanted to know what happens to utilities that are placed underground. Are ground fixtures similar features exempted as well? Under the section titled Vesting, he asked what was so important about the specific date listed. Staff said the date is related to state statute. Ebert asked what the definition of vacated in this section was. Bunger said, for example if a usage is permitted currently and that usage changes after the passage of the UDO, it becomes a conditional use. If that use changes again, it cannot revert to its previous use without going through the public process. Under Planned Unit Developments, Nuss asked what the definition of substantial modification. Bunger said there is an existing definition and that will be included or even enhanced within the UDO.

Ball asked where city staff got their widths for sidewalks. Bunger said ADA compliant sidewalks are 4 feet in width. The current City standard is 5 feet for all new sidewalks and 10 feet for multi-use paths. Ball said 5 feet doesn't make sense to him. Bunger said that all city sidewalks are at least 5 feet wide, unless they are extremely old, in which case they may be narrower in width. Ball asked what the purpose of the width is. Bunger explained that a 5-foot sidewalk is only wide enough to comfortable fit two people walking side by side. Stith added that a 5-foot sidewalk would fit two wheelchairs passing each other.

Parikh asked why there should be sidewalks in cul-de-sacs. Bunger explained that it doesn't make sense to make people walk through a street to be able to get a sidewalk. Parikh noted that people move to cul-de-sacs to avoid traffic. Bunger said it is not a traffic issue as much

as a safety issue. Nuss said she feels it is both a traffic and pedestrian safety issue—it is for the public good and establishing more pedestrian-friendly neighborhoods. Adam added that the dignity of the walker is as important as the dignity of the automobile with the ability to travel in both directions, and to not be forced to cross the street to be able to walk down the street. Bunger showed the Hudson Avenue area as an example of what situations arise when pedestrians lack sidewalks on both sides of the road. As a common path to an elementary school, students are forced to cross the street multiple times in order to get to their destination because of sidewalk gaps. Nuss added that a portion of tax dollars has gone to the Safe Routes to School program to fill some of these gaps. These gaps exist because of inconsistent regulations.

Parikh said that adding sidewalks adds costs to the affordability of housing; he added he isn't sure how much more the community can absorb these costs and it is starting to drive people to move to Blue Township. Bunger said that Pottawatomie County already mandates sidewalks on both sides of their subdivision roads. Parikh replied that they don't currently have the tax burden Manhattan does. Bunger said that Pottawatomie County may not have the exact same burdens but people fail to calculate their utility consumption and costs. He also said that the homes out there are not typically much cheaper than the ones within City limits. Bunger said that most of the new homes Manhattan is seeing are upward of \$250,000 dollars, which by no means are considered affordable. The \$3,000 it takes to build a sidewalk is not going to exponentially drive up costs of housing, especially when most housing being built is not affordable in nature. He also noted houses in a neighborhood generally have higher value if they have a sidewalk in front of their house.

Ebert asked whether sidewalks are included in the benefit districts. Bunger said they are not. There has been some discussion on including sidewalks in the benefit districts but nothing has been decided as of yet. Nuss said she thought that sidewalks must be installed if a vacant lot is not developed within a certain amount of time. Bunger said that is correct but it is a challenge. She mentioned that in the late 1990s, the City had a lawsuit against it for lack of accessible sidewalks. She emphasized that the City needs to maintain equitable and fair access. Ebert said the widths of all the elements—street, treelawn, and sidewalk—exceeded the stated right-of-way width. Staff said they would look into it, but also noted that they are considering removing the one-foot sidewalk setback as well.

Ebert was concerned with the International Fire Code being used as reference since the document does not specify which year of the code the UDO is referring to. He also asked whether cul-de-sacs were required for dead ends or if the other forms are acceptable. The answer was yes. Parikh asked whether there had been any discussion with RCPD as to bike lane enforcement. He is very supportive of bike lanes and is happy to see them. Anderson had a question on the terminology for alleys. For one-way alleys, he wanted to know whether it means they are wide enough for one vehicle at a time or only one direction for traffic. Bunger said the provision is discussing alleys that allow the flow of traffic to go in only one direction. Anderson asked what the surface is in section 26-5C-1A-1. Bunger said it was asphalt or concrete. He said he is supportive of the provision that no trees or structures be built in the sight vision triangle. Anderson asked whether there is a way to prohibit bicycles from being on Ft. Riley Boulevard. Bunger said that the City is working on a Bicycle & Pedestrian Systems Plan. The reason the cyclist is using that street is because no efficient

system currently exists to allow them to get where they need to go. Ebert wanted the “Design Considerations” section to be modified as it is not all inclusive for sight distance. He wanted the parenthetical portion to be eliminated or referenced in detail. He asked about the current sight vision regulations. Bunger explained the two regulations that the City currently utilizes and said the UDO will adhere to the engineer’s sight vision triangle.

Stith said he was glad to see covenants being required to be placed on the plats. Ebert asked if flag lots are still allowed. Bunger said they are allowed, although discouraged. Ebert asked about an update on the front yard setback in a portion of the UDO presented at the last meeting. Adam said that the 15-foot setback will stay but there is a separate garage setback, which will probably be 20 or 22 feet. Nuss asked if the UDO will be presented as a whole or parts when it comes back to them. She said it would be beneficial to the public, Board, and Commission if they can vote on the UDO in parts.

5. REPORTS AND COMMENTS BY BOARD MEMBERS AND STAFF

4.1. Planning updates from staff: There were none.

4.2. Comments from Board members

Anderson said the *Kansas City Star* had an interesting article about small cities building bike and walking trails. The article stressed that this sort of development is critical for economic development and quality of life.

4.3. Next meeting. Chair announced the next meeting is Thursday, September 5, 2019, due to Labor Day

5. ADJOURNMENT

Meeting was adjourned at 8:35 p.m.

Submitted by Dre’Vel Taylor, Planning Intern