

**MINUTES OF THE MEETING
OF THE
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION
November 8, 2011**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory 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. Marty Byrnes
Mr. Scot Davis
Ms. Cheryl Patton
Ms. Heidi Pasek
Mr. Thor Swensson
Mr. Wyman Taylor
Mr. Nathan Weisenburger

Planning Board Members absent:

None

Planning Staff Members present:

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

Others present:

Ms. Patricia Cadwell, Neighborhood Council and Youth 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 October 25, 2011. There were no changes and the minutes were received as submitted.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

Final Plat Northview Phase 7 40th Avenue Northeast

PLANNING STAFF REPORT & RECOMMENDATION

Ms. Cooper presented the Staff report for the Final Plat application for Northview Phase 7 located east of 9th Street Northeast and 40th Avenue Northeast. Ms. Cooper stated she was entering the Staff report into the record.

The subject property is approximately \pm 3.2 acres located in a developing residential neighborhood with planned residential units on all sides of the property. The subject property is currently zoned County SR-1 Suburban Residential. The proposed zoning is "PUD" Planned Unit Development. The preliminary plat of Northview Addition was approved by the City Commission on February 6, 2007. The developer is now requesting annexation, zoning, and final plat of Northview Phase 7. The developer is proposing the creation of 12 single-family residential lots. The preliminary plat was for a mixture of residential uses, and the proposed development includes single-family homes and condominiums.

The developer will be required to extend 40th Avenue Northeast and improve the roadway to City standards within Northview Phase 7. The street will eventually connect to 12th Street Northeast. The developer will also be required to extend 12" water and 8" sewer in 40th Avenue Northeast from the stubbed lines in Northview Phase 6. The developer will pay their proportionate share of the original storm water detention pond, and will fulfill the park obligation by paying a fee in lieu of dedicating park land. There will be a temporary turn-around until the connection is made to 12th Street.

The goals of the City of Great Falls Growth Policy include supporting and encouraging efficient, sustainable development and redevelopment, and supporting and encouraging a compatible mix of land uses in newly developing areas. The Growth Policy also states that annexations should be logical and efficient extensions of the City's boundaries and service areas.

The property is located in Neighborhood Council 3, and information was presented to them as part of the preliminary plat stage on November 3, 2011. Neighborhood Council Coordinator, Ms. Cadwell, will present information of Phase 7 at the next meeting of the Council and will forward any comments to the City Commission.

The basis of a decision to approve or deny a proposed subdivision is whether the subdivision meets the requirements of Montana State Code Annotated. The proposed subdivision does meet the requirements, as stated in the Findings of Fact in the Staff report.

Based on the information provided and Findings of Fact, Staff recommends approval of the annexation, zoning, and final plat of Northview Phase 7 with four Conditions of Approval, as stated in the Motion.

MOTION: That the Zoning Commission recommend the City Commission approve annexation of the property within said Final Plat from Cascade County into the City of Great Falls.

Made by: Ms. Patton
Seconded: Mr. Roberts

VOTE: There being no further discussion, and all being in favor, the motion carried.

MOTION: That the Zoning Commission recommend the City Commission approve rezoning the property within said Final Plat from the existing County Suburban Residential to PUD Planned Unit Development and development in compliance with the submitted zoning requirements stated within this report and in compliance with the submitted building envelopes and setbacks.

Made by: Mr. Roberts
Seconded: Mr. Swenson

VOTE: There being no further discussion, and all being in favor, the motion carried.

MOTION: That the Planning Advisory Board recommend the City Commission approve the Final Plat of Northview Addition, Phase 7, and the accompanying Findings of Fact, subject to the Zoning Commission adopting Recommendation I & II (above) and subject to the conditions below:

1. The Final Plat of Northview Addition, Phase 7, 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 in 40th Avenue Northeast shall be submitted to the City Public Works Department for review and approval prior to consideration of the annexation by the City Commission.
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 Paragraph 2 above;
 - b. To indemnify and hold the City harmless for any damages that may be sustained as a result of adverse soil and/or groundwater conditions;
 - c. To adhere to the attached PUD Site Plan in conjunction with the development of Phase 7;

- d. Assign the obligation for the installing, and paying for all remaining, public infrastructure in future phases of Northview Addition; and,
 - e. Pay all applicable fees owed as a condition of annexation or plat approval, as determined in annexation agreement.
4. A financial surety in the amount determined by the Public Works Department (i.e., personal check or certificate of deposit) shall be established in the name of the applicant and City for Phase 7's proportionate share of the cost of roadway and 8-inch water main in the segment of 12th Street Northeast to cross Mark 14E1, Section 36, Township 21 North, Range 3 East.

Made by: Mr. Taylor
Seconded by: Mr. Roberts

VOTE: There being no further discussion, and all being in favor, the motion carried.

Mr. Harding inquired of Staff why there were three separate motions for this application. Ms. Cooper stated that the City Attorney said the motions needed to be broken out separately. He then asked if Staff thought this method was necessary. Mr. Haynes replied that Staff was following direction from the City Attorney.

RECOMMEND REAPPOINTMENT OF BOARD MEMBERS WHOSE FIRST TERM EXPIRES DECEMBER 31, 2011

Mr. Haynes explained that first terms for Thor Swensson and Wyman Taylor expire on December 31, and both have indicated interest in being reappointed to a second term on the Planning Advisory Board. Mr. Harding asked for a recommendation.

MOTION: That the Planning Advisory Board recommend the City Commission reappoint Wyman Taylor and Thor Swensson for another three-year term.

Made by: Mr. Roberts
Seconded by: Ms. Patton

VOTE: There being no further discussion, and all being in favor, the motion carried.

NOMINATING COMMITTEE FOR CHAIR AND VICE CHAIR

Mr. Harding explained that the Board needed to select a Nominating Committee to nominate a Chair and Vice Chair for the next calendar year. He noted he just learned he is ineligible to serve as the Board Chair for another term, as City Code states that no one may serve more than three consecutive years. It was not clear if Mr. Roberts may serve another term. Mr. Harding asked for three volunteers for the Nominating Committee. Mr. Swensson, Ms. Patton, and Mr. Byrnes volunteered to form the nominating committee. Mr. Roberts stated he has only served one term as Vice Chair. Staff will clarify for the Board.

COMMUNICATIONS

Upcoming Planning Board Projects

1. Shumaker annexation
2. Stone Meadows Phase 2

Project Status:

1. CUP – 264 15th Avenue South, City Commission Nov. 15 & Dec. 16

Meeting/Obligation Calendar, November 4, 2011 – November 18, 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 November 22, 2011. The meeting is tentative. Mr. Harding stated that even if there were no agenda items in December, the Board may need to meet to handle the Nominating Committee recommendations.

PUBLIC COMMENT

There was none.

COMMENTS BY THE BOARD

Mr. Roberts noted that Joe Schaffer, a former Planning Advisory Board member, had recently received his Doctorate degree. Mr. Roberts suggested members may desire to drop him a congratulatory note. Mr. Haynes said he had recently been in contact with Mr. Schaffer and will definitely send him a note.

Mr. Harding welcomed new Board members Heidi Pasek, Nathan Weisenburger, and Scot Davis.

ADJOURNMENT

The meeting was adjourned by Chairman Harding at 3:16 p.m.

CHAIRMAN

SECRETARY