

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
March 19, 2007
7:00 p.m.

MEMBERS PRESENT: George Ham, Acting Chairperson; Stephanie Rolley; Mike Kratochvil; Jerry Reynard.

MEMBERS ABSENT: Harry Watts; Mike Toy; Mike Hill.

YOUTH IN GOVERNMENT: Hillary Green.

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Cam Moeller, Planner; Rob Ott, City Engineer.

OPEN PUBLIC COMMENTS

No one spoke.

CONSENT AGENDA

1. **APPROVE THE MINUTES OF THE MARCH 5, 2007, MANHATTAN URBAN AREA PLANNING BOARD MEETING.**
2. **APPROVE THE FINAL DEVELOPMENT PLAN AND FINAL PLAT OF THE MANHATTAN EMERGENCY SHELTER RESIDENTIAL PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED AT THE NORTHWEST CORNER OF S. 4TH STREET AND YUMA STREET. (APPLICANT/OWNER: MANHATTAN EMERGENCY SHELTER, INC)**
3. **APPROVE THE FINAL DEVELOPMENT PLAN OF LOT 1, LIMEY POINTE COMMERCIAL PLANNED UNIT DEVELOPMENT FOR A PROPOSED IHOP, GENERALLY LOCATED NORTH OF GOODFOOD PLACE AND EAST OF TUTTLE CREEK BOULEVARD. (APPLICANT/OWNER: HEARTLAND WHEAT, INC.-FARID AFANI RUZIK)**

Kratochvil moved that the Board approve the Consent Agenda. Reynard seconded the motion, which passed on a vote of 4-0.

GENERAL AGENDA

1. **A PUBLIC HEARING TO CONSIDER AN AMENDMENT OF THE LIMEY POINTE COMMERCIAL PLANNED UNIT DEVELOPMENT AND CONSIDER THE FINAL DEVELOPMENT PLAN OF LOT 3 IN THE LIMEY POINTE PUD FOR A PROPOSED TACO BELL RESTAURANT. THE SITE**

IS GENERALLY LOCATED ALONG THE NORTH SIDE OF MCCALL ROAD APPROXIMATELY 250 FEET WEST OF THE MCCALL ROAD AND HOSTETLER DRIVE INTERSECTION. (APPLICANT/OWNER: J. LARRY FUGATE)

Zilkie presented the Staff Report, recommending approval.

Ham asked how the height of the sign compared to that of IHOP, which was recently reviewed by the Board and is also located within the Limey Point PUD. Zilkie said the height of the sign proposed by Taco Bell is the same as that of IHOP, 30 feet.

Rolley asked if the driveway on the Taco Bell site is aligned with IHOP's driveway. Zilkie said the driveways will be aligned.

Ham opened the Public Hearing.

Mike Kearney spoke as representative of Larry Fugate, owner. Kearney said they have worked on the application for a year and believe everything is in place.

There were no other public comments and Ham closed the Public Hearing.

Kratochvil moved that the Board recommend approval of the proposed Amendment of the Limey Pointe Commercial Planned Unit Development, and Ordinance No. 6566, and approval of the Final Development Plan, based on the findings in the Staff Report, with the following condition of approval:

1. The Final Development Plan shall be subject to the conditions of approval of Ordinance No. 6566.

Reynard seconded the motion, which passed on a vote of 4-0.

2. **CONSIDER THE ANNEXATION OF AN APPROXIMATE 27-ACRE TRACT OF LAND, GENERALLY LOCATED ALONG THE EAST SIDE OF NORTH SCENIC DRIVE, BETWEEN THE INTERSECTIONS OF NORTH SCENIC DRIVE AND STONE DRIVE AND NORTH SCENIC DRIVE AND HIGHLAND RIDGE DRIVE, FOR THE PROPOSED STONE POINTE SHOPPING CENTER. (APPLICANT/OWNER: SHIRLEY L. STONE TRUST AND G. REX STONE TRUST (SHIRLEY L. STONE))**
3. **A PUBLIC HEARING TO CONSIDER THE REZONING OF AN APPROXIMATE 27-ACRE TRACT OF LAND, GENERALLY LOCATED ALONG THE EAST SIDE OF NORTH SCENIC DRIVE, BETWEEN THE INTERSECTIONS OF NORTH SCENIC DRIVE AND STONE DRIVE AND NORTH SCENIC DRIVE AND HIGHLAND RIDGE DRIVE, FROM COUNTY G-1, GENERAL AGRICULTURAL DISTRICT, TO C-5,**

HIGHWAY SERVICE COMMERCIAL DISTRICT AND AO, AIRPORT OVERLAY DISTRICT, FOR THE PROPOSED STONE POINTE SHOPPING CENTER. (OWNER/APPLICANT: SHIRLEY L. STONE TRUST AND G. REX STONE TRUST (SHIRLEY L. STONE))

Zilkie presented the Staff Reports, recommending denial.

Kratochvil asked about the other locations along Scenic Drive identified as future commercial nodes in the Comprehensive Plan. Kratochvil asked whether the C-5 zoning designation was the main reason that staff was not in support of the proposal.

Zilkie said the Comprehensive Plan does encourage a mix of complementary uses in new neighborhoods where residential would be the main use with a blend of appropriate commercial uses that are compatible in scale and architecture. Zilkie said the Comprehensive Plan envisions that type of mixed-use development would to be done as a Planned Unit Development, following the Neighborhood Commercial Center policies in the Comprehensive Plan.

Ham opened the Public Hearing.

Don Combs, representing the owner, said Mrs. Stone resides on the property and plans to stay there for another two to five years. Mrs. Stone wants to see the land developed as a shopping center. Combs said the nearest existing shopping center is Westloop. Combs acknowledged that other areas are designated as future commercial centers along the Scenic Drive corridor in the Comprehensive Plan, but suggested the subject property may be a more appropriate location. Combs said there may be an issue with congestion at the designated neighborhood commercial center at the intersection of Kimball and Anderson. Combs said the designated community commercial center at Scenic Drive and K-18 won't be built for at least another 10 years. Combs said the application is a reasonable request for a reasonable site.

There were no other public comments and Ham closed the Public Hearing.

Reynard said that while annexation of the site is acceptable, rezoning the land to C-5 would be opening up a "Pandora's Box" of potential uses for the property. He said that type of zoning may not be appropriate at this time. Reynard also said there may not be a reason to annex, if the property is not approved to be rezoned.

Rolley said she is not in favor of either the annexation, or rezoning request. The annexation would be acceptable if there was viable zoning proposed for the site.

Kratochvil said Combs had stopped by to visit with him about the proposal. He agreed that there is no reason to annex the site if it can't get zoning approval. Kratochvil said he generally does not like denying what somebody wants to do with their land. Kratochvil said it is unlikely that a neighborhood center will happen at the intersection of Anderson and Kimball, due to neighborhood opposition. He said he

was surprised that there were no neighbors in attendance for this proposal. Kratochvil said the Board has to follow the Comprehensive Plan. Kratochvil said that while a good commercial project might be possible on this site with proper planning, rezoning the property to C-5 is not appropriate at this time.

Ham said the C-5 zoning designation leaves things too wide open. Ham said he would like to see more information and a final plan for this area before considering a commercial project.

Rolley moved that the Planning Board recommend denial of the annexation of the 27-acre site (proposed Stone Pointe Shopping Center), because the proposed zoning designation and land uses associated with the annexation do not conform to the Growth Vision or policy directions for the site in the Manhattan Urban Area Comprehensive Plan, or with the policies regarding the location and design of commercial shopping centers.

Reynard seconded the motion, which passed on a vote of 4-0.

Rolley moved that the Board recommend denial of the proposed rezoning of the Stone Pointe Shopping Center, a 27 acre tract of land, from County G-1, General Agricultural District, to C-5, Highway Service Commercial District, and AO, Airport Overlay District, based on the findings in the Staff Report.

Reynard seconded the motion, which passed on a vote of 4-0.

4. REPORTS AND COMMENTS BY BOARD MEMBERS.

Ham commented how the improvements made to Blue Hills Shopping Center are a positive, amazing transformation.

Zilkie informed the Board that there might not be a meeting on April 2nd.

There being no other business, the meeting was adjourned.

Respectfully submitted,

Cam Moeller, Planner II