

**MINUTES OF THE MEETING
OF THE
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION
April 9, 2013**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Pro Tem Nate Weisenburger at 2:59 p.m. in the Commission Chambers of the Civic Center.

ROLL CALL & ATTENDANCE

Planning Board Members present:

Mr. Nate Weisenburger (Vice Chair)
Mr. Marty Byrnes
Mr. Scot Davis
Dr. Heidi Pasek
Ms. Cheryl Patton
Ms. Sophia Sparklin
Mr. Wyman Taylor

Planning Board Members absent:

Mr. Thor Swensson (Chair)
Mr. Mark Striepe

Planning Staff Members present:

Mr. Mike Haynes, AICP, Planning & Community Development Director
Mr. Craig Raymond, Building Official
Ms. Jana Cooper, Planner II
Ms. Galen Amy, Planner I
Ms. Phyllis Tryon, Sr. Administrative Assistant

Others present:

Mr. Dave Dobbs, City Engineer
Ms. Ida Meehan, Comprehensive Planner
Ms. Patty Cadwell, Neighborhood Councils Coordinator

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

MINUTES

Chair Pro Tem Weisenburger asked if there were any changes to be made to the minutes of the public hearing and regular meeting held on March 26, 2013. The minutes were approved as submitted.

Action Minutes of the Planning Advisory Board/Zoning Commission. Please refer to the audio/video recording of this meeting for additional detail.

BOARD ACTIONS REQUIRING PUBLIC HEARING

West Ridge Addition, Phase VI, Preliminary Plat North of 38th Avenue Northeast, West of 2nd Street Northeast

Jana Cooper, Planner II, reviewed the staff report for the application by owner S&L Development for West Ridge Addition, Phase VI, Preliminary Plat. Ms. Cooper entered the staff report into the record. The proposed project is generally located west of 2nd Street Northeast and north of 38th Avenue Northeast in a developing residential neighborhood. The subject property is currently zoned County SR1-Suburban Residential 1, and the proposed zoning is R-3 Single-family high density, similar to other phases of West Ridge Addition.

During a meeting held January 8, 2008, the City Commission conditionally approved the Preliminary Plat of West Ridge Addition, Phase V and VI, as recommended by the Planning Advisory Board. The Final Plat of Phase V was approved by the City Commission on June 17, 2008, but the developer did not proceed with Phase VI and the Preliminary Plat approval expired on January 8, 2011. The developer is now requesting re-approval of the Preliminary Plat of West Ridge Addition, Phase VI. Similar to the other West Ridge Addition phases, Phase VI will consist of single-family lots that are then sold for development. The majority of West Ridge Addition, Phases I-V, is built out. Phase VI will add an additional 24 single-family residential lots.

A Montana Refining petroleum pipeline goes through the subdivision, and some of the lots have been adjusted to ensure that they are buildable. In conjunction with the Preliminary Plat, the applicant is requesting annexation of ± 6.3 acres from Cascade County into the City of Great Falls. Ms. Cooper noted that the Planning Advisory Board does not make a formal recommendation on the annexation until the Final Plat stage of the project.

Access to the subject property will be provided by 2nd Street Northeast. The Preliminary Plat will include the extension of 39th Avenue Northeast and 40th Avenue Northeast. These will be improved to City standard with paving, curb, gutters and sidewalks, and will dead-end on the western boundary of the subject property. The City Public Works Department is requiring temporary cul-de-sacs at the west termini of 39th and 40th Avenues Northeast. Those lots in the proposed subdivision where the temporary cul-de-sacs are located shall not be developed until the cul-de-sacs are removed and the standard curb and gutter is installed. The developer will be required to reimburse the City their proportional share of paving, curb and gutter on 2nd Street Northeast.

City water and sanitary sewer mains are proposed to be installed in the avenues within the subdivision, and sewer mains will be extended westerly from the current termini manholes in 2nd Street 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. Ms. Cooper explained that 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 the subdivision.

Ms. Cooper stated that 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.

The applicant's representative provided information about this application to Neighborhood Council 3 at the Council meeting on March 7, 2013. The Council commented on drainage and erosion related to the site, traffic and traffic patterns, the existing Montana Refining Company pipeline, and suggested that the money paid by the developer for a fee in lieu of dedicating park land should go to Skyline Park. The Council made a recommendation to support the application. Staff received written comment from the neighbor to the west about his concerns regarding the proposed project bringing soil in, elevations related to the project, and drainage to his property from the subject property.

Ms. Cooper reviewed the Conditions of Approval as listed in the staff report and offered to answer any questions from the Board. Mr. Byrnes asked about the temporary cul-de-sacs and curb and gutter installations and if the developer is not allowed to sell those lots. Dave Dobbs, City Engineer, said there needs to be a turn-around for garbage and fire trucks. He said the cul-de-sacs may be asymmetrical, but hammer-heads have not worked in other areas. He said there will be an impact on some of the lots, but until there are final plans, he doesn't know the impact. Mr. Byrnes asked about stormwater, and Mr. Dobbs said it was not a big concern. He said the temporary pond in the southwest corner of Phase VI will need to be moved to the north portion of this phase, and there will need to be a conveyance, most likely an open channel. He said this is a workable item.

PETITIONER'S PRESENTATION

Gary Knudson, 220 30th Avenue Northeast, said he was in attendance on behalf of the developers of West Ridge, and he offered to answer any questions from the Board. There were no immediate questions.

PROPOSERS

There were no proposers.

OPPOSERS

There were no opposers.

PUBLIC COMMENT

Jay Kinzie, 105 38th Avenue Northeast, said he lives on the south end of the proposed project, and he was concerned about drainage toward his property. He said he would like to see the plan for drainage. Mr. Dobbs said he will visit with Mr. Kinzie. He explained that the current pond on Phase VI will be filled in and relocated to the north area of the site, and water will need to be conveyed to the pond, probably by a channel.

Mr. Knudson said he has visited with the owner west of the proposed subdivision, and he is receptive to the idea of extending runoff to his property. He also said that the land within this proposed project generally drains to the north, and runoff will not impact anyone to the south. He said the bigger concern is on 40th Avenue Northeast but there will not be an affect on 38th or 39th Avenues Northeast.

Dr. Pasek asked what the specific concerns are about the pipeline and easement as expressed by Neighborhood Council 3. Mr. Knudson said the lots are wide enough so that building can occur without getting into the easement of the refinery pipeline. He said this has never been an issue with past developments.

PLANNING ADVISORY BOARD DISCUSSION & ACTION

MOTION: Recommendation I: The Planning Advisory Board recommends that the City Commission approve the Preliminary Plat of West Ridge Addition, Phase VI, legally described in the staff report, and the accompanying Findings of Fact, subject to the Zoning commission adopting Recommendation II, and subject to the Conditions of Approval 1-3 listed in the staff report being fulfilled by the applicant.

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) 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;
- f) pay all applicable fees owed as a condition of annexation, as determined in annexation agreement.

Made by: Dr. Pasek
Second: Ms. Patton

There being no further discussion, Chair Pro Tem Weisenburger called for the vote.

VOTE: All being in favor, the motion passed.

ZONING COMMISSION DISCUSSION & ACTION

MOTION: Recommendation II: The Zoning Commission recommends the City Commission approve rezoning property within West Ridge Addition, Phase VI, from the existing County Suburban Residential 1 to R-3 Single-family high density, upon annexation to the City, subject to the Planning Advisory Board adopting Recommendation I.

Made by: Mr. Davis
Second: Ms. Sparklin

VOTE: All being in favor, the motion passed.

Ms. Cooper advised the applicant on the next procedural steps.

COMMUNICATIONS

Next Meeting Agenda – April 23, 2013

- No Applications

Upcoming Planning Board Projects

- Farran Group Apartments

Project Status:

- 6th Street NE Closure – on hold by applicant
- CMATP-TIFID – City Commission 1st Reading April 2; Public Hearing May 7
- EIP-TIFID – City Commission 1st Reading April 2; Public Hearing May 7
- Calumet – PUD – City Commission 1st Reading April 16; Public Hearing May 7
- Skyline Heights Apartments – on hold by Applicant

Petitions & Applications Received

- None

PUBLIC COMMENT

Chair Pro Tem Weisenburger asked Mr. Haynes if this was his final meeting with the Planning Advisory Board. Mr. Haynes said it was, and he thanked the Planning Advisory Board for their service and for their support during his tenure with the City.

ADJOURNMENT

Dr. Pasek made a motion to adjourn. The meeting was adjourned by Chair Pro Tem Weisenburger at 3:24 p.m.

CHAIRMAN

SECRETARY