

**MINUTES OF THE MEETING  
OF THE  
GREAT FALLS PLANNING BOARD/ZONING COMMISSION  
June 28, 2011**

**CALL TO ORDER**

The regular meeting of the Great Falls Planning Board/Zoning Commission was called to order by Chairman John Harding at 3:01 p.m. in the Commission Chambers of the Civic Center.

**ROLL CALL & ATTENDANCE**

Planning Board Members present:

Mr. John Harding  
Mr. Bill Roberts  
Mr. Michael Bates  
Mr. Marty Byrnes  
Mr. Terry Hilgendorf  
Ms. Cheryl Patton  
Mr. Thor Swensson

Planning Board Members absent:

Mr. Ron Kinder  
Mr. Wyman Taylor

Planning Staff Members present:

Mr. Mike Haynes, Planning & Community Development Director  
Ms. Jana Cooper, Planner II  
Ms. Phyllis Tryon, Senior Administrative Assistant

Others present:

Mr. Dave Dobbs, City Engineer  
Ms. Patty Cadwell, Neighborhood Council Coordinator

Mr. Haynes affirmed a quorum of the Board was present.

**MINUTES**

Mr. Harding asked if there were any changes to be made to the minutes of the public hearing and regular meeting held on June 14, 2011. There were no changes and the minutes were received as submitted.

## **PUBLIC HEARING**

### **Vacate Rights of Way – 13<sup>th</sup> Street North & 11<sup>th</sup> Alley North**

#### **PLANNING STAFF REPORT & RECOMMENDATION**

Ms. Cooper presented details of the application to abandon public rights-of-way on a segment of 13<sup>th</sup> Street North extending between 10<sup>th</sup> Avenue North and 11<sup>th</sup> Alley North, and a portion of 11<sup>th</sup> Alley North from 13<sup>th</sup> Street North to previously vacated 14<sup>th</sup> Street North. Ms. Cooper stated that the City's Public Works Department sees no need to retain these rights-of-way but does require they retain as easement. Ms. Cooper presented the conditions of approval, and concluded by offering to answer any questions from the Board.

Mr. Harding asked if there was value to the land involved in vacating the rights-of-way. Mr. Haynes stated that Montana Code precludes the City from asking for reimbursement for the appraised value of the property. It is considered to revert back to the property owner. Mr. Harding then asked if building could occur on that land, and Ms. Cooper explained that because there is a utility easement, building on that property is not allowable. Mr. Byrnes asked Ms. Cooper to clarify previous vacations of the rights-of-way on 13<sup>th</sup> Street North, which she did.

#### **PETITIONER'S PRESENTATION**

The petitioner did not desire to make a presentation.

#### **PROponents OPPORTUNITY TO SPEAK**

There were no proponents.

#### **OPponents OPPORTUNITY TO SPEAK**

There were no opponents.

#### **OTHER PUBLIC COMMENT**

There was no other public comment.

#### **PETITIONER'S OPPORTUNITY TO CLOSE**

The petitioner did not wish to close.

#### **PLANNING ADVISORY BOARD DISCUSSION & ACTION**

Mr. Harding opened the Planning Advisory Board discussion and action. Mr. Byrnes

asked if previously vacated land had been offered for a cost. Mr. Haynes stated he not know the answer to that question; however, in Montana, abandonments are typically offered at no charge and the land reverts back to the property owner. Ms. Patton stated that was her understanding as well. Mr. Dobbs gave clarification regarding certain property transactions that some of the alleys in Riverview belonged to utility companies and were not public property. Mr. Harding expressed concern about the value of the property and encouraged the City to look into the matter further.

**MOTION:** That the Planning Advisory Board recommend the City Commission approve the request to vacate the rights-of-way and approve the Amended Plat of a Portion of Lot 8, Block 36 and all of Block 37, First Addition to Great Falls, subject to the conditions presented.

Made by: Mr. Roberts  
Second: Mr. Swensson

Mr. Harding asked for further discussion and there was none.

Vote: The motion carried unanimously.

Ms. Cooper advised the applicant of the next procedural steps regarding the application.

## **BOARD ACTIONS – NOT REQUIRING PUBLIC HEARING**

There were none.

## **COMMUNICATIONS**

### Upcoming Planning Board Projects

1. Crescent Drive Subdivision and Rezone
2. 1815 21<sup>st</sup> Avenue South – Annexation/Zoning/Amended Plat

### Project Status:

1. Great Bear Innovation Park, Phase 1 – City Commission Meeting Agenda June 7 & July 5
2. Valley View Lot – City Commission June 7 & July 5, 2011
3. McLean Garden Tracts – City Commission July 5
4. Cascade Ridge – City Commission July 5 & August 2

### Meeting/Obligation Calendar, June 24, 2011 – July 8, 2011

A copy of the calendar is attached and incorporated herein by reference, and was received without comment.

### Petitions & Applications Received

None

Good & Welfare

The next regularly scheduled meeting of the Planning Advisory Board/Zoning Commission is July 12, 2011.

**PUBLIC COMMENT**

There was no further public comment.

**ADJOURNMENT**

The meeting was adjourned by Chairman Harding at 3:21 p.m.

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CHAIRMAN

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SECRETARY