

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
Monday, January 3, 2005
7:00 p.m.

MEMBERS PRESENT: George Ham, Chairperson; Mike Toy; Jerry Reynard; Loren Pepperd; and Gwyn Riffel.

MEMBERS ABSENT: Mike Hill; Mike Kratochvil

YOUTH IN GOVERNMENT: Absent

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Julie Kruse, Planner.

OPEN PUBLIC COMMENTS

Ham opened and closed Open Public Comments with no one speaking.

CONSENT AGENDA

1. **Consider the MINUTES of the December 20, 2004, Manhattan Urban Area Planning Board meeting.**

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

GENERAL AGENDA

1. **CONSIDER THE FINAL DEVELOPMENT PLAN OF THE DICKENS PROFESSIONAL PLACE COMMERCIAL PLANNED UNIT DEVELOPMENT, UNIT 3, AND THE FINAL PLAT OF DICKENS PROFESSIONAL PLACE, PLANNED UNIT DEVELOPMENT, UNIT 3, GENERALLY LOCATED NORTH OF THE INTERSECTION OF DICKENS AVENUE AND CHARLES PLACE. (APPLICANT: DICKENS DEVELOPMENT LLC/ROGER SCHULTZ)**

Zilkie presented the staff report, explaining that the applicant was proposing a reduced set back on proposed Lot 6. The southwest corner of Lot 6, essentially the proposed location of the roof overhang, is at a setback of 45 feet, and increases to 48.81 feet at the northwest corner, compared to 50-feet on the Preliminary Plan. In

addition, the western wall of the proposed dumpster/trash compactor is setback 42.87-feet from the west lot line, compared to 48 feet on the approved Preliminary Plan. He said the applicant's application materials include a letter indicating that they are currently planning to have only the dumpster at this time, but that the trash enclosure is being designed to be able to contain a trash compactor. Zilkie said that there are too many unknown factors with respect to trash compactors, with noise being a particular concern. Prior to installing a trash compactor in the PUD, the owner should present the proposal to the Planning Board as a Final Development Plan.

Zilkie said the applicant obtained a letter from the Westwood Village Home Owners Association Board, who represent the adjacent properties to the west of the PUD, which expressed support for the proposed reduced setback along the west side of the PUD, with the stipulation that additional trees and shrubs be planted as screening. Zilkie said in particular the additional screening was needed west of the dumpster location, where the natural vegetation is less dense.

Zilkie said that with respect to the proposed set back reduction, the Board has some flexibility to review the proposal based on if the change affects the character or quality of the development, or affect the compatibility with nearby properties. He said the reduction would not substantially affect the character or quality, and the PUD would still be compatible with adjacent properties.

Zilkie indicated that City Administration recommends approval of Lot 5, the off-street parking, and Lot 6 for the Final Development Plan of Dickens Professional Place Unit 3, Commercial Planned Unit Development, based on conformance with the approved PUD; and, approval of the Final Plat of Dickens Professional Place, Unit 3, based on conformance with the Manhattan Urban Area Subdivision Regulations with the following condition of approval:

1. Prior to the installation of a trash compactor in the PUD, the owner shall submit a Final Development Plan, for review and approval by the Planning Board

Toy asked if this was the final phase of the development and if the parking has been worked out. Zilkie said that these are the last two buildings to be constructed in the PUD and that the parking count exceeds what would normally be required for this type of development and land use.

Ham asked for clarification on the trash compactor. Zilkie said that is a future modification and that the applicant's letter indicates agreement to provide the necessary information that is needed at that time for a review. That would be in the form of a revised Final Development Plan to be brought back before the Planning Board for review and approval, before installation of the compactor could occur.

Ham asked the applicant for comment. Roger Schultz, Dickens Development LLC and applicant, indicated that the reason they lost a couple parking stalls was to save

some more of the trees within the parking lot area, however, they still had enough parking for the development.

Following discussion, Toy moved that the Manhattan Urban Area Planning Board approve the Final Development Plan of Dickens Professional Place Unit 3, Commercial Planned Unit Development, based on conformance with the approved PUD; and, approve the Final Plat of Dickens Professional Place, Planned Unit Development Unit 3, based on conformance with the Manhattan Urban Area Subdivision Regulations, with the following condition:

1. Prior to the installation of a trash compactor in the PUD, the owner shall submit a Final Development Plan, for review and approval by the Planning Board.

The motion was seconded by Reynard and passed on a vote of 5-0.

REPORTS AND COMMENTS BY BOARD MEMBERS

There were no reports or comments.

Respectfully submitted,

Steve Zilkie, Senior Planner