



**Item:** Minor Subdivision of Amended Plat of Lot 3A, Block 18, of the Amended Plat of Lot 3, Block 18, Sun River Park Addition, located in the NE ¼ Section 9, Township 20 North, Range 3 East, PMM, Cascade County, Montana

**From:** Galen Amy, Planner I, Planning and Community Development

**Initiated By:** Clint Buford, property owner

**Presented By:** Craig Raymond, Interim Director of Planning and Community Development

**Action Requested:** City Commission to approve with conditions the Amended Plat and accompanying Findings of Fact

---

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (approve with conditions/disapprove) the Amended Plat of the subject property and accept the Findings of Fact.”

2. Mayor calls for a second, discussion, public comment, and calls the vote.

---

**Recommendation:** The Planning Advisory Board, during a meeting held on June 11, 2013, passed a motion recommending the City Commission approve the Amended Plat of the above legally described property, herein referred to as the subject property, and the accompanying Findings of Fact, subject to the conditions of approval in the Planning Advisory Board Staff Report:

1. The Amended Plat of Lot 3A, Block 18, of the Amended Plat of Lot 3, Block 18, Sun River Park Addition, located in the NE ¼ Section 9, Township 20 North, Range 3 East, PMM, Cascade County, Montana shall incorporate corrections of any errors or omissions noted by Staff.
2. Any development in the subdivision is subject to review and approval by the City of Great Falls as necessary, and the applicant shall be required to submit any plans including engineering, architectural, and landscaping as required for review and approval by the City.
3. Applicant shall provide a site grading plan of the subject property for review and approval by the City Public Works Department.
4. Each property owner for lots in subdivision shall be responsible for any current or future maintenance of their own property; the City shall not be responsible for any property maintenance in the subdivision.
5. Applicant shall work with the City's addressing department to establish a new address for the proposed residences and provide facilities for adequate mail delivery to both residences as required by the post office.

## **Background**

*Existing Use:* Vacant, undeveloped City lot.

*Existing Zoning:* R-1 single-family suburban district. This district is primarily intended to accommodate comparatively low-density, single-family residential development on larger lots.

*Adjacent Land Use:* To the north, east and west of the subject property is R-1 single-family residential development. To the south there is also R-1 development, with an R-10 Mobile Home Park development immediately to the southwest (see Zoning Map).

## **Subdivision Request**

The applicant is requesting a minor subdivision of the subject property, which consists of  $\pm 1.798$  acres. The request is to subdivide the property into two lots. The proposed northern lot will become Lot 3-A1 and the proposed southern lot will become Lot 3-A2. Both lots will consist of  $\pm 39,151$  square feet, or  $\pm 0.899$  acres (see Draft Amended Plat). Eventually a single-family residence will be constructed on each lot. The applicant plans on retaining Lot 3-A2 as his personal residence.

## **Subdivision Analysis**

The basis for a decision to approve, conditionally approve, or deny a proposed subdivision is whether it is demonstrated that development of the proposed subdivision meets the requirements of the Montana State Code Annotated (MCA). Staff has developed Findings of Fact for the proposed subdivision; Staff concludes the subdivision meets the basic requirements provided by 76-3-608(3) MCA (see attached Findings of Fact).

## **Zoning Analysis**

Both newly created lots in the subdivision meet minimum standards for R-1 single-family suburban zoned subdivisions. The development of new single-family residences on each lot shall be reviewed by the Planning and Community Development and Public Works Departments for consistency with all relevant code sections. Both lots created in the subdivision will have separate legal access from 22nd Street Southwest, which is a public roadway. There is no cross-access between the two lots. It will be understood by property owners that they will be responsible for all current and future maintenance issues for their own lots and will not hold the City responsible for any maintenance conflicts.

## **Infrastructure**

### *Streets & Utilities*

The applicant will not be required to provide improvements to Central Avenue West and 22nd Street Southwest because they are existing roadways that are built to City standard. There is an existing 8-inch water main and an 18-inch sewer main in Central Avenue West, which can provide services for Lot 3-A1. There is also an existing 8-inch water main and an 8-inch sewer main in 1st Avenue Southwest, which can provide service to Lot 3-A2. As development occurs on the two lots in the subdivision, the owners will be required to pay to connect service lines to those mains. Any future engineering plans shall be provided to the Public Works Department for review and approval.

### *Stormwater Management*

There is a drainage swale currently running across this property that conveys stormwater from a portion of Central Avenue West, and the surrounding areas, to a low area on the southwest portion of the subject property. This drainage conveyance shall be maintained as directed by the City's Public

Works Department, which may consist of a drainage easement and a ditch. It may be necessary to re-grade and realign this swale. The City is also looking at a possible storm drain extension along Central Avenue West, to drain the low area at 22nd Street Southwest, and will coordinate with the applicant. The applicant is required to provide a site grading plan of the subject property for review and approval by the City Public Works Department.

#### *Traffic Analysis*

The subdivision will meet the off-street parking requirements, and as this project is located in a developed residential neighborhood it is reasonable to assume any future tenant based traffic impacts would be minimal.

#### 2005 City of Great Falls Growth Policy

The proposed minor subdivision is consistent with the goals and intent of the 2005 Growth Policy.

These goals relate to land use, housing and economic development. The proposed subdivision supports efficient, sustainable development and redevelopment throughout the community. In addition, the proposed subdivision will promote infill development and utilize existing infrastructure in a location where community facilities and transit already exist. Lastly, the change will promote new single family housing opportunities in the City, enhancing the supply and availability of housing locally.

#### Neighborhood Council Input

Per MCA and the Official Code of the City of Great Falls (OCCGF 17.16.4.010 Table 16-2), minor subdivisions do not require public notice notification. As a courtesy, Patty Cadwell, Neighborhood and Youth Council Coordinator, provided information regarding the proposed project to Neighborhood Council #2 on May 29, 2013. At the time this staff report was written, there have been no comments from the neighbors regarding the application.

**Concurrences:** Representatives from the City's Public Works and Fire Departments have been involved throughout the review and approval process for this project.

**Fiscal Impact:** The proposed minor subdivision will increase the tax base and represent some additional demand on City services.

**Alternatives:** If there are justifiable reasons to do so, the City Commission could deny the requested action to the extent allowed in City Code and State Statute.

**Attachments/Exhibits:** Findings of Fact  
Aerial Map  
Zoning Map  
Reduced copy of Draft Amended Plat

cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Patty Cadwell, Neighborhood & Youth Council Coordinator  
Clint Buford, property owner, cbuford5@msn.com

## **FINDINGS OF FACT**

**Amended Plat of Lot 3A, Block 18, of the Amended Plat of Lot 3, Block 18, Sun River Park Addition,  
located in the NE ¼ Section 9, Township 20 North, Range 3 East, PMM, Cascade County, Montana**  
(PREPARED IN RESPONSE TO 76-3-608(3)MCA)

### **PRIMARY REVIEW CRITERIA**

**Effect on Agriculture:** The lots within the proposed subdivision are in the City of Great Falls and are not currently being utilized for agricultural purposes. The uses on the property are existing uses and will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity. The land uses that are existing in the vicinity are residential uses.

**Effect on Local Services:** When development occurs on the lots within the subdivision, they will connect to City water and sewer mains. The applicant agrees to pay for and install all necessary utilities to the subdivision after the Amended Plat is approved. The City shall provide water and sewer service to the lots, which will be assessed and required to pay standard City fees for these services. The City should not experience an appreciable increase in maintenance and operating costs by approving the subdivision.

The lots are located within the City of Great Falls, and the City provides law enforcement and emergency services to the tracts of land in the subdivision. The nearest fire station is approximately 2 miles from the subject parcel, which is within sufficient travel time for emergency services. Providing these services to the proposed development is expected to be a negligible cost to the City.

Adjacent to the subdivision are Central Avenue West and 22nd Street Southwest, which are paved public roadways. 22nd Street Southwest will be used to access the proposed subdivision and is maintained by the City of Great Falls. There are no additional roadways, other than driveways, proposed internally for this subdivision. Driveways will be maintained at the property owner's expense.

**Effect on the Natural Environment:** The subdivision is not expected to adversely affect soils or the quality or quantity of ground water because there is future development proposed on the subject property is limited to a single-family residence on each lot.

**Effect on Wildlife and Wildlife Habitat:** The proposed subdivision is located adjacent to an area containing urbanized development. The project is not in an area of significant wildlife habitat and will not result in closure of public access to hunting or fishing areas, nor to public lands.

**Effect on Public Health and Safety:** Based on available information, the proposed subdivision is not subject to abnormal potential natural hazards such as flooding, snow or rockslides, wildfire, nor potential man-made hazards such as high voltage power lines.

### **REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS**

The minor subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The local government has complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

### **EASEMENT FOR UTILITIES**

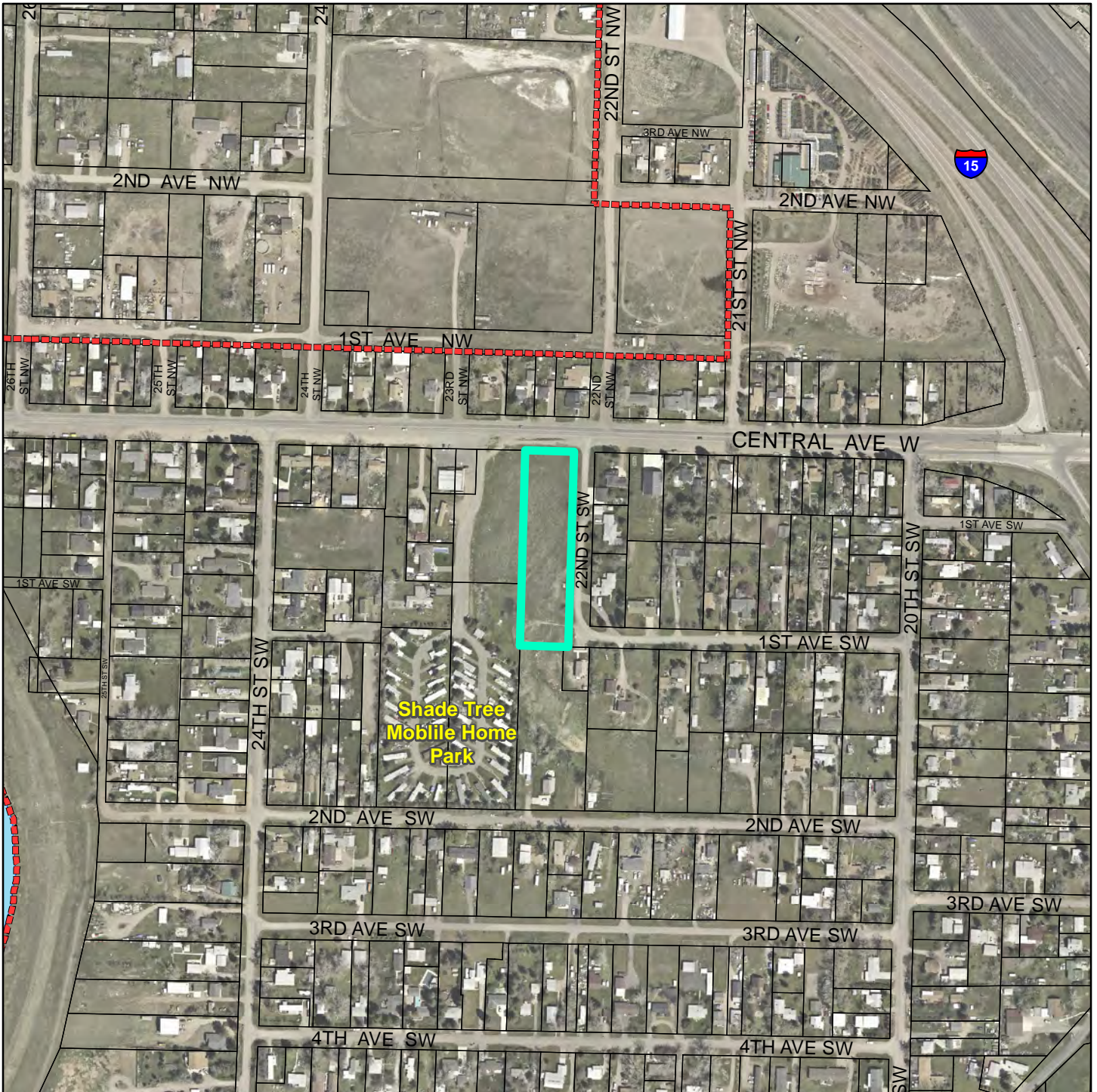
The applicant shall provide all necessary utility easements to accommodate water, stormwater and sanitary sewer mains to serve any future development on the subject property.

### **LEGAL AND PHYSICAL ACCESS**

The subject property is bounded by Central Avenue West and 22nd Street Southwest; these roadways are paved public roadways that are maintained by the City of Great Falls. The proposed subdivision will have direct access from 22nd Street Southwest, which provides the legal and physical access required by State Statute.



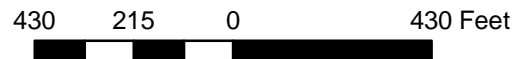
# Aerial Photo



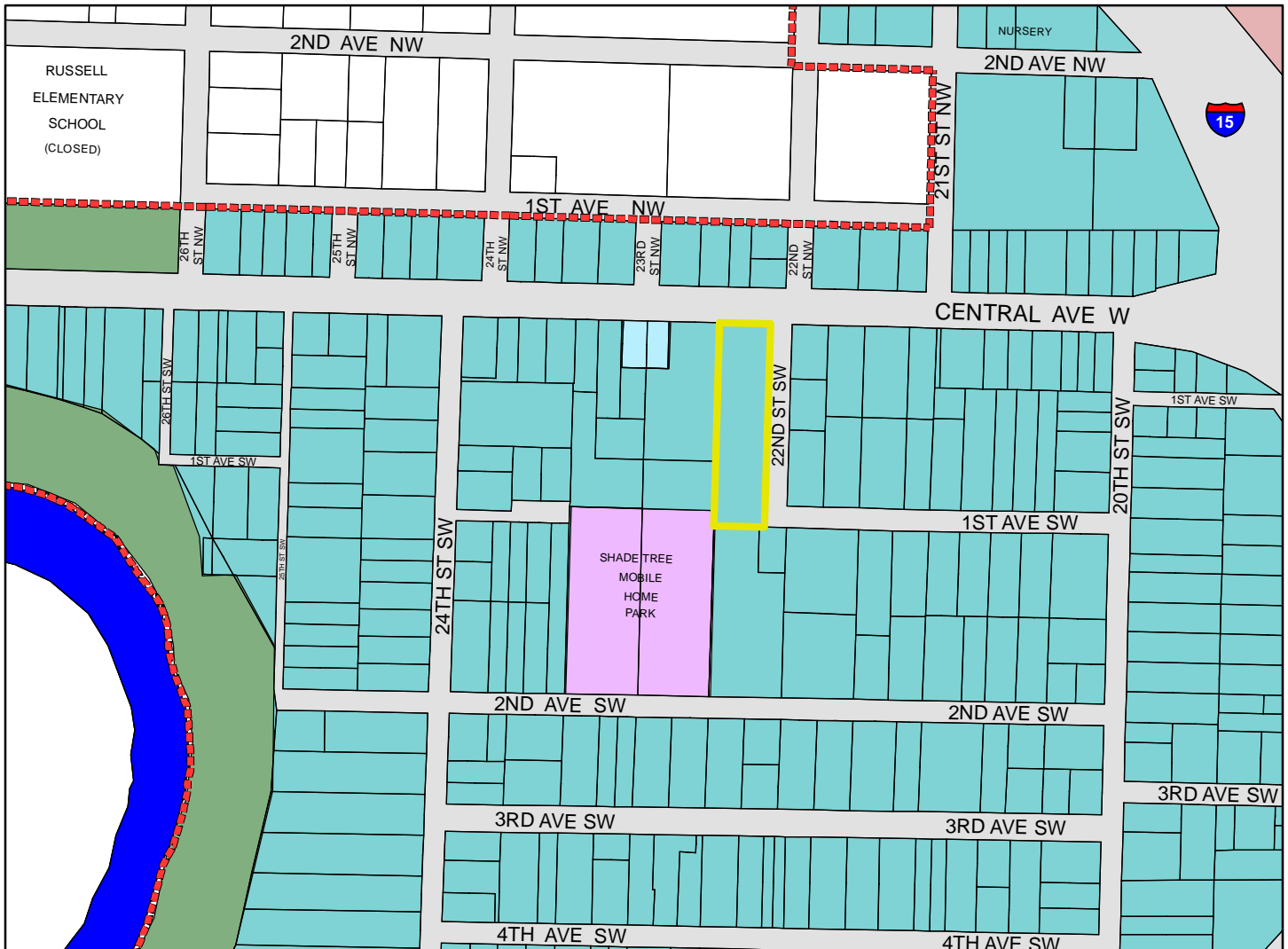
☐ Minor Subdivision

City Limits

Tracts of Land



# Zoning Map



475 237.5 0 475 Feet

  Minor Subdivision

  City Limits

  Tracts of Land

  Rivers

## ZONING

  AI Airport Industrial

  C-1 Neighborhood commercial

  C-2 General commercial

  C-3 Highway commercial

  C-4 Central business core

  C-5 Central business periphery

  I-1 Light industrial

  I-2 Heavy industrial

  M-1 Mixed-use district

  M-2 Mixed-use transitional

  PLI Public lands institutional

  POS Park Open Space

  PUD Planned unit development

  R-1 Single-family suburban

  R-2 Single-family medium density

  R-3 Single-family high density

  R-5 Multi-family medium density

  R-6 Multi-family high density

  R-9 Mixed residential

  R-10 Mobile home park

  Unincorporated

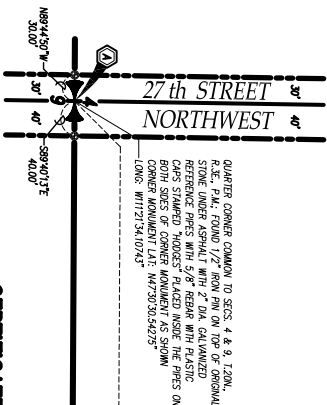
  Right of Way





THE AMENDED PLAT OF LOT 3A, BLOCK 18 OF THE  
AMENDED PLAT OF LOT 3, BLOCK 18, SUN RIVER PARK ADDITION TO GREAT FALLS

SITUATED IN THE NE1/4 SEC. 9, T.20N., R.3E., P.M., CASCADE COUNTY, MONTANA



CERTIFICATE OF OWNERS

I, CLINT BUFFORD, THE UNDERSIGNED PROPERTY OWNER, DO HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED AND PLATED AND TWO LOTS, AS SHOWN ON THE ACCOMPANYING PLAT, THE FOLLOWING DESCRIBED PARCEL OF LAND:

LEGAL DESCRIPTION

A PARCEL OF LAND, BEING OF LOT 3A, BLOCK 18, OF THE AMENDED PLAT OF LOT 3, BLOCK 18, SUN RIVER PARK ADDITION TO GREAT FALLS, CASCADE COUNTY, MONTANA, ACCORDING TO THE ORIGINAL MAP AND PLAT THEREOF, BEING THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE PRINCIPAL MERIDIAN, MONTANA, CASCADE COUNTY, MONTANA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING at the Northeast Corner of said LOT 3A, said point being the POINT OF BEGINNING OF THE PARCEL, thence described:

Thence along the easterly line of said LOT 3A, S00°04'34"W (S00°03'W recorded) a distance of 560.63 feet (561.0 feet recorded) to the Southeast Corner thereof; Thence along the southerly line of said LOT 3A, N89°58'17"W (N89°55'W recorded) a distance of 140.05 feet (140.0 feet recorded) to the Southwest Corner thereof; Thence along a westerly line of said LOT 3A, W00°09'33"E (N00°09'E recorded) a distance of 560.79 feet (561.0 feet recorded) to the Northwest Corner thereof; Thence along the northerly line of said LOT 3A, S89°54'22"E (N89°50'E recorded) a distance of 138.24 feet (140.0 feet recorded) to the Northeast Corner of said LOT 3A and the POINT OF BEGINNING OF THE PARCEL, thence described:

CONTAINING IN ALL 78.301 square feet or 1.798 acres, more or less, AND

THE ABOVE DESCRIBED PARCEL IS TO BE KNOWN AND DESIGNATED AS THE AMENDED PLAT OF LOT 3A, BLOCK 18, OF THE AMENDED PLAT OF LOT 3, BLOCK 18 OF SUN RIVER PARK ADDITION TO GREAT FALLS, CASCADE COUNTY, MONTANA, AND

PURPOSE OF SURVEY

THE PURPOSE OF THE SURVEY, WHICH THE ACCOMPANYING PLAT REPRESENTS, IS TO CREATE 2 LOTS FROM A SINGLE EXISTING LOT WITHIN A PLATTED SUBDIVISION, AND THEREFORE:

CLINT BUFFORD, owner

Dated

ACKNOWLEDGED:

State of MONTANA )  
County of CASCADE ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, a Notary Public in and for the State of Montana, appeared CLINT BUFFORD, known to me to be the person that executed the foregoing instrument. IN WITNESS WHEREOF, I have set my hand and affixed my official seal the day and year herein above first written.

Notary Public for the State of Montana

S E A L

Printed Name: \_\_\_\_\_

Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

CERTIFICATE OF COUNTY TREASURER

I, Jamie Bailey, County Treasurer of Cascade County, Montana, do hereby certify that I examined the records covering the areas included on the accompanying AMENDED PLAT, and found that all taxes and special assessments have been paid to date.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

Jamie Bailey, Treasurer, Cascade County, Montana

By: \_\_\_\_\_ Deputy

CERTIFICATE OF SURVEYOR

I, STEPHEN D. BAHR, PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF MONTANA, AND CERTIFIED FEDERAL SURVEYOR, DO HEREBY CERTIFY THAT DURING THE MONTHS OF MAY AND JUNE, 2013, THAT I PERFORMED THE SURVEY THAT THE ACCOMPANYING DRAWING REPRESENTS, AND THAT THIS SURVEY IS IN COMPLIANCE WITH THE PROVISIONS SET FORTH IN SECTION 76-3-402 AND 403 M.C.A.; AND THAT ALL MONUMENTS SHOWN ARE OF THE TYPE AND CHARACTER AND OCCUPY THE POSITIONS SHOWN.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_.



STEPHEN D. BAHR, PROFESSIONAL LAND SURVEYOR, MONTANA REGISTRATION NO. 11689 LS.  
CERTIFIED FEDERAL SURVEYOR #1335

CERTIFICATE DISPENSING WITH PARK DEDICATION

Because the original plat of the SUN RIVER PARK ADDITION provided dedicated park land, and because Section 76-3-62(3)(c), M.C.A., does not require park dedication where only one additional lot is created, the City Commission of Great Falls, Montana, during a meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, dispensed with park dedication requirements.

Gregory T. Doyen, City Manager, City of Great Falls, Montana

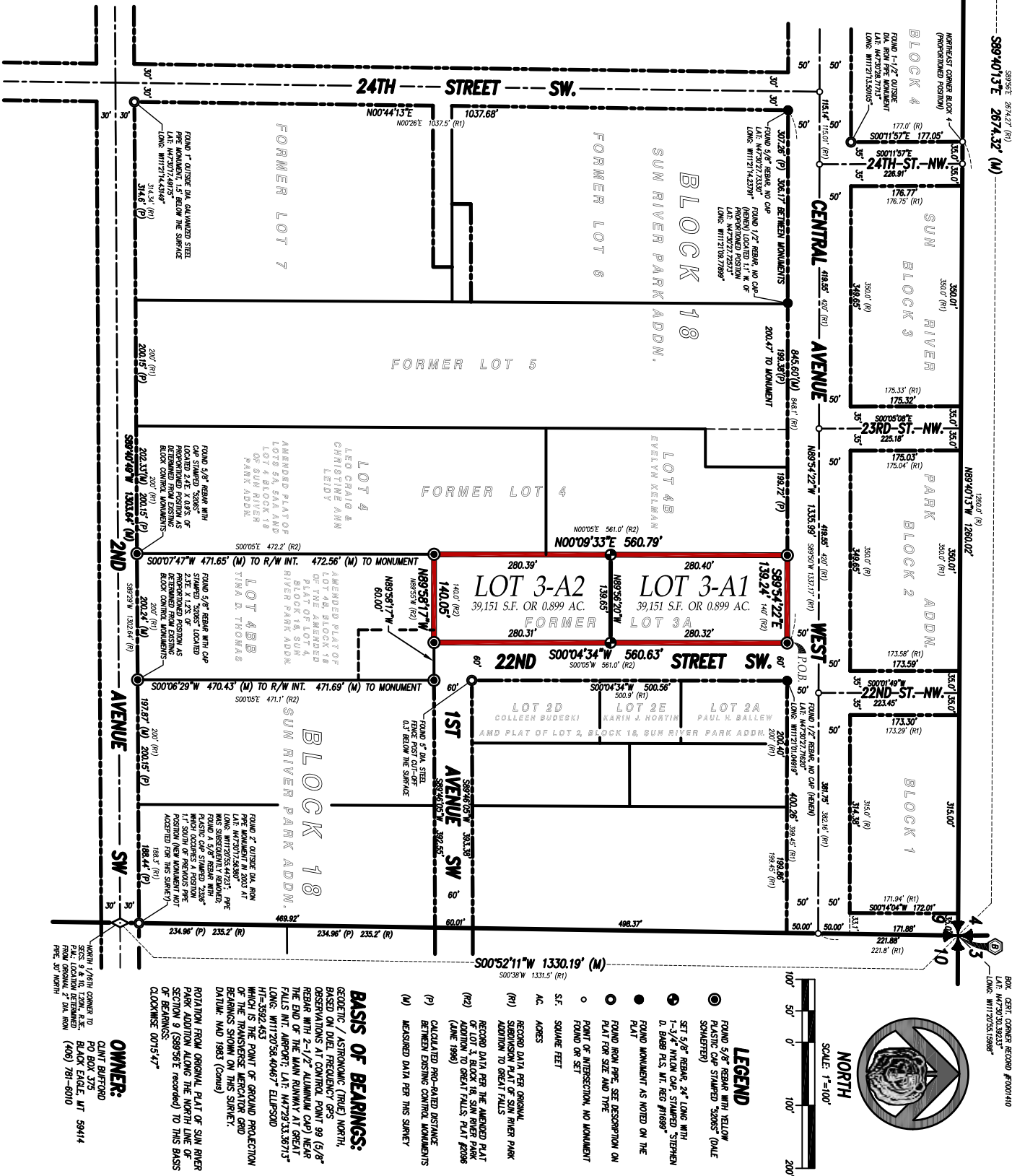
CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES

I, Gregory T. Doyen, City Manager of the City of Great Falls, Montana, do hereby certify that adequate municipal facilities for the supply of water and disposal of sewage and solid waste are available to the properties depicted on the accompanying plat, namely the facilities of the City of Great Falls, Montana, and this certificate is made pursuant to Sections 76-3-62(3)(c), M.C.A., thereby permitting the Clerk and Recorder of Cascade County, Montana, to record the accompanying plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

Gregory T. Doyen, City Manager, City of Great Falls, Montana

© Copyright 2013, Baha Land Surveying, Inc., Drawing 1306 Amended Plat.dwg



SECTION CORNER COMMON TO SECS. 3, 4, 9 & 10, T.20N., R.3E., P.M.; FOUND 2" IRON ROD, 1" DIA., GALVANIZED STEEL, SET IN CONCRETE, 1' BELOW THE SURFACE. MONUMENT L.A.T. N47°03'32.8233" LONG. W11°20'55.1598"



LEGEND

- FOUND 5/8" REBAR WITH BELOW PLASTER CAP STAMPED "2005" (PALE SCHEDULED)
- SET 5/8" REBAR, 24" LONG WITH 1-3/4" NYLON CAP, STAMPED "STEPHEN D. BAHR P.S. MT. REG #1889"
- FOUND MONUMENT AS NOTED ON THE PLAT
- FOUND RAIL PIPE, SEE DESCRIPTION ON PLAT FOR SIZE AND TYPE
- POINT OF INTERSECTION, NO MONUMENT FOUND OR SET
- S.F. SQUARE FEET
- AC. ACRES
- ACRES
- (R) RECORD DATA PER THE AMENDED PLAT ADDITION TO GREAT FALLS PARK ADDITION TO GREAT FALLS, PLAT #2006 (JUNE 1989)
- (R2) CALCULATED FROM-TO DISTANCE BETWEEN EXISTING CONTROL MONUMENTS MEASURED DATA PER THIS SURVEY
- (N) CALCULATED FROM-TO DISTANCE BETWEEN EXISTING CONTROL MONUMENTS MEASURED DATA PER THIS SURVEY

BASIS OF BEARINGS:

GEODETIC / ASTRONOMIC (TRUE) NORTH, BASED ON LINE FREQUENCY GPS OBSERVATIONS AT CONTROL POINT 99 (5/8" REBAR WITH 2-1/2" ALUMINUM CAP) NEAR THE END OF THE MAIN RUNWAY AT GREAT FALLS INT. AIRPORT, L.A.T. N47°29'33.9713" LONG. W11°20'58.4067" ELIPSOID HT=5392.453 WHICH IS THE POINT OF GROUND PROJECTION OF THE TRANSVERSE MERIDIAN (GMD) BEARINGS SHOWN ON THIS SURVEY. DATUM: NAD 83 (CONUS)

PORTION FROM ORIGINAL PLAT OF SUN RIVER PARK ADDITION ALONG THE NORTH LINE OF SECTION 9 (S89°58'E recorded) TO THIS BASIS OF BEARINGS: 00°15'47"

OWNER:

CLINT BUFFORD  
PO BOX 375  
BLACK EAGLE, MT 59414  
(406) 781-6010

CERTIFICATE OF GREAT FALLS PLANNING BOARD

We, the undersigned, Nathan Weisenburger, Chairman of the said Great Falls Planning Board, Great Falls, Montana, and Craig Raymond, Secretary of said Great Falls Planning Board, do hereby certify that the accompanying plat of AMENDED PLAT OF LOT 3A, BLOCK 18, OF THE AMENDED PLAT OF LOT 3, BLOCK 18, SUN RIVER PARK ADDITION, has been submitted to the said Great Falls Planning Board for examination by them and was found by them to conform to law and was approved of a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

Nathan Weisenburger, Chairman, Great Falls Planning Board

ATTEST:

Craig Raymond, Secretary, Great Falls Planning Board

SHEET  
1  
OF  
1

THE AMENDED PLAT OF  
LOT 3A, BLOCK 18, OF THE AMENDED PLAT OF LOT 3  
BLOCK 18, SUN RIVER PARK ADDITION TO  
GREAT FALLS

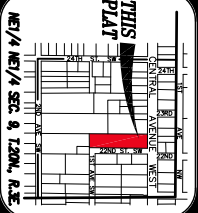
SITUATED IN THE NE1/4 SEC. 9, T.20N., R.3E., P.M., CASCADE COUNTY, MONTANA

DATE: JUNE 3, 2013

SCALE: 1"=100'

JOB NO. 1306

DRAWN: S. BAHR



LAND SURVEYING, INC.

622 ALICE DRIVE, GREAT FALLS, MONTANA 59405  
(406) 786-1188 • (406) 786-1189 FAX • (406) 786-0888 EMAIL: BAHASURVEY@GREATFALLS.MT