



**Item:** Preliminary Plat – West Ridge Addition, Phase VI

**From:** Jana Cooper, RLA, Planner II, Planning and Community Development

**Initiated By:** S & L Development, Property Owner and Developer

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

**Action Requested:** City Commission approve the Preliminary Plat of West Ridge Addition, Phase VI and accompanying Findings of Fact.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission approve the Preliminary Plat of West Ridge Addition, Phase VI and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Advisory Board.”

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

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**Recommendation:** At the conclusion of a public hearing held on April 9, 2013, the Planning Advisory Board recommended the City Commission approve the Preliminary Plat of West Ridge Addition, Phase VI and the accompanying Findings of Fact subject to fulfillment of the following Conditions of Approval:

1. The Final Plat of West Ridge Addition, Phase VI shall incorporate correction of any errors or omissions noted by staff, including provision of a notification clause to purchasers regarding soil conditions.
2. The final engineering drawings, specifications and cost estimates for public improvements for West Ridge Addition, Phase VI, shall be submitted to the City Public Works Department for review and approval, including resolution of the items listed in the Inter-Office Memorandum attached to this report, prior to consideration of the Final Plat.
3. An Annexation Agreement shall be prepared containing terms and conditions for annexation of the area within the Final Plat, including, but not limited to, agreement by applicant to:
  - a. install, within two years of the date of annexation, the public improvements referenced in Condition 2 above;

- b. indemnify and hold the City harmless for any damages that may be sustained as a result of adverse soil and/or groundwater conditions;
- c. adjust the finished grade of the lots, limit basement construction and/or install sewage grinder, or injector type lift pumps in order to accommodate the sanitary sewer within the subdivision. The developer shall disclose this information to all prospective buyers of lots in the subdivision.
- d. provide temporary cul-de-sacs per requirements of Public Works, escrow funds for the future installation of standard curb and gutter, and install a pavement patch when the temporary cul-de-sacs are removed, when future development occurs to the west;
- e. development of lots with temporary cul-de-sacs shall be subject to review and approval by Public Works and Planning and Community Development Departments prior to development;
- f. either secure approval from the adjoining land owner to allow drainage from the street to the adjoining property, or provide an easement and construct a temporary drainage ditch along the westerly edge of the subdivision and a detention pond on the developer's property located north of subdivision;
- g. pay all applicable fees owed as a condition of annexation, as determined in annexation agreement.

The Zoning Commission recommended the City Commission approve assigning a zoning classification of R-3 Single-family high density district to West Ridge Addition, Phase VI.

**Background:** The ±6.3 acre subject property is located generally west of 2nd Street Northeast and north of 38th Avenue Northeast. The developer is requesting approval of a Preliminary Plat, City zoning and annexation of West Ridge Addition, Phase VI. The proposed subdivision consists of 24 single-family residential lots. The subject property is legally described as West Ridge Addition, Phase VI, in W1/2 SWSE Section 26, Township 21 North, Range 3 East, PMM, Cascade County, Montana.

During a meeting held January 8, 2008, the City Commission conditionally approved the Preliminary Plat of West Ridge Addition, Phases V & VI, as recommended by the Planning Advisory Board. The Final Plat for West Ridge Addition, Phase V, was approved by the City Commission on June 17, 2008. The developer did not proceed with West Ridge Addition, Phase VI, and the Preliminary Plat approval expired on January 8, 2011. The developer is now requesting reapproval of the Preliminary Plat of West Ridge Addition, Phase VI. For additional information, please refer to the attached Aerial Photo, Zoning Map and Preliminary Plat. Similar to West Ridge Addition, Phases I-V, Phase VI will consist of single-family lots that are then sold for development. The majority of West Ridge Addition, Phases I-V are built out.

#### Preliminary Plat Request

The applicant is requesting a preliminary plat of the subject property, which would subdivide the property into 24 single-family residential lots. The applicant submitted a Preliminary Plat, which shows the layout for the proposed subdivision.

The basis for decision to approve, conditionally approve, or deny a proposed subdivision is whether the subdivision application, preliminary plat, applicable environmental assessment, public hearing, planning board recommendations, or additional information demonstrate that

development of the proposed subdivision meets the requirements of 76-3-608 MCA. Staff has provided a written findings of fact that weigh the criteria in of 76-3-608 (3) MCA (attached).

### Rezone Request

In conjunction with the Preliminary Plat, the applicant is requesting that the subject property be rezoned from County SR1-Suburban Residential 1 to R-3 Single-family high density residential district upon annexation into the City of Great Falls.

The proposed zoning is compatible with the other Phases of West Ridge Addition. According to the Land Development Code, R-3 Single-family high density residential zoning classification is:

Intended to accommodate single-family residences at the highest urban density. Home occupations can occur in this district to the extent they are compatible with residential uses found in this district. Schools and other public facilities are often found in close proximity.

The proposed residential development is consistent with the R-3 zoning standards and is compatible with the existing neighboring uses, which include vacant undeveloped land and single-family residential properties.

### Annexation Request

In conjunction with the Preliminary Plat and establishment of City zoning, the developer is requesting annexation of ±6.3 acres from Cascade County into the City of Great Falls. The Planning Advisory Board and City Commission do not make a formal recommendation on the annexation until the Final Plat stage of the project, therefore there is no motion related to the annexation within this report.

### Improvements

Access to the subject property will be via 2nd Street Northeast and 39th and 40th Avenues Northeast. The public roadways contained therein will be improved with standard City paving, curb and gutter, and sidewalks. These avenues will dead-end at the western property boundary. Temporary cul-de-sacs will be installed at the west termini of 39<sup>th</sup> and 40<sup>th</sup> Avenues Northeast. The cul-de-sacs shall meet standards required by the Fire Department including a minimum 96-foot diameter. The cul-de-sacs shall be either (1) located within an easement on the private property located immediately to the west of the subdivision, currently owned by Kendall Cox, or (2) within the public right-of-way and easements on adjacent lots within the development. The developer will be required to install a standard pavement section in the street portion of the cul-de-sac. Also, the developer will be required to escrow funds for the future installation of standard curb and gutter and a pavement patch when the temporary cul-de-sacs are removed and future development occurs to the west. If the developer chooses option (2), development of said lots adjacent to the temporary cul-de-sacs shall be subject to review and approval by the Public Works and Planning and Community Development Departments. The developer will be required to reimburse the City their proportional share of paving, curb and gutter, and water main previously installed in 2nd Street Northeast.

City water and sanitary sewer mains are proposed to be installed in 39<sup>th</sup> and 40<sup>th</sup> Avenues Northeast. The sanitary sewer mains will be extended westerly from the current termini manholes located to the east in 39th and 40<sup>th</sup> Avenues Northeast. The existing topography of the

subdivision will limit the depth at which the gravity sanitary sewer main can be located. Therefore, basement construction with standard gravity sewer services will likely be limited. The developer has noted that he will either need to adjust the finished grade of the lots, limit basement construction and/or install sewage grinder or injector type lift pumps. The developer shall disclose this information to all prospective buyers of lots in the subdivision. There is an existing Montana Refinery Crude Oil Line easement that runs through the property. The developer has adjusted lot lines within the subdivision to provide buildable areas on the lots affected by the easement. The developer will provide easements within the subdivision for utilities such as telephone, cable, power and gas.

Surface drainage from Phase VI will generally flow to the west and north. The developer shall either secure approval from the adjoining land owner to allow drainage from the street to the adjoining property, or provide an easement and construct a temporary drainage ditch along the westerly edge of the subdivision and a detention pond on the developer's property located north of subdivision.

The developer will fulfill the subdivision's park obligation by paying a fee in lieu of dedicating park land, which is acceptable to the Park and Recreation Department.

#### 2005 City of Great Falls Growth Policy

The application is generally consistent with the 2005 Growth Policy in that it furthers housing and expansion in the City. Overall the project is a logical future extension of existing and planned residential growth and services; however, expansion and annexation at this time comes with concerns as to how the area's infrastructure and street connectivity will function in this vicinity. Without information as to how the property to the west will develop, the property owner takes on the responsibility of addressing numerous infrastructure and service concerns incrementally. It would be preferable if there was a cooperative approach toward developing this area of the City.

In terms of the City's housing policy, the Growth Policy calls for the greater opportunities for home ownership, and a diverse, affordable and safe supply of housing for residents of all needs and income levels, including single family homes. This project will add more housing stock and choice in a manner consistent with the City's goals and needs.

#### Neighborhood Council Input

The subject property is located in Neighborhood Council #3. The applicant, presented information to Council #3 on March 7, 2013. The Council asked the applicant about drainage and erosion on the site. The applicant explained the existing drainage went to Watson Coulee. The Council also asked about traffic patterns from the subdivision and the applicant explained that most likely traffic traveling east would use 36th Avenue Northeast and traffic heading south or west would use 2nd Street Northeast. The Council was concerned about the existing pipeline and associated easement that runs through the subject property, and the applicant explained he configured the lots so that there was enough room for a home adjacent to the pipeline. Finally, the Council asked about if the applicant would be dedicating park land, and the applicant explained that he would be paying cash in lieu of dedicating land.

The Council made a unanimous recommendation in favor of the application and recommended that the cash provided by the applicant for the park land be used for Skyline Park. Additionally,

Staff has received written comment about a concern for run-off of storm water to the property to the west of the subdivision and a concern for fill soils being brought onto the property for development. Public Works shall require the developer to provide adequate accommodations for stormwater run-off, and the City will require soil testing prior to each home being built in the subdivision.

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

**Fiscal Impact:** Providing services is expected to be an additional cost to the City. Increased costs may be covered by increased tax revenues from improved properties.

**Alternatives:** The City Commission could deny the Preliminary Plat pursuant to MCA 76-3-604.

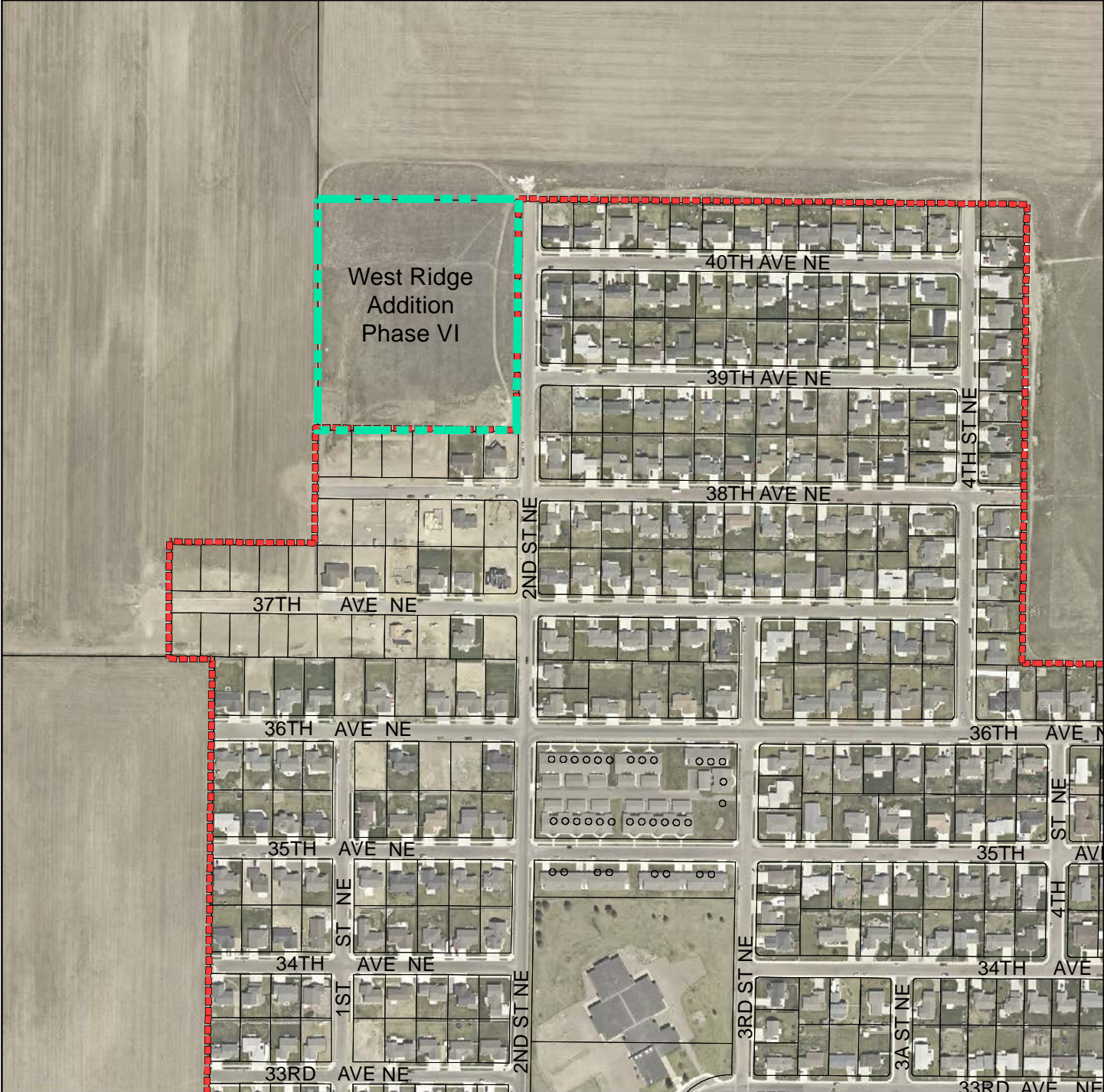
**Attachments/Exhibits:**

- Aerial Photo
- Zoning Map
- Preliminary Plat
- Findings of Fact
- Inter-Office Memorandum

Cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Patty Cadwell, Neighborhood Council Coordinator  
Susan Connell, Cascade County, [sconnell@co.cascade.mt.us](mailto:sconnell@co.cascade.mt.us)  
Gary Knudson, S&L Development, [glknudson.eng70@yahoo.com](mailto:glknudson.eng70@yahoo.com)



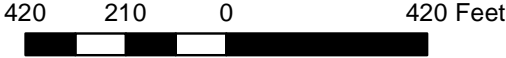
# Aerial Photo



 West Ridge Addition, Phase VI

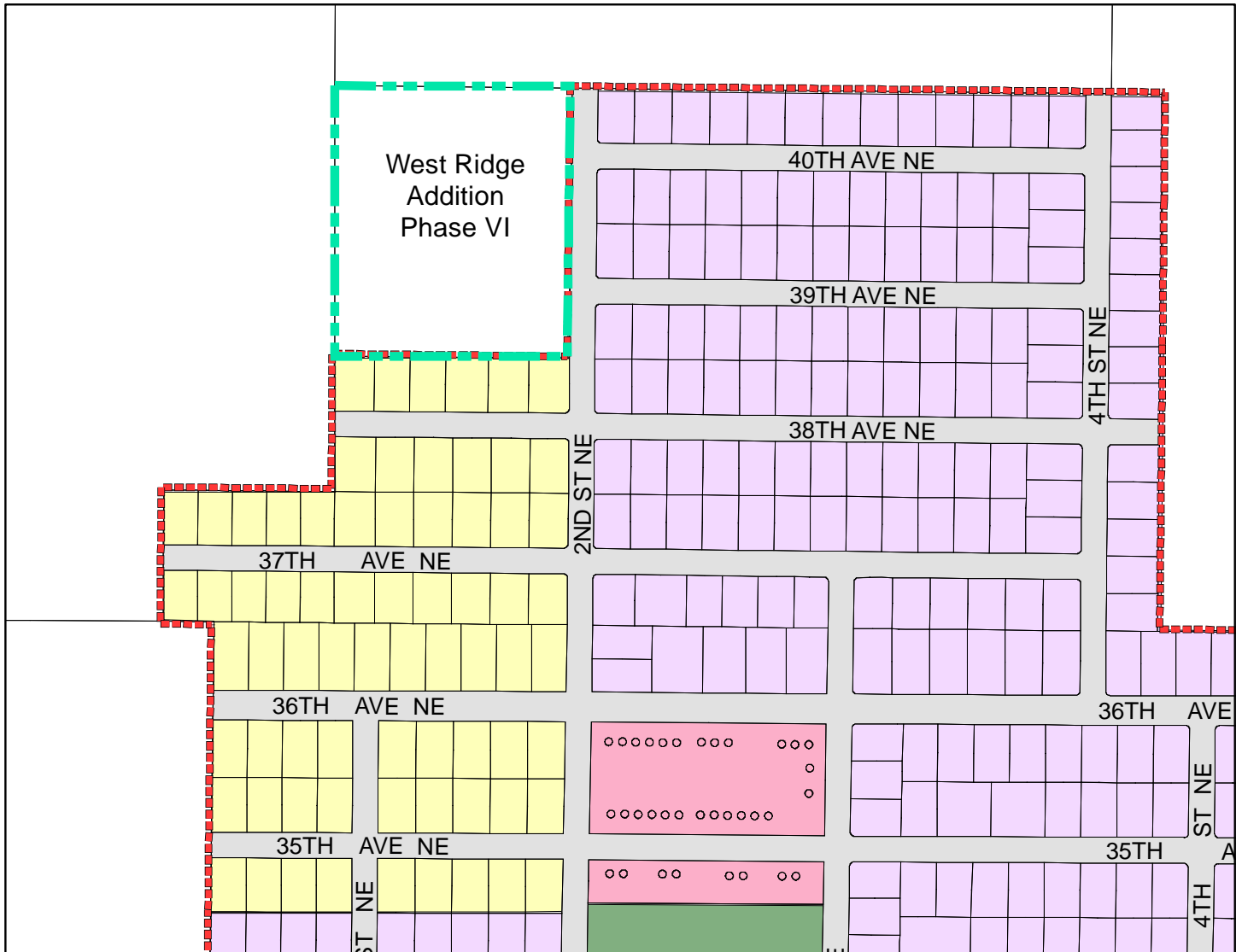
 City Limits


























 Tracts of Land



West Ridge Addition, Phase VI

# Zoning Map



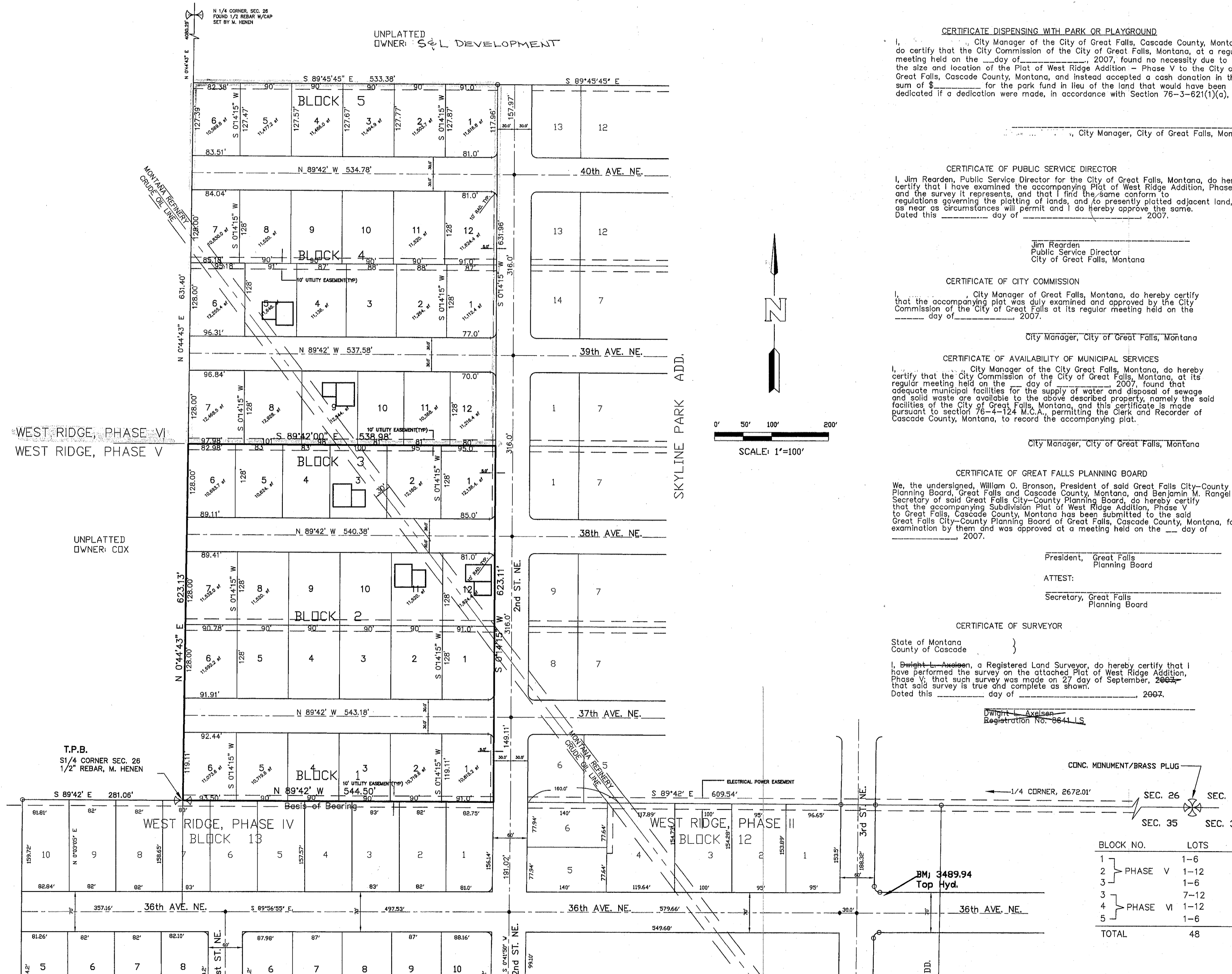
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|--|--|---|
|  West Ridge Addition, Phase VI |  C-5 Central business periphery |  R-1 Single-family suburban       |
|  City Limits                   |  I-1 Light industrial           |  R-2 Single-family medium density |
|  Tracts of Land                |  I-2 Heavy industrial           |  R-3 Single-family high density   |
| <b>ZONING</b>  |  M-1 Mixed-use district         |  R-5 Multi-family medium density  |
|  AI Airport Industrial         |  M-2 Mixed-use transitional     |  R-6 Multi-family high density    |
|  C-1 Neighborhood commercial   |  PLI Public lands institutional |  R-9 Mixed residential            |
|  C-2 General commercial        |  POS Park Open Space            |  R-10 Mobile home park            |
|  C-3 Highway commercial        |  PUD Planned unit development   |  Unincorporated                   |
|  C-4 Central business core     |  Right of Way                   |   |



West Ridge Addition, Phase VI



**PRELIMINARY PLAT OF  
WEST RIDGE ADDITION, PHASE VI**  
IN THE W1/2 SWSE SEC. 26, T 21 N, R 3 E, P.M.M.  
CASCADE COUNTY, MONTANA



**CERTIFICATE DISPENSING WITH PARK OR PLAYGROUND**  
I, \_\_\_\_\_, City Manager of the City of Great Falls, Cascade County, Montana, do certify that the City Commission of the City of Great Falls, Montana, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, found no necessity due to the size and location of the Plat of West Ridge Addition - Phase V to the City of Great Falls, Cascade County, Montana, and instead accepted a cash donation in the sum of \$ \_\_\_\_\_ for the park fund in lieu of the land that would have been dedicated if a dedication were made, in accordance with Section 76-3-621(1)(a), MCA.

**CERTIFICATE OF PUBLIC SERVICE DIRECTOR**  
I, Jim Rearden, Public Service Director for the City of Great Falls, Montana, do hereby certify that I have examined the accompanying Plat of West Ridge Addition, Phase V and the survey it represents, and that I find the same conform to regulations governing the platting of lands, and to presently platted adjacent land, as near as circumstances will permit and I do hereby approve the same. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**CERTIFICATE OF CITY COMMISSION**  
I, \_\_\_\_\_, City Manager of Great Falls, Montana, do hereby certify that the accompanying plat was duly examined and approved by the City Commission of the City of Great Falls at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES**  
I, \_\_\_\_\_, City Manager of the City of Great Falls, Montana, do hereby certify that the City Commission of the City of Great Falls, Montana, at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, found that adequate municipal facilities for the supply of water and disposal of sewage and solid waste are available to the above described property, namely the said facilities of the City of Great Falls, Montana, and this certificate is made pursuant to section 76-4-124 M.C.A., permitting the Clerk and Recorder of Cascade County, Montana, to record the accompanying plat.

**CERTIFICATE OF GREAT FALLS PLANNING BOARD**  
We, the undersigned, William O. Bronson, President of said Great Falls City-County Planning Board, Great Falls and Cascade County, Montana, and Benjamin M. Rangel, Secretary of said Great Falls City-County Planning Board, do hereby certify that the accompanying Subdivision Plat of West Ridge Addition, Phase V to Great Falls, Cascade County, Montana has been submitted to the said Great Falls City-County Planning Board of Great Falls, Cascade County, Montana, for examination by them and was approved at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**CERTIFICATE OF SURVEYOR**  
I, Dwight L. Axelson, a Registered Land Surveyor, do hereby certify that I have performed the survey on the attached Plat of West Ridge Addition, Phase V, that such survey was made on 27 day of September, 2007, and that said survey is true and complete as shown. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**CERTIFICATE OF DEDICATION**  
We, the undersigned property owner(s), do hereby certify that we have caused to be surveyed, for the purpose of dedicating streets and the subdivision of Lots and Blocks the following described land in Great Falls, Cascade County, Montana, to wit:

**DESCRIPTION**  
The land being described lies in the W1/2, SW1/4, SE1/4, Section 26, T 21 N, R 3 E, P.M.M., Cascade County, Montana and is the South portion of former C/S #3981. PHASE V of West Ridge Add. Beginning at 1/4 corner Section 26, the True Point of Beginning; Thence N 0°44'43" E along the N-S midsection line of Sec. 26, 623.13 ft.; Thence S 89°42'00" E, 538.98 ft. to the West boundary Skyline Park Add.; Thence S 0°14'15" W along the West boundary of Sec. 26, 544.5 ft. to the True Point of Beginning. Herein described Phase V contains 7.749 acres

The above described tract of land is to be known and designated as the subdivision plat of WEST RIDGE ADDITION, PHASE V to the City of Great Falls, Cascade County, Montana, and the land included in all streets and avenues shown on said plat are hereby granted and donated to the use of the public forever.

S & L Development, LLC \_\_\_\_\_ this day \_\_\_\_\_ of \_\_\_\_\_, 2007.  
S & L Development, LLC \_\_\_\_\_ this day \_\_\_\_\_ of \_\_\_\_\_, 2007.

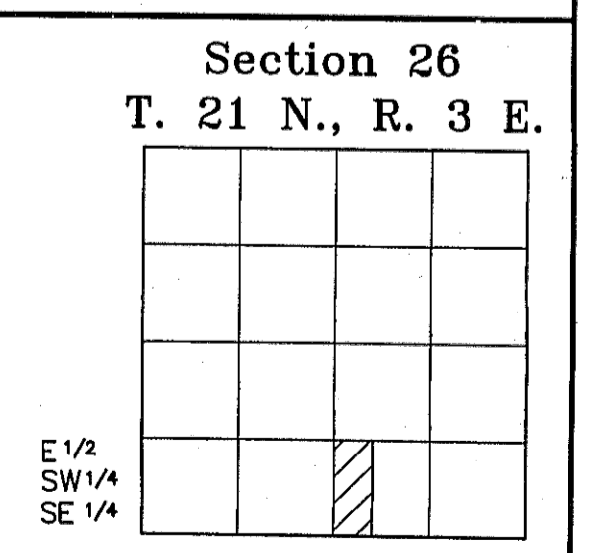
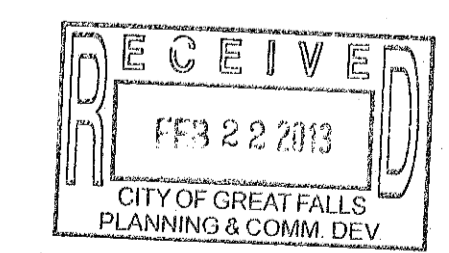
State of Montana  
County of Cascade

On this \_\_\_\_\_ day of \_\_\_\_\_, 2007, before me, the undersigned, a Notary Public in and for the State of Montana, personally appeared \_\_\_\_\_, known to me to be the persons who executed the foregoing Certificate of Dedication, and they acknowledged to me that they executed the same.

Signature of Notary \_\_\_\_\_  
Printed Name of Notary \_\_\_\_\_  
Notary Public for the State of Montana  
Residing at Great Falls, Montana  
My commission expires \_\_\_\_\_

**CERTIFICATE OF COUNTY TREASURER**  
I, Jess Anderson, County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the areas included in the accompanying Plat of West Ridge Addition, Phase V, and find that all taxes on same have been paid up to date. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

BLOCK NO.	LOTS	ZONING	AREA
1	1-6	R 2	67,767.6 sf
2	PHASE V 1-12	R 2	138,618.0 sf
3	1-6	R 2	69,038.1 sf
4	7-12	R 2	68,892.9 sf
5	PHASE VI 1-12	R 2	137,214.2 sf
5	1-6	R 2	68,148.3 sf
<b>TOTAL</b>	<b>48</b>		<b>546,679.1 sf</b>



**LEGEND**  
 FOUND SECTION CORNER  
 WIRTH PIN / CAP  
 EXISTING MONUMENT

**County Treasurer's Certification**  
I hereby certify that no real property taxes assessed and levied on the land being divided are delinquent.  
\_\_\_\_\_  
Cascade County Treasurer

**Cascade County Clerk and Recorder**

**BASIS of BEARING**  
Basis of bearings is the South boundary of Section 26, Township 21 North, Range 3 East of the P.M.M.

COUNTY OF CASCADE  
**SUBDIVISION PLAT No. \_\_\_\_\_**  
E1/2SW1/4, Sec. 26, Township 21 North, Range 3 East of the P.M.M.

Prepared for:  
**S & L Development**  
221 30th Ave. NE  
Great Falls, MT 59405



**FINDINGS OF FACT**  
**FOR FINAL PLAT OF NORTHVIEW ADDITION PHASE 10, A SUBDIVISION LOCATED WITHIN**  
**SE ¼, SECTION 25, T21N, R3E, P.M.M, CASCADE COUNTY, MONTANA**  
**(PREPARED IN RESPONSE TO 76-3-608(3) MCA)**

Finding of Fact (Prepared in Response to 76-3-608(3) MCA)

**PRIMARY REVIEW CRITERIA**

**Effect on Agriculture:** Utilization of the subdivision site for dry land crop production has diminished due to its proximity to urban residential development. Approval of the subdivision will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity.

**Effect on Local Services:** Lots in the subdivision will connect to City water and sewer mains. The developer will pay the cost of extending the utility mains. The City should not experience an appreciable increase in maintenance and operating costs. The occupants of homes within the subdivision will pay regular water and sewer charges.

The subdivision will receive law enforcement and fire protection service from the City of Great Falls. The nearest fire station is ±2.7 miles from the subdivision site. Providing these services to the homes in the subdivision is expected to be a negligible cost to the City. Increased tax revenues from improved properties may cover increased costs.

Public streets will be extended into the subdivision to serve the proposed residential units, but the subdivision will have a negligible impact on the cost of road maintenance. The developer will have responsibility to install curb, gutter, sidewalks and paving in the roadways within the subdivision. The developer shall reimburse for the existing improvements to 2nd Street Northeast.

**Effect on the Natural Environment:** The subdivision, which consists of 24 lots, is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Surface drainage from Phase VI will generally flow to the northwest. The developer shall either secure approval from the adjoining land owner to allow drainage from the street to the adjoining property, or provide an easement and construct a temporary drainage ditch along the western edge of the subdivision and construct a detention pond on the developer's property north of subdivision.

**Effect on Wildlife and Wildlife Habitat:** The subdivision is located adjacent to an area containing urbanized development. The subdivision 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 subdivision is not subject to abnormal potential natural hazards such as flooding, wildfire, snow or rockslides, nor potential man-made hazards such as high voltage power lines, high-pressure gas lines, high traffic volumes, or mining activity. A petroleum pipeline does traverse the subdivision.

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

The 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 developer shall provide necessary utility easements to accommodate water mains, sanitary sewer mains and private utilities to serve all lots of the subdivision.

**LEGAL AND PHYSICAL ACCESS**


Dedicated public roadways, which will be improved to municipal standards and maintained by the City, provide legal and physical access to the subdivision and to each proposed lot in the subdivision.

**City of Great Falls  
Public Works/Engineering**

**INTER-OFFICE MEMORANDUM**

April 3, 2013

TO: Jana Cooper, Planner II

FROM: Dave Dobbs, City Engineer 

SUBJECT: Public Works Department Comments – West Ridge Phase VI,  
O. F. 1341.6

Public Works has performed a preliminary review of the proposed subdivision. The following comments include several significant items that will need to be resolved before final approval can be granted:

1. There may be reimbursement due to the City for utilities and roadway improvements in 2<sup>nd</sup> Street NE. The files from the Skyline Park Additions on the east side of 2<sup>nd</sup> Street NE will need to be reviewed to calculate the exact amounts due to each fund.
2. Site storm runoff must be controlled. If an agreement cannot be reached with the adjoining property owner to the west, it will be necessary to control the water on site and on the land the applicant owns north of the subdivision. Also, drainage entering the southwest corner of the site from Phase V and being held in the temporary pond will need to be handled. A drainage easement on the west edge of the subdivision might be required. These and other issues must be addressed in the storm drainage report.
3. The MRI petroleum pipeline may need to be lowered and capped according to MRI requirements. Given the diagonal nature of the pipeline, it appears that some of the building envelopes will be quite limited.
4. Temporary cul-de-sacs will be required at the west end of the Avenues. These will adversely impact the development of the western lots. Since the cul-de-sacs will be eliminated with the avenues are extended west, funds need to be escrowed to cover these future costs.
5. Due to the shallow existing sanitary sewers, grade of the land, and general slope to the northwest, achieving adequate sewer depth will be difficult, especially on 40<sup>th</sup> Avenue NE. Some filling would help, although too much will be detrimental to avenue extension farther west. Until final plans are available for review, approval of the infrastructure cannot be given. It was noted today that fill material is being trucked to the site from North View. This raises concerns regarding compaction for not only roads but also house sites.

6. Grading to achieve positive drainage and adequate street grades will be closely scrutinized due to the flat nature of the site.

Please feel free to contact me if any questions arise.

File: 13416plngA