

MINUTES

MANHATTAN URBAN AREA PLANNING BOARD

Virtual meeting
Hosted from City Commission Room, City Hall
1101 Poyntz Avenue

April 20, 2019

MEMBERS PRESENT

Ken Ebert
Phil Anderson
John Ball
Debbie Nuss

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

MEMBERS ABSENT

STAFF PRESENT

Chad Bunger, Asst. Community Development Director; Barry Beagle, Senior Planner; John Adam, Senior Planner, and Ben Chmiel, Long Range Planner

1. CALL TO ORDER

- 1.1. Stith called the meeting to order at 7:00 p.m. Staff called roll and stated there was a quorum.

2. CONSENT AGENDA

- 2.1 Approve the minutes of the March 16, 2020 Manhattan Urban Area Planning Board meeting

Nuss moved that the Board approve the Consent Agenda; Ball seconded. Motion passed 5–0–2, with Parikh and Ebert abstaining.

3. WORK SESSION

- 3.1. UDO Review and Comment. An overview of Article 4 of the proposed Manhattan Development Code. This is the second meeting in the run-up to adoption later in the summer.

Chmiel presented Article 4 of the proposed Manhattan Development Code, which contains site and architectural design regulations. Some major discussion topics included setback averaging, front- and side-yard setbacks for corner lots, maximum lot coverage, duplex design standards, street tree requirement, minimum dimensions for porches, cottage villages, commercial design standards, mixed-use districts and more.

Stith asked how city staff decided upon the +/- 7 feet allowance for setback averaging in

the Established Neighborhood Overlay (O-EN). Chmiel said city staff surveyed existing setbacks and found that by increasing the allowance to 7 feet, approximately 95 percent of homes came into conformance. Anderson said he liked the concept of setback averaging for the older neighborhoods.

Stith asked whether eaves and other overhangs were still going to be used to determine lot coverage. Chmiel said the Code measures from a building's footprint instead of measuring from the roof edge.

On duplex design standards, Ebert asked at what point does Fair Housing legislation become active. He said that at some threshold, properties must be ADA accessible, which would require the new upraised duplex design to have an additional side entrance. Chmiel said those regulations typically become active at properties that contain four or more units. Chmiel said the properties do not have to necessarily be raised. The property simply must have some sort of masonry slab around the base of the building.

Stith asked whether section 26-5C-5C, Travel Easements, also included multi-family structures. Bunger and Adam asked for clarification. Stith pointed out that the subsection allows travel easements in several development types, but multi-family is not listed; he thought that should be covered as well. City staff said they will look into the matter further.

Citing page 4 of the memo, Stith asked if the city intends for this section to mean that city will begin to enforce restrictive covenants. Bunger said that is not the intent. Bunger said the intent is for homeowners associations to have the ability to enforce additional regulations.

While discussing the Commercial Design Standards, Anderson asked whether the protected pedestrian paths in parking lots are utilized by citizens. Chmiel said he does not have any formal evidence currently, but said from personal experience, he has witnessed people utilize it when they are near enough to conveniently use. Parikh and Adam said they also utilize them and find them convenient. Stith asked if there is any consideration to mandate a bus stop at the larger commercial lots. Chmiel said there are no current or planned regulations to require them. Stith said he has seen citizens utilize the paths frequently. Chmiel said city staff would require the paths to have crosswalks wherever they open to a street.

Ebert said Paragraph 26-2E-6B-6 seemed to imply that ATMs were allowed only at banks. Chmiel said staff would investigate the topic further. Ebert said he had sent Adam a number of other questions the month before. Adam said he would follow up on them.

Stith asked what the process for the rest of the UDO is looking like. Chmiel said staff are unsure how to proceed with the City Commission but will continue to educate and discuss with the MUAPB. Chmiel stressed that public engagement is important during this process, but the situation with Covid-19 is making that hard to achieve. Nuss asked if staff still intend to produce educational videos for the public. Chmiel said staff are still producing videos. He said they plan on promoting the videos heavily when the current situation ends. Ebert asked if all the images used in the current presentation will be included in the UDO. Chmiel said many of the images are included in the document. Ebert asked why aren't all the images that illustrate a regulation included. Chmiel said city staff can include more. Anderson agreed with Ebert. Anderson also highlighted an American Association of Retired Persons (AARP) article that focused on accessory dwelling units (ADUs). Chmiel noted that AARP is a strong supporter of ADUs in communities.

4. REPORTS AND COMMENTS BY BOARD MEMBERS AND STAFF

- 4.1. Planning updates from staff. Bunger said that due to budgetary constraints resulting from Covid-19, the Housing Study is being indefinitely postponed. He said staff continue to work on various projects behind the scenes. Bunger said the next hearing will be virtual as well.
- 4.2. Comments from Board members. Ebert asked if the rezoning for the development off Miller Parkway and Amherst was approved. Bunger said most of the requests were approved. Ebert asked for staff to find if the retirement community development had received approval of a final development plan. Bunger said he will investigate as well.
- 4.3. Next meeting. Chair announced the next meeting is May 4, 2020 at 7:00 p.m.

5. ADJOURNMENT

Meeting was adjourned at 8:14 p.m.

Submitted by Dre'Vel Taylor, Planning Intern