

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
January 20, 2016  
MINUTES**

**CALL TO ORDER**

Vice President, Dave Hebner called the meeting to order in the Town Meeting Room, at 207 S 6<sup>th</sup> St. at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Board members present were Steve Albert, Dave Hebner, Lindsay Schack, Dan Simser, Alvin VanderVos and Tom Wells. Also present were Town Planner Ralph Johnson and Clerk/Treasurer Pam Humphrey. Eighteen members of the public were also present.

Excused: John Schutter, Carl Schutter, and Phil Willett

**PUBLIC COMMENT/COMMUNICATIONS**

None

**NEW BUSINESS**

**Election of Officers**

Motion- VanderVos; Second- Albert; Vote- 3-2: Motion passed to appoint Dave Hebner as President.

Motion- Simser; Second- Wells; Vote- 4-1: Motion passed to appoint Lindsay Schack as Vice President.

Alvin VanderVos agreed to serve again as Treasurer.

**Re-Zoning Lots 21, 22, 31, 32, and 33 in the Farmstead**

**Public Hearing-Lots 21 and 22**

*Jason DeHaan, potential owner of lots 21, 22, 31:* He presented townhomes and apartments proposal drawings to members of the audience. He described the projects that they are proposing if the zoning amendment is approved.

*Jim Kack, 6531 Jackson Creek, Farmstead board:* He indicated that the intent of the Farmstead was to be multi-family, small commercial, light industrial. They submitted the request for the re-zoning to best meet the current demand in Manhattan.

*Ralph Johnson, Town Planner:* He read the staff reports for the proposed lots for re-zoning. He summarized the reason for the re-zoning requests. He reviewed the 12-point test under which municipal governing bodies must consider whether a proposed zoning or rezoning of land is appropriate. He went over each of the 12 points for the request and how they would be affected by the rezoning. He indicated that the Planning Board and the Town Council must decide if the rezoning meets the intent of the Manhattan zoning ordinance. Johnson recommended approval with the condition that both lots are developed in the same zoning district, either R-3 or L-1.

*Joan Thompson, 5 B Sedora, Hamilton Village HOA president:* Hamilton Village has no objections.

*Dan Ryan, 314 S 5th:* He asked about the use of water within these subdivisions and how it is handled.

*Vic Martin, Invest Montana lot 24:* He spoke in favor of the rezoning. He would like to have lighting issues addressed. He will need security lighting, but is worried that there will be complaints about his lights. He likes the idea of a security fence between the lots and his.

### **Discussion/Decision**

Board discussion included how double zoned land is designated on the zoning map and who regulates the use. They discussed possible uses of the land regarding traffic flow numbers. Manhattan S Road could be a corridor for light industrial traffic, but the current need is housing.

Motion- VanderVos; Second- Albert; Vote- Unanimous: Motion passed to recommend approval of rezoning of lots 21 and 22 per the staff report with conditions that both lots 21 and 22 must be developed with the same zoning designation, either R-3 or L-1.

### **Public Hearing-Lot 31**

*Ralph Johnson, Town Planner:* He presented the request, reason for the request, and his staff report. He went over the 12-point test and how it related to this lot. Staff recommended approval of the rezoning of lot 31 to R-3.

*Joan Thompson, 5B Sedora, Hamilton Village HOA president:* She stated that Hamilton Village has no objections.

*Bob Dellinger, 11 Moreland Ct:* He stated that he is opposed to the rezoning. Their property is adjacent to lot 31. He summarized the history of when they built in the Farmstead. He stated that he feels that rezoning these lots would be spot zoning and their business would be surrounded by residential. He would like to see a buffer, which has not happened. He spoke in opposition to the rezoning of lot 31, 32 and 33.

*Mike Gallagher, 11 Moreland Ct:* He spoke in opposition to the rezoning. He stated that when they purchased their lot, they knew which lots were residential. They expected to have businesses next to them, not residential. They may not have built there if they knew that the zoning would be changed.

*Jason DeHaan, Third Prime:* He stated that he feels that the rezoning is logical to round out the residential corner. This lot is buffered by the street to the accounting office. Lot 31 would allow them to use lot 30 more effectively. They do not plan any other developments in the Farmstead.

*Darrel DeHaan, Third Prime:* He stated that fire codes will not allow lot 30 to be built on by itself because there is no outlet.

### **Discussion/Decision**

Board discussion included that development needs to look at the total system impacts, not just one project at a time. They discussed who addresses the transportation issues and when traffic studies can be done. Residential traffic was discussed. Sidewalks in the Farmstead are narrow. The Board members expressed concern that current businesses would be sandwiched between residential areas. They were concerned with mixed uses. Demand for residential is currently high. The board expressed concern about the businesses on the north side of Wooden Shoe Ln being surrounded by residential.

Motion- Schack; Second- Albert; Vote- 3-2 in favor of recommending approval of

rezoning of lot 31 per the staff report.

### **Public Hearing-Lot 32**

*Ralph Johnson, Town Planner:* He presented the request, reason for the request, and his staff report. He went over the 12-point test and how it related to this lot. Staff recommended approval of the rezoning of lot 32 to R-3. The lot is contiguous with other R-3 lots.

*Joan Thompson, 5B Sedora, Hamilton Village HOA president:* She stated that Hamilton Village opposes the rezoning because of the amount of traffic and people it would generate near their retirement community. They also wanted to consider Matson's Lab and keeping the street approach looking the same. She later stated that if the planned residences were age restricted, they would not object.

*Mike Gallagher, 11 Moreland Ct:* He stated that he felt that the rezoning should be looked at as a whole, not individually.

*Jim Kack, 6531 Jackson Creek, Farmstead board:* He stated that the existing units drove the decision to request the zone change. The existing emergency fire access would be completed as a street for Hamilton Village. He asked the board to approve with the condition that it is developed as age restricted per Hamilton Village's HOA requirements.

*Joe DeKracker, 2A Darby Way:* He asked about the traffic amounts proposed with the residential zoning.

### **Discussion/Decision**

The Board discussed the fire access right of way. Board members were concerned that the north side of wooden shoe has three active businesses that would be split up by residential. Board discussion included tying lots 31, 32, and 33 to be developed in the same use.

Motion- Albert; Second- Schack: Vote – 3-2: Motion passed to recommend the rezoning of lot 32 to R-3 per the staff report with the condition that it will be in accordance with the Hamilton Village Home Owners Association regulations.

### **Public Hearing-Lot 33**

*Ralph Johnson, Town Planner:* He presented the request, reason for the request, and his staff report. He went over the 12-point test and how it related to this lot. Staff recommended approval of the rezoning of lot 33 to R-3 and L-1.

*Joan Thompson, 5B Sedora, Hamilton Village HOA president:* She stated that Hamilton Village does not oppose the rezoning if they have the same age restrictions as Hamilton Village.

*Bob Dellinger, 11 Moreland Ct:* He asked for clarification of what the request is for. He feels that spot zoning seems to be in play with looking at each lot individually.

*Jim Kack, 6531 Jackson Creek, Farmstead board:* Lots 32 and 33 have the same ownership and the concept may be to include them into Hamilton Village.

*Jason DeHaan, Third Prime:* He stated that the purpose of the PUD is to provide flexibility for uses.

### **Discussion/Decision**

The Board expressed concern about the established commercial used in the area. This lot may not lend itself to the residential development as did lot 32.

Motion- Albert; Second- none; Motion failed to recommend the rezoning of lot 33 to both R-3 and L-1 per the staff report with conditions.

Board member's justification for denial:

Dan Simser: Against because of commercial in the area, spot zoning issue

Alvin VanderVos: Against – There is a need to keep commercial together

Steve Albert: For

Lindsay Schack: Against - Lot 33 needs to stay commercial as it does not face the right way to fit with the proposed use on lot 32.

Tom Wells: Against – same as Schack

Motion- Albert, Second- VanderVos: Vote- Unanimous: Motion passed to revisit the cumulative effect of the rezoning recommendations.

*VanderVos:* He asked the accounting office if an age limit would be acceptable on Lot 31.

*Bob Dellinger, 11 Moreland Ct:* He stated that he may be ok with 55 and older. He questioned the driveway that is proposed.

*Simser:* He asked the DeHaans to address the idea of buffers.

*Jason DeHaan, Third Prime:* He stated that they were told that if buffering were a problem, they would have to fence it. He justified the driveway for the use of lots 30 and 31. He didn't feel that age restrictions would be an option for them. He offered to fence the boundary along the linear park. He asked for flexibility in planning in the Farmstead.

*Mike Gallagher, 11 Moreland Ct:* He asked the developer about putting a private street on lot 30. He asked about a fence as a buffer to the existing R-3 development adjoining their property.

There was no motion for a change to the lot 31 motion.

## **OLD BUSINESS**

### **Transitional Zoning**

The Board identified possible areas where transitional zoning would be appropriate. Two public hearings will be held to address the transitional zoning implementation and map. The first public hearing regarding transitional zoning will be at the February 17<sup>th</sup> meeting.

### **Sign Application – Excel PT**

An email poll of absent board members was conducted after the last meeting. Lindsay Schack and John Schutter responded in favor of approving the sign application. Therefore, a majority of the members voted for approval of the application. The business was contacted with the approval.

### **PLANNERS REPORT:**

None

### **APPROVAL OF MINUTES – November 18, 2015 and December 16, 2015**

Motion- Schack; Second- Wells ; Vote- Unanimous: Motion passed to approve the minutes from November 18, 2015 and December 16, 2015.

**PUBLIC COMMENT:**

None

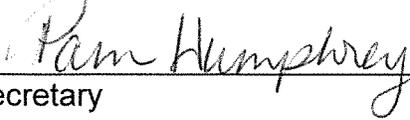
**ADJOURN:**

Motion- VanderVos; Second- Schack ; Vote – Unanimous: Motion passed to adjourn the meeting.



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President



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Secretary

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
February 17, 2016  
MINUTES**

**CALL TO ORDER**

President, Dave Hebner called the meeting to order in the Town Meeting Room, at 207 S 6<sup>th</sup> St. at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Board members present were Steve Albert, Dave Hebner, Lindsay Schack, Dan Simser, Alvin VanderVos, Tom Wells, and Phil Willett. Also present were Town Planner Ralph Johnson and Clerk/Treasurer Pam Humphrey. Nine members of the public were also present.

Excused: John Schutter and Carl Schutter

**PUBLIC COMMENT/COMMUNICATIONS**

None

**NEW BUSINESS**

None

**OLD BUSINESS**

**Transitional Zoning**

*Ralph Johnson, Town Planner:* He stated that the Town Council asked the Planning Board to address adding a transitional zoning ordinance. He gave an overview of the reason and areas where transitional zoning would be appropriate. He spoke about the benefits of Residential Transition Districts. He gave a summary of what the ordinance covers.

**Public Hearing**

*Ken Fenno, 102 Cottonwood:* He asked if there was a conflict of interest for the council asking for this because of the lot transfer that did not go through. He commended the planning board for serving as he was a founding member of the Planning Board. He read a letter that he wrote regarding the proposed change in ordinance. His letter was in opposition to the proposed amendment.

*Eleanor Mest, 317 S Broadway:* She said that the area is much more extensive than she thought it would be. She spoke in opposition to the change as a whole. She was opposed to all of the conditional uses, but not all of the permitted uses.

*April Barnes, 315 S Broadway:* She indicated that they moved to the area because of the character of the entry to town. She spoke in opposition to the change.

*Jade Stokke, 110 W Park:* He stated that he was at all of the previous hearings on zoning changes. He spoke in opposition to the change. He was concerned about noise if a change were to happen. He also was concerned about lighting. He questioned where the hours of operation were obtained. He asked the board to take the time to make changes.

*Ken Fenno, 102 Cottonwood:* He asked if there is a separate zoning committee that looks at conditional uses. He felt that all of the conditional uses would have a negative impact.

**Discussion**

Board discussion included how property taxes are affected by zoning. They asked if there was any kind of commercial use that the public would be in favor of on the entryway into town. They discussed the fact that the entryway to town is not pristine from either direction, as there are several unkept and overgrown properties. The Board expressed the need to have a plan for the future. Home Occupation permits were discussed.

*Lindsay Schack, Board Member:* She stated that she was proud of the community members for standing up for their beliefs on previous zone changes. She reminded the audience that this is not a way for larger commercial uses to come in. She stated that the board may need to define the conditional uses in a more restrictive way. Each conditional use permit would be reviewed to make sure that it meets the requirements of the zoning. She asked people to consider that a plan is needed. They need to come up with a plan, and transitional zoning may be an option. She reiterated the reason for the change, which is to keep the residential feel to the entryway to town. She asked the audience to look over the information they were presented and really understand the character of the transitional zone. She asked them to expand their understanding of what a commercial enterprise might look like. Some professionals may be able to live in their homes with their families and also run their business out of the home. She doesn't want citizens to fear that this ordinance would allow for obtrusive commercial enterprises in the residential neighborhoods.

Ralph Johnson asked the board members to look at the conditional uses and send their thoughts to the secretary before the next meeting. The Board will review and make recommendations for changes.

**PLANNERS REPORT:**

*Ralph Johnson, Town Planner:*

- Manhattan Orchards will be at the March 16<sup>th</sup> meeting for discussion on changes.
- Centennial Village will be at the April 20<sup>th</sup> meeting to request a change of condition.
- He has been asked about a lot line adjustment on lot 31 in the Farmstead.

**APPROVAL OF MINUTES – January 20, 2016**

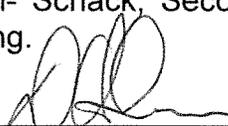
Motion- VanderVos; Second- Wells; Vote- Unanimous: Motion passed to approve the minutes from January 20, 2016.

**PUBLIC COMMENT:**

None

**ADJOURN:**

Motion- Schack; Second- Willett; Vote – Unanimous: Motion passed to adjourn the meeting.

  
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President

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Secretary

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
March 16, 2016  
MINUTES**

**CALL TO ORDER**

President, Dave Hebner called the meeting to order in the Town Meeting Room, at 207 S 6<sup>th</sup> St. at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Board members present were Dave Hebner, Lindsay Schack, Dan Simser, Alvin VanderVos, Tom Wells, and Phil Willett. Also present were Town Planner Ralph Johnson, Clerk/Treasurer Pam Humphrey, and Assistant Clerk/Treasurer Tonya Owens. Seven members of the public were also present.  
Excused: Steve Albert, John Schutter and Carl Schutter

**PUBLIC COMMENT/COMMUNICATIONS**

None

**NEW BUSINESS**

**Sign Application-Nogan's Cafe**

Motion- Schack; Second- Willett; Vote- Unanimous: The motion passed to approve the sign application for Nogan's Café with the condition that the sign on the south side of the building be submitted for approval.

*Ralph Johnson, Town Planner.* He presented the staff report for the application. He summarized the sign regulations for the Neighborhood Highway Business district and how the application fit those regulations. He recommended approval of the sign application.

The board decided that the sign on the south side of the building did fit within regulations, but the applicant must submit an application for it as well.

**OLD BUSINESS**

**Transitional Zoning**

*Ralph Johnson, Town Planner:* He gave ideas about how to educate the public.

Motion- VanderVos; Second- Wells; vote- Unanimous: The motion was passed to have Johnson report to the Town Council in order to gain direction for the transitional zoning document.

Johnson gave the board their options for proceeding with the transitional zoning document. They would need to hold another public hearing for recommendation to the Council. A letter was submitted by *Sarah Simser, 110 Cedar St.*, in opposition to transitional zoning. A letter was submitted by *Robert Dewit, 415 Pine St.*, in opposition to transitional zoning.

The board discussed the proposed map for transitional zoning.

*Dan Simser, Board Member.* He has talked to residents and most are opposed to transitional zoning at this time.

*Alvin VanderVos, Board Member:* He has received more negative than positive feedback from the community. He suggested that the board take a step back and look at the proposed zoning differently.

*Phil Willett, Board Member:* He stated that he agreed with *Dan Simser*. He has heard mostly negative comments. He suggested that the board proceed with caution.

*Tom Wells, Board Member:* He has received both negative and positive comments from the community. He is very positive that transitional zoning could be an asset to Manhattan if done properly. He suggested that the town may not need it now but possibly within the next five years.

*Lindsay Schack, Board Member:* She pointed out that community outreach is important. She believes the community has not received sufficient education on this document and that a public hearing would not be beneficial at this time.

*Dave Hebner, Board Member:* He agreed that there tends to be a large amount of misconception about the transitional zoning proposal. He stated that we need to involve the community in order to incorporate transitional zoning into the growth plan.

### **Manhattan Orchards**

*Craig Mattson, Allied Engineering:* Mattson presented some ideas, regarding changes to the preliminary plat, of which he would like feedback. He gave the background of the subdivision. He stated that the Town Council recently approved an extension of the preliminary plat. He went over each of the conditions that they would like to change, including the elimination of a roadway connecting Nixon Gulch and Yadon Road.

The board discussed and raised questions concerning the location and size of the parks, walking paths, alleys, grass swells versus curb and gutter, intersections, location of utility boxes, and the size of the boulevards. Mattson mentioned that he planned on discussing walking paths with the school district.

*Lindsay Schack, Board Member:* She discussed concerns of traffic backup during the school hour, referencing River Rock.

*Ralph Johnson, Town Planner:* He pointed out that if the board permits the elimination of alleys within the subdivision, that they would be waiving a city standard. He agreed with the re-alignment of the streets. He recommended reconsidering the building phases so that more usable park space is implemented, possibly by removing the walking paths. Johnson agreed with keeping the walking path along Nixon Gulch, but he felt other walking paths were not necessary. He expressed his support in keeping the sidewalks. He also discussed pros and cons of curb and gutter.

*Lindsey Schack and Phil Willett, Board Members:* They liked the idea of a concrete edge next to an asphalt road.

*Dave Hebner, Board Member:* He had concerns of not implementing culverts under driveways.

*Terry Coven, TLC Builders and Design Associates:* He expressed disapproval of alleys; that they tend to be unkept and eliminate privacy.

### **PLANNERS REPORT:**

None

### **APPROVAL OF MINUTES – February 17, 2016**

Motion-Phil Willett; Second-Alvin VanderVos; Vote- Unanimous: Motion passed to approve the minutes from February 17, 2016.

**PUBLIC COMMENT:**

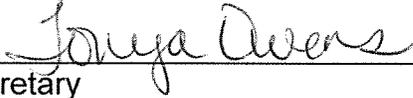
None

**ADJOURN:**

Motion-Lindsay Schack; Second-Tom Wells; Vote – Unanimous: Motion passed to adjourn the meeting.



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President



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Secretary

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
April 20, 2016  
MINUTES**

**CALL TO ORDER**

President, Dave Hebner called the meeting to order in the Town Meeting Room, at 207 S 6<sup>th</sup> St. at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Board members present were Dave Hebner, Lindsay Schack, Dan Simser, Alvin VanderVos, Tom Wells, and Bob Logar. Also present were Town Planner Ralph Johnson, Clerk/Treasurer Pam Humphrey, and Assistant Clerk/Treasurer Tonya Owens. Eleven members of the public were also present.

Excused: Steve Albert, Phil Willett and Carl Schutter

**PUBLIC COMMENT/COMMUNICATIONS**

None

**NEW BUSINESS**

**Centennial Village Subdivision Phase II – Change of Condition**

*Ralph Johnson, Town Planner.* He clarified the staff report for the application to amend the final plat for Centennial Village Subdivision Phase II.

The board raised questions concerning current side yard setbacks, house sizes, distance between houses, as well as propane tanks versus natural gas heat.

*Ken Vidar, Developer.* He explained why they chose to have smaller lots and answered questions from both the public and the board.

**Public Hearing**

*Rita VanderVos, 700 Farmall:* He stated that he is opposed to increase the number of lots because of off-street parking and nighttime parking congestion.

*Nancy Christman, 680 Farmall:* She asked if condos will be built in Centennial Village. She was also concerned about possible future changes to the subdivision and fences for privacy.

*Keith Christman, 680 Farmall:* He stated this he is opposed to the proposal because of increased density, possibility of duplexes, and road paving.

*Dave Ralph, 405 Hemlock:* He requested that the center median on the end street be removed for emergency vehicle access.

*Seth McCoy, 640 Farmall:* He stated that he is concerned with his property value decreasing.

**Discussion/ Decision**

Motion-Bob Logar; Second-Lindsay Schack; Vote 4-1: Motion passed to approve the Change of Condition to Centennial Village as requested.

*Ralph Johnson, Town Planner.* He explained that the number and size of lots proposed conforms to R-3 zoning requirements.

*Alvin VanderVos, Board Member.* He declared that he is opposed to the updates

because of the increased number of lots, non-conformity, conservation of land, surrounding farm land and equipment, limited park land, increased number of propane tanks, traffic, and safety.

*Lyndsy Schack, Board Member.* She asked questions concerning access issues for Block 20. Agreed with Ralph that the application is in compliance with R-3 zoning.

*Tom Wells, Board Member.* He pointed out that the lot sizes proposed are congruent to original Manhattan lots.

## **OLD BUSINESS**

### **Manhattan Orchards-Potential Final Plat Updates**

*Ralph Johnson, Town Planner.* He requested opinions of the planning board on the topics of road alignment changes, the elimination of alleys and curb and gutter, new road section, parks and trails, revision of phases, and the postponement of implementation of condition. Ralph explained advantages to multiple points of entry. He explained that he had no strong opinion to keep alleys and that he was in favor of the trail along Nixon Gulch.

*Doug Chandler, Developer.* He stated that the changes were made to comply with the traffic plan and to discourage traffic flow through neighborhoods. He explained that the elimination of alleys allowed for more park space.

*Lindsay Schack, Board Member.* She stated that she would like Manhattan Orchards to keep alleys and larger lots. She also liked the trail along Nixon Gulch but not on the east side of the subdivision.

*Tom Wells, Board Member.* He stated that he preferred keeping the alleys, as well as curbs and gutters. He liked the trails along Nixon Gulch and the south side of Manhattan Orchards. He emphasized the importance of usable parks.

*Alvin VanderVos, Board Member.* He declared that he preferred no alleys and the trail along Nixon Gulch.

*Dave Hebner, Board Member.* He also stated that he preferred no alleys and the trail along Nixon Gulch.

*Bob Logar, Board Member.* He stated that he preferred not to have alleys and that he favored the trail along Nixon Gulch.

*Dan Simser, Board Member.* He stated that he favored alleys and the trail along Nixon Gulch.

The board did not like the trail on the east side of Manhattan Orchards.

*Dave Rowell, Mayor.* He announced that he is opposed to alleys because the town cannot maintain them.

Ralph planned to present the opinions to the Town Council on May 11, 2016.

### **PLANNERS REPORT:**

None

### **APPROVAL OF MINUTES – March 16, 2016**

Motion-Alvin VanderVos; Second-Tom Wells; Vote- Unanimous: Motion passed to approve the minutes from March 16, 2016.

### **PUBLIC COMMENT:**

None

**ADJOURN:**

Motion-Lindsay Schack; Second-Dan Simser; Vote – Unanimous: Motion passed to adjourn the meeting.

  
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President

  
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Secretary

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
May 18, 2016  
MINUTES**

**CALL TO ORDER**

President, Dave Hebner called the meeting to order in the Town Meeting Room, at 207 S 6th St. at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Board members present were Dave Hebner, Dan Simser, Tom Wells, and Bob Logar. Also present were Town Planner Ralph Johnson, Chief of Police Dennis Hengel, and Assistant Clerk/Treasurer Tonya Owens. Four members of the public were also present.

Excused: Carl Schutter, Lindsay Schack and Alvin VanderVos

**PUBLIC COMMENT/COMMUNICATIONS**

*Dennis Hengel, Chief of Police:* He explained parking enforcement within the Town of Manhattan; the Police Department enforces state parking laws-no parking for 5 days or more. He stated he is not in favor of adopting a city ordinance to enforce parking in the new subdivisions; that the poor design is now the responsibility of the homeowners' association. He also stated that he is opposed to alleys in the new subdivisions because of increased criminal access. He would like to see wider streets in the new developments.

**NEW BUSINESS**

**Tonya Queen-Pre-Application Meeting for Zoning Change R-1 to Commercial**

*Tonya Queen, 248 Manhattan South Rd:* She asked the board for a pre-approval of an equestrian center and housing projected on her property. She presented a letter of intent, a plot map, and a copy of her water rights.

**Discussion/Decision**

*Bob Logar, Board:* He questioned if the town allows horses within city limits and if they need to be licensed.

*Ralph Johnson, Town Planner:* He verbalized that horses are not allowed in city limits which is why Tonya Queen may want to consider a planned unit development for such purposes.

*Tonya Queen, Property Owner:* She explained that the equestrian center would be located on the eastern end of the property and that it would help support businesses by drawing more people to Manhattan.

*Bob Logar, Board Member:* He expressed concerns with the overgrazing of lots. Bob also questioned if lots 9-17 are going to be duplexes.

*Tonya Queen, Property Owner:* She explained that the lots will be overgrazed, but the owners must supply hay. Also, a maximum of two horses would be allowed on each lot. She stated that she plans on keeping the 11 acres for herself to live on and that she

would be open to the idea of using the indoor arena for a convention center.

*Ralph Johnson, Town Planner:* He discussed the property in terms of its isolated location and that it borders light industrial properties, highway, and a railroad track. Her proposal would be a candidate for a planned unit development. An equestrian center along with residential housing would be an appropriate use for her property. Ralph also recommended professional veterinary guidance. He explained that town houses and duplexes could be a possible use for the property and do meet zoning requirements. He pointed out that her water rights make the proposal possible.

*Jack Riccardi, 17 Rosemary Ln, Livingston, MT:* He pointed out that Tonya Queen is aware that horses must have proper vaccinations, testing and branding inspections. He also stated that paddock facilities are more sought after than grazing facilities.

*Tom Wells, Board Member:* He stated that he appreciates the idea of an equestrian center and that the town would benefit from it. He mentioned that he was concerned with noise echoing off of buildings and blocked views.

*Dave Hebner, Board Member:* He stated that an equestrian center would attract people to Manhattan and that it would create a gathering area for residents.

*Dan Simser, Board Member:* He stated that he likes the idea of an equestrian center and thinks it is a good fit for the town.

### **Basta-Connolly Subdivision Exemption Claim Recommendation to County Commission**

*Ralph Johnson, Town Planner:* He explained that this is a request for a boundary realignment. New owners are purchasing 5 acres that is located in a conservation district. No new lots are being a created. This particular property can occupy two houses because of the conservation easement, but the buyers have indicated that they do not plan to build in the near future. The boundary relocation would not affect the tract's conformance to the Manhattan City-County Growth Policy which identifies this area as agricultural.

#### **Discussion/ Decision**

The board discussed and clarified the number of homes that are located and could be built on the properties involved. They also considered if the boundary realignment would affect the conservation district.

Ralph recommended the approval of the request.

The board was in favor of Ralph's recommendation.

### **OLD BUSINESS**

None

### **PLANNERS REPORT**

Ralph explained that the Town Council would like to move forward with transitional zoning and asked that the planning board further educate the community on it. Ralph suggested that the conditional uses be eliminated and the permitted uses be very clear. He gave ideas to the Planning Board with how to approach and educate the residents of Manhattan.

The board discussed the importance of educational meetings for the community.

*Tom Wells, Board Member:* He verbalized the importance of implementing transitional

zoning before the town increases in population.

Ralph stated that a meeting will be held between the town's engineer, attorney and himself to discuss the legal components of transferring water rights between the town and Manhattan Orchards. He suggested to the Planning Board that the city require a bond for water rights be made prior to final plat approval. Ralph and the board discussed the use of temporary wells by Manhattan Orchards and the mandatory approval of water usage by the Department of Natural Resources and Conservation.

**APPROVAL OF MINUTES – April 20, 2016**

Motion- Bob Logar; Second- Tom Wells; Vote- Unanimous: Motion passed to approve the minutes from April 20, 2016.

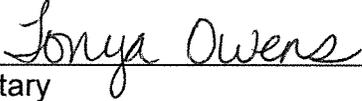
**PUBLIC COMMENT:**

None

**ADJOURN:**

Motion- Tom Wells; Second- Dan Simser; Vote-Unanimous: Motion passed to adjourn the meeting.

  
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President

  
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Secretary

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
July 20, 2016  
MINUTES**

**CALL TO ORDER**

President Dave Hebner called the meeting to order in the Town Meeting Room, at 207 South 6<sup>th</sup> St. at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Board members present were Dave Hebner, Lindsay Schack, Dan Simser, Alvin VanderVos, Tom Wells, Bob Logar, and Austin Owens. Also present were Town Planner Ralph Johnson and Assistant Clerk/Treasurer Tonya Owens. Four members of the public were also present.

Excused: Carl Schutter

**PUBLIC COMMENT/COMMUNICATION –**

*Eleanor Mest, 317 S Broadway:* She stated that transitional zoning is not necessary because there are currently empty commercial buildings on Main St.

**NEW BUSINESS**

**Michael Ronning- Pre-Application Meeting for Zoning Changes in Centennial Village Lots 9, 10, and 11 from Light Industrial to R-3**

*Michael Ronning, Ronning Development:* He stated that he would like to change the zoning of lots 9, 10, and 11 in Centennial Village from Light Industrial to R-3. He mentioned that Ronning Development has considered purchasing lot 12 and would like to change the zoning to R-3 as well. They planned to build townhomes on lots 9, 10, 11, and 12.

**Discussion**

The Board noted that they were concerned with the increase in traffic that residential zoning would create. They questioned the number of units he was interested in building per lot. Ralph stated that the current water rights for this subdivision do not support residential zoning. Also, the current street access to these lots is not sufficient enough to support R-3 zoning. He also addressed the fact that changing only four lots could result in spot zoning.

**OLD BUSINESS**

None

**PLANNERS REPORT:**

**Pioneer Crossing Park Proposal**

Ralph reported that the Park Board has approved the Pioneer Crossing Park Proposal. He stated that we are waiting on approvals from the city parks representative, fire department, and police department.

**Transitional Zoning**

Ralph reported that the Town Council would like the Planning Board to continue to educate the community on transitional zoning. Ralph showed examples of transitional zoning from Bozeman, MT. He explained that the conditional uses were removed from the proposal. The Board asked questions concerning the types of businesses that would be suitable for transitional zoning and how it could benefit small businesses. The Board asked Ralph how they should proceed with educating the community.

*Nancy, Amerimont Real Estate:* She stated that transitional zoning would be a nice option for small business owners in Manhattan. She mentioned that, in her experience, there is a huge demand for it.

The Planning Board agreed to have an open house on September 21, 2016 for the community to ask questions and to give input concerning transitional zoning.

**APPROVAL OF MINUTES – May 18, 2016**

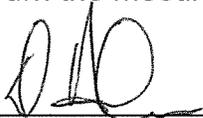
Motion-Alvin VanderVos; Second-Bob Logar; Vote-Unanimous: Motion passed to approve the minutes from May 18, 2016.

**PUBLIC COMMENT:**

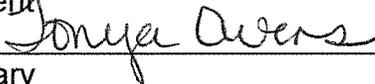
*Eleanor Mest, 317 S Broadway:* She stated that the dentist office was once commercially zoned. She added that the railroad would most likely not add a crossing to accommodate Ronning’s request for more residential housing in Centennial Village.

**ADJOURN:**

Motion-Alvin VanderVos; Second-Lyndsey Schack; Vote-Unanimous: Motion passed to adjourn the meeting.



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President



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Secretary

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
August 17, 2016  
MINUTES**

**CALL TO ORDER**

President Dave Hebner called the meeting to order in the Town Meeting Room, at 207 South 6<sup>th</sup> St. at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Board members present were Dave Hebner, Lindsay Schack, Dan Simser, Alvin VanderVos, Bob Logar, and Austin Owens. Also present were Town Planner Ralph Johnson and Assistant Clerk/Treasurer Tonya Owens. Two members of the public were also present.

Excused: Carl Schutter, Tom Wells

**PUBLIC COMMENT/COMMUNICATION**

None

**NEW BUSINESS**

**SUBDIVISION EXEMPTION CLAIM FOR 8130 ALTENBRAND AVE**

*Tonya Owens, Assistant Clerk/Treasurer:* She read the public hearing notice for the Subdivision Exemption Claim of 8130 Altenbrand Ave.

**Public Hearing**

None

**Discussion/Decision**

Motion- Lindsay Schack; Second- Dan Simser; Vote: Motion passed to forward the Subdivision Exemption Claim Application for 8130 Altenbrand Ave to the County Attorney for review. It will then be returned back to the Planning Board for action.

*Ralph Johnson, Town Planner:* He read the Subdivision Exemption Claim staff report for 8130 Altenbrand Ave. He explained that there is information missing on the application. The survey map was not provided, therefore, the legal description of the property could not be verified.

Ralph read the Quick Claim Deed that was attached to the application for 8130 Altenbrand Ave. He cannot verify the information on the application without the survey information.

Ralph recommended that the application be fully completed by the applicant and have the County Attorney review it before it is sent to the Gallatin County Commissioner. The board asked Ralph what their options would be in a situation where necessary information is missing.

The Planning Board discussed their options for approval of the Subdivision Exemption Claim, including the option of sending it to the County Attorney. They questioned if the Subdivision Exemption Claim is applicable in this particular situation.

## **PIONEER CROSSING PARK PROPOSAL**

*Bill Luehrs, Pioneer Crossing Developer:* Bill presented the Pioneer Crossing Park Proposal. He plans to drill an exempt well in order to irrigate the park. Bill provided a map of the park as well as pictures of play equipment. He considered the recommendations given by the Park Board, Fire Chief, Police Chief, and Park Maintenance Supervisor. He addressed their concerns for shrub/tree species, parking, weather/shade shelter, bathroom facilities, play equipment (the culvert), and a sledding hill.

### **Discussion/Decision**

Motion- Lindsay Schack; Second- Bob Logar; Vote- Unanimous: Motion passed to approve the Pioneer Crossing Park Proposal with recommendations.

Ralph read the staff report for the Pioneer Crossing Planned Unit Development.

Ralph and the Planning Board discussed the added liability that a swing set would have on the Home Owner's Association. The Board discussed the pros and cons of having a bathroom facility.

*Austin Owens, Board Member:* He vocalized the problems the Town has had with vandalism of the Taylor Park bathrooms.

*Bob Logar, Board Member:* He recommended to use a diversity of tree species.

*Lindsay Schack, Board Member:* She suggested using short sections of culvert rather than one long one. She stated that a shade structure would be a valuable addition.

The Board determined that parking is sufficient for emergency vehicles.

The Planning Board recommended that the Pioneer Crossing Park does not provide toilet facilities or build a swing set. The Board agreed that small culvert sections would be a nice alternative to the long culvert for play equipment. They suggested adding a shade/weather shelter with a concrete floor be provided at one picnic table. They mentioned that they would like a diversity of tree species to be planted to conform with the Town of Manhattan tree recommendation list. They also discussed that the HOA should not be responsible for park reservations or for providing toilet facilities. The Board recommended that an information panel be posted at the Pioneer Crossing Park.

## **OLD BUSINESS**

None

## **PLANNERS REPORT**

Ralph discussed the informational transitional zoning open house scheduled for September 21, 2016.

## **APPROVAL OF MINUTES – July 20, 2016**

Motion-Bob Logar; Second-Alvin VanderVos; Vote-Unanimous: Motion passed to approve the minutes from July 20, 2016.

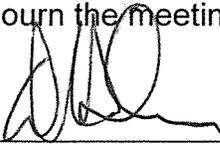
## **PUBLIC COMMENT**

None

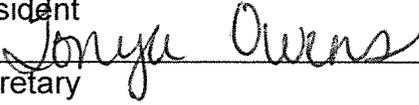
## **ADJOURN:**

Motion-Alvin VanderVos; Second- Lindsay Schack; Vote-Unanimous: Motion passed to

adjourn the meeting.



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President



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Secretary

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
September 21, 2016  
MINUTES**

**CALL TO ORDER**

President Dave Hebner called the meeting to order in the Town Meeting Room, at 207 South 6<sup>th</sup> St. at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Board members present were Dave Hebner, Lindsay Schack, Dan Simser, Alvin VanderVos, Bob Logar, Tom Wells and Austin Owens. Also present were Town Planner Ralph Johnson and Assistant Clerk/Treasurer Tonya Owens. 30 members of the public were also present.

Excused: Carl Schutter

**TRANSITIONAL ZONING PRESENTATION**

Ralph gave an informational presentation on residential transitional zoning. He explained how transitional zoning developed and the restrictions of it. The permitted businesses proposed for transitional zoning do not involve the sale of merchandise or commodities and they do not create noise, smoke, odor or nuisances. They must maintain a residential structure as well as front, back, and side yards. He explained that residential transitional zoning can maximize property values. Transitional zoning protects homeowners from commercial zoning. Ralph then answered questions concerning transitional zoning from the community. The questions included: Which parts of Manhattan are being considered for transitional zoning? The Planning Board would like feedback from the community about such locations. Could a property become a residential home again? Yes. Could a homeowner live and work out of the same property? Yes. The board encouraged feedback from the community. A public hearing will be announced for residential transitional zoning in the near future.

**PUBLIC COMMENT/COMMUNICATION**

None

**NEW BUSINESS**

**FORMATION ARCHITECTURE- INTRODUCTION OF A CONDITIONAL USE PERMIT FOR 201 S. BROADWAY**

*Craig Bergstedt, Formation Architecture:* He informed the planning board that Christian Szabo would like to add an accessory dwelling to his property located at 201 S. Broadway. He would like to use it as a rental. The dwelling would be a two story structure and it would align with front setback of the main house. The access to the dwelling would be through the alley.

**Discussion**

Ralph stated that the property owner would need a waiver for the side yard setback requirement.

The board gave its opinion and encouraged him to follow through with the project.

**SUBDIVISION EXEMPTION CLAIM FOR NW ¼ OF SEC 19, T01N, R01N, ON WYTANA**

Tonya Owens read the public hearing notice for the Subdivision Exemption Claim for the NW ¼ Sec 19, T01N, R01N of Gallatin County, Montana, commonly described as Wytana Rd.

Ralph explained that he does not yet have a complete application. The properties are currently being used for agricultural purposes. Ralph explained that the road does not run on the boundary lines of the properties, therefore, the applicants would like to realign the property lines to the center of the roadway. Ralph recommended approval.

**Public Hearing**

None

**Discussion/Decision**

Motion- Lindsay Schack; Second- Alvin VanderVos; Vote- Unanimous: Motion passed to recommend approval of the Subdivision Exemption Claim of the NW ¼ Sec 19, T01N, R01N of Gallatin County, Montana, commonly described to as Wytana Rd, contingent upon receiving a completed application.

**SUBDIVISION EXEMPTION CLAIM OF 7260 MEADOW VIEW RD**

Tonya Owens read the public hearing notice for the Subdivision Exemption Claim for 7260 Meadow View Rd.

Ralph read the staff report. Ralph recommended approval. The application is complete.

*Dennis Foreman, Gaston Engineering:* He explained that the conservation easements on the properties has complicated the process. The Hammer Ranch has agreed to the boundary realignment so that existing burial sites would officially be included in the cemetery's property.

**Public Hearing**

*Patty Hebner, Chairman of The Meadow View Cemetery Board:* She stated that the boundary realignment is necessary and it would be a hardship if it was not approved.

**Discussion/Decision**

Motion- Alvin VanderVos; Second- Dan Simser; Vote- Unanimous: Motion passed to recommend approval of the Subdivision Exemption Claim for 7260 Meadow View Rd.

**OLD BUSINESS**

None

**PLANNER'S REPORT**

None

**APPROVAL OF MINUTES – August 17, 2016**

Motion-Bob Logar; Second-Alvin VanderVos; Vote-Unanimous: Motion passed to approve the minutes from the August 17, 2016 meeting.

**PUBLIC COMMENT**

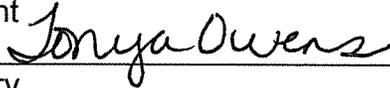
*Patty Hebner, 6617 West Dry Creek Rd:* She invited everyone to the benefit for Lori Oldenburger at the Manhattan School on Sunday afternoon.

**ADJOURN**

Motion- Alvin VanderVos; Second- Bob Logar; Vote-Unanimous: Motion passed to adjourn the meeting.



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Secretary

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
October 19, 2016  
MINUTES**

**CALL TO ORDER**

President Dave Hebner called the meeting to order in the Town Meeting Room, at 207 South 6th St. at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Board members present were Dave Hebner, Lindsay Schack, Dan Simser, Alvin VanderVos, Tom Wells and Austin Owens. Also present were Town Planner Ralph Johnson and Assistant Clerk/Treasurer Tonya Owens. Four members of the public were present.

Excused: Bob Logar and Carl Schutter

**PUBLIC COMMENT**

None

**NEW BUSINESS**

None

**OLD BUSINESS**

**Transitional Zoning**

The Planning Board read the letters from Mike Marburger and Eleanor Mest concerning transitional zoning. The Planning Board reviewed the Residential Transitional District article. Ralph clarified that a residential unit within the building would be a permitted use in this district. Ralph read the conditional uses for R-1 low density which include accessory residential units, bed and breakfasts, church or places of worship, daycare centers, eldercare facilities, golf courses, group daycare homes, guest houses, modular homes, planned unit developments, and two-family dwellings.

**Discussion**

The board discussed the conditional uses in detail.

*Alvin VanderVos, Board Member:* He questioned the appropriateness of modular homes.

*Lindsay Schack, Board Member:* She mentioned that a bed and breakfast might not be appropriate for this district.

*Austin Owens, Board Member:* He stated that he would like to strike modular homes from the conditional uses.

Ralph read the definitions for modular home and manufactured home and discussed the difference. The board discussed the lot sizes, sign sizes, parking, and hours of operation pertinent to the Transitional Zoning District. They changed the wording of the ordinance from "hours of operation" to "public hours of operation". They discussed possible locations of transitional zoning including South Broadway and North 5<sup>th</sup> Street.

*Dan Simser, Board Member:* He stated that he is in favor of keeping the zoning change small because of the feedback he has received from the community. The board considered the properties that Mike Marburger and Eleanor Mest recommended for the Residential Transitional Zoning District. Ralph asked for permission to have TD & H make a larger zoning map in order to verify the properties the board has considered for the zoning change. A public hearing will be scheduled for the next planning board meeting on November 16, 2016.

**PLANNER’S REPORT**

The Memorandum of Understanding was signed by the county commissioners on October 18, 2016. Ralph discussed the significance of the memo. Ralph reported that the owners of 4680 Burnt Rd have proposed to develop a fishing lodge on this agriculturally zoned property. The property falls within the 3 1/3 mile planning area.

**APPROVAL OF MINUTES – September 21, 2016**

Motion-Alvin VanderVos; Second-Tom Wells; Vote- Unanimous: Motion passed to approve the minutes from September 21, 2016.

**PUBLIC COMMENT**

*Nancy Clark, 6324 Pleasant St:* She thanked the board for taking the time to consider transitional zoning. She believes change is necessary in order to bring more businesses into Manhattan.

**ADJOURN**

Motion-Alvin VanderVos; Second-Lindsay Schack; Vote- Unanimous: Motion passed to adjourn the meeting.

  
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President  
  
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Secretary

**CITY-COUNTY PLANNING BOARD  
REGULAR MEETING  
November 16, 2016  
MINUTES**

**CALL TO ORDER**

President Dave Hebner called the meeting to order in the Town Meeting Room, at 207 South 6th St. at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Board members present were Dave Hebner, Lindsay Schack, Alvin VanderVos, Tom Wells, Bob Logar, and Austin Owens. Eight members of the public were present. Also present were Town Planner Ralph Johnson and Assistant Clerk/Treasurer Tonya Owens.

Excused: Carl Schutter, Dan Simser

**PUBLIC COMMENT\***

*Gary Stoner, 7475 Amsterdam Rd:* He stated that the rotary is thinking about putting signs up on Frontage Road for the Manhattan Museum. They received a grant in order to do so.

**OLD BUSINESS**

**Transitional Zoning- Amend the Manhattan Zoning Ordinance**

*Tonya Owens, Assistant Clerk/Treasurer:* She read the public hearing notice.

*Ralph Johnson, Town Planner:* He asked if the board had any questions or suggested revisions on the proposed Residential Transitional Zoning District. The board had none.

**Public Hearing**

*Eleanor Mest, 317 S Broadway:* She asked for the permitted uses to not include accounting and engineering firms. She is concerned that there would be too much traffic. She asked the board to only include the empty lots on South Broadway next to the Conoco.

*Craig Bergstedt, 218 S Broadway:* He asked if Ralph would clarify how this differs from the home occupation permit process. He stated that transitional zoning will allow for better opportunity for businesses within the town and also maintain the character of the town. It will allow for limited economic development hidden behind a residential appearance. He does not think there will be too much traffic with engineers and accounting businesses.

Ralph explained that with transitional zoning, the emphasis is now business rather than residential and an individual does not have to live in the home.

*Nancy Clark, 6324 Pleasant St, Chruchill:* She explained that her real estate office has the listing for 207 S Broadway. They had a buyer inquire if there could be a business located on the property. Nancy stated that she supports transitional zoning. It would allow for people to have businesses and keep the overhead low. She added that a zoning change from residential to transitional in Bozeman did increase the values of the

properties. Nancy said that interest has been expressed for residential transitional zoning.

*Steve Gonzalez, 315 E Gallatin:* He asked if the ordinance change was pertinent for the entire town.

Ralph explained that it was.

Tonya Owens read the letter from Jade Stokke in opposition to residential transitional zoning.

*Chris Szabo, 201 S Broadway:* He is planning to do add an accessory dwelling unit to his property. He asked if he would be required to occupy the property if it was included in the zoning change.

Ralph explained that he would not have to live there but he may not have enough off-street parking required for that option.

### **Discussion/Decision**

Motion- Tom Wells; Second- Alvin VanderVos; Vote- Unanimous: Motion passed to recommend approval of the amended Manhattan Zoning Ordinance to include discussed changes.

The board discussed the parking requirements for business use within the transitional zoning district.

*Lindsey Schack, Board Member:* She recommended that the zoning be defined by trips per day instead of business types.

The board discussed possible changes to the zoning ordinance.

Ralph clarified the following changes to the ordinance:

- 1) 10-6c-2b would read "all uses shall be professional offices which require only incidental client contact on the premises"
- 2) 10-6c-2c would read "for example..."
- 3) 10-6c-3 would read "all uses are conditional uses"

*Tom Wells, Board Member:* He would like to add preschools and daycares to the list of uses. He would like to add incidental uses to the ordinance.

*Austin Owens, Board Member:* He pointed out that the purpose of transitional zoning is to promote businesses moving in and not to limit uses. He suggested not to include the list of potential businesses.

*Bob Logar, Board Member:* He is concerned that the ordinance is becoming too nitpicky.

Ralph explained that conditional uses are very hard to revoke once they have been approved.

### **Transitional Zoning- Amend the Manhattan Zoning Map**

*Tonya Owens, Assistant Clerk/Treasurer:* She read the public hearing notice.

Ralph reviewed that the following lots have been previously considered for the Transitional Zoning District: Block 5, Lots 8b, 9b, 10b, and 11b. Ralph stated that these lots are appropriate for transitional zoning.

### **Public Hearing**

*Mike Marburger, 314 S Broadway:* He is concerned that his lots are not included. He would like to include lots 6b & 7b in the zoning change.

*Dave Rowell, 305 Hemlock:* He confirmed that lots 10b and 11b are owned by the Town. He also asked the Board to consider how much it costs the Town each time

zoning changes are reviewed. He pointed out that the transitional zoning map currently being considered would only benefit the Town and Mike Marburger and not benefit Manhattan as a whole.

*Eleanor Mest, 217 S Broadway:* She stated that she would like to keep the map like it is.

*Nancy Clark, 6324 Pleasant St:* She explained that the more options there are for lots, the better it would be for the whole area.

*Chris Szabo, 201 S Broadway:* He stated that he is in favor of the whole block versus a few lots.

### **Discussion/Decision**

Motion- Lindsay Schack; Second- Austin Owens; Vote- 4:1: Motion passed to recommend approval of the amended Manhattan Zoning Map to include Blocks 4, 5, 9, and 10, the lots facing Broadway, in addition to lots 10b and 11b of Block 5, not to include lots 8b and 9b of Block 5.

*Alvin VanderVos, Board Member:* He stated that he voted in opposition to the motion because of the negative letters, public hearings, and feedback he has received from the community.

Ralph suggested that the board move to approve Block 5, Lots 6b, 7b, 10b and 11b contingent upon verification of ownership. He reiterated that there has been opposition to transitional zoning and that is the reason a limited number of lots are currently being considered.

*Austin Owens, Board Member:* He agrees with Mayor that the transitional zoning should include a whole block and not four lots.

*Tom Wells, Board Member:* He is concerned about dividing the zoning in the middle of a block. He suggested that the zoning jurisdiction include Blocks 4 and 5 on the Broadway side, in addition to lots 10b and 11b of Block 5.

*Lindsey Schack, Board Member:* She stated that she would like the zoning to extend to Gallatin Ave but owners are opposed to it. She would prefer to see both sides of Broadway included in the zoning.

*Alvin VanderVos, Board Member:* He expressed his opposition to the idea of making the zoning jurisdiction larger.

### **NEW BUSINESS**

#### **Conditional Use Permit- 201 South Broadway**

Motion- Bob Logar; Second- Tom Wells; Vote- Unanimous: Motion passed to recommend approval of the conditional use permit of 201 S Broadway with the conditions stated in planner's report.

Ralph explained that this permit is for an accessory residential unit at 201 South Broadway. The legal description is ½ Lot 31 & Lot 32 Block 10 of the Original Plat of the Town of Manhattan. This property is zoned R-1. The accessory dwelling unit falls within the appropriate square footage. The applicant will reside in the accessory dwelling unit and rent out the primary residence.

Ralph read the Staff report.

The unit does not conform to the eight foot minimum side yard setback. Staff recommends approval of the conditional use permit to construct an accessory dwelling unit at 201 S Broadway Ave. with following conditions:

- 1) The south side yard setback must be in conformance with the zoning code requirement of 8'.
- 2) The front yard setback off of Gallatin Ave. be set to 12'-4" to align with the existing home.
- 3) The rear yard setback off of the alley be set to 10' to align with other garages located on the alley.

*Craig Bergstedt, Formation Architecture:* He stated that he can design around the setbacks. He can change the design of the stairs to come off the Gallatin Ave side. He asked if the balconies would create a setback issue. Ralph answered that they are fine.

*Alvin VanderVos, Board Member:* He asked what the height of the roof will be.

Ralph answered that the roof's height will be 22' 8".

*Dave Hebner, Board Member:* He asked if the accessory dwelling unit would be served by same water and sewer hookups. Craig answered that they would.

*Tom Wells, Board Member:* He stated that this would be a good use for property and that design is nice.

### **Sign Permit Application- 112 South Broadway**

Motion- Alvin VanderVos; Second- Tom Wells; Vote- Unanimous: Motion passed to approve the sign permit application for Little Apple Technologies at 112 S Broadway. Ralph stated that the sign permit request is for a 22 square foot window sign located at 112 South Broadway in the Central Business District. There is an existing window sign for Pizza on Broadway of approximately ten square feet, two wall mounted signs of approximately six square feet, and a projecting sign of eight square feet on the building. Ralph read the staff report.

Staff recommends approval of the single 22 square foot window sign for Little Apple Technologies at 112 South Broadway.

### **PLANNER'S REPORT**

Ralph met with the County staff about the implementation of the Memorandum of Understanding. The following must take place:

- 1) The growth policy body must be updated.
- 2) The growth policy map must be adopted.
- 3) The subdivision regulations must be approved with a current date.

These items will then be approved by the Town Council and the County Commissioners. Ralph would like to add in a procedural element for projects that are subject to the Memorandum of Understanding that they first be reviewed by the Town Council for recommendation to the Planning Board.

The Board will discuss these items at the January 2017 meeting. Ralph will have a digital copy of the current growth policy made.

Manhattan Orchards has submitted their proposals for preliminary plat. The engineer has reviewed them. Ralph needs to review the lighting and landscaping proposal. Manhattan Orchards will present Phase I and Phase II at the January 2017 Planning Board meeting. The Board discussed potential changes made to the preliminary plat.

### **APPROVAL OF MINUTES – October 19, 2016**

Motion- Bob Logar; Second- Lindsey Schack; Vote- Unanimous: Motion passed to

approve the minutes from October 19, 2016.

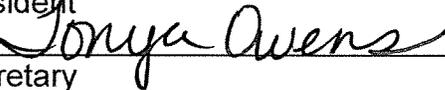
**PUBLIC COMMENT**

*Corrie Lucier, 206 Pine:* She thanked the board for its effort to grow Manhattan businesses.

**ADJOURN**

Motion- Austin Owens; Second- Tom Wells; Vote- Unanimous: Motion passed to adjourn the meeting.

  
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President

  
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Secretary