

PLANNING ADVISORY BOARD ZONING COMMISSION

JUNE 26, 2012

Case Number

ANX2012-8
ZON2012-8

Applicant

Marla & Lester Mesenbrink

Owner

Marla & Lester Mesenbrink

Property Location

1527 17th Ave SW

Parcel ID Number

2276700

Requested Action

Annexation of ±0.22 acres from Cascade County to the City of Great Falls.

Rezone the property from County SR1 Suburban Residential 1 to R-3 Single-Family High Density District.

Neighborhood Council

Neighborhood Council #1

Recommendation

Approval of the requests with Conditions.

Project Planner

Jana Cooper, RLA

1527 17TH AVE SW



Location Map



Subject ROW



Subject Site



Summary

Project Description

The Planning and Community Development Office has received an application from Marla and Lester Mesenbrink, property owners, requesting the following:

1. Annexation of ±0.22 acres.
2. Establishing City zoning classification of R-3 Single-family high density district.

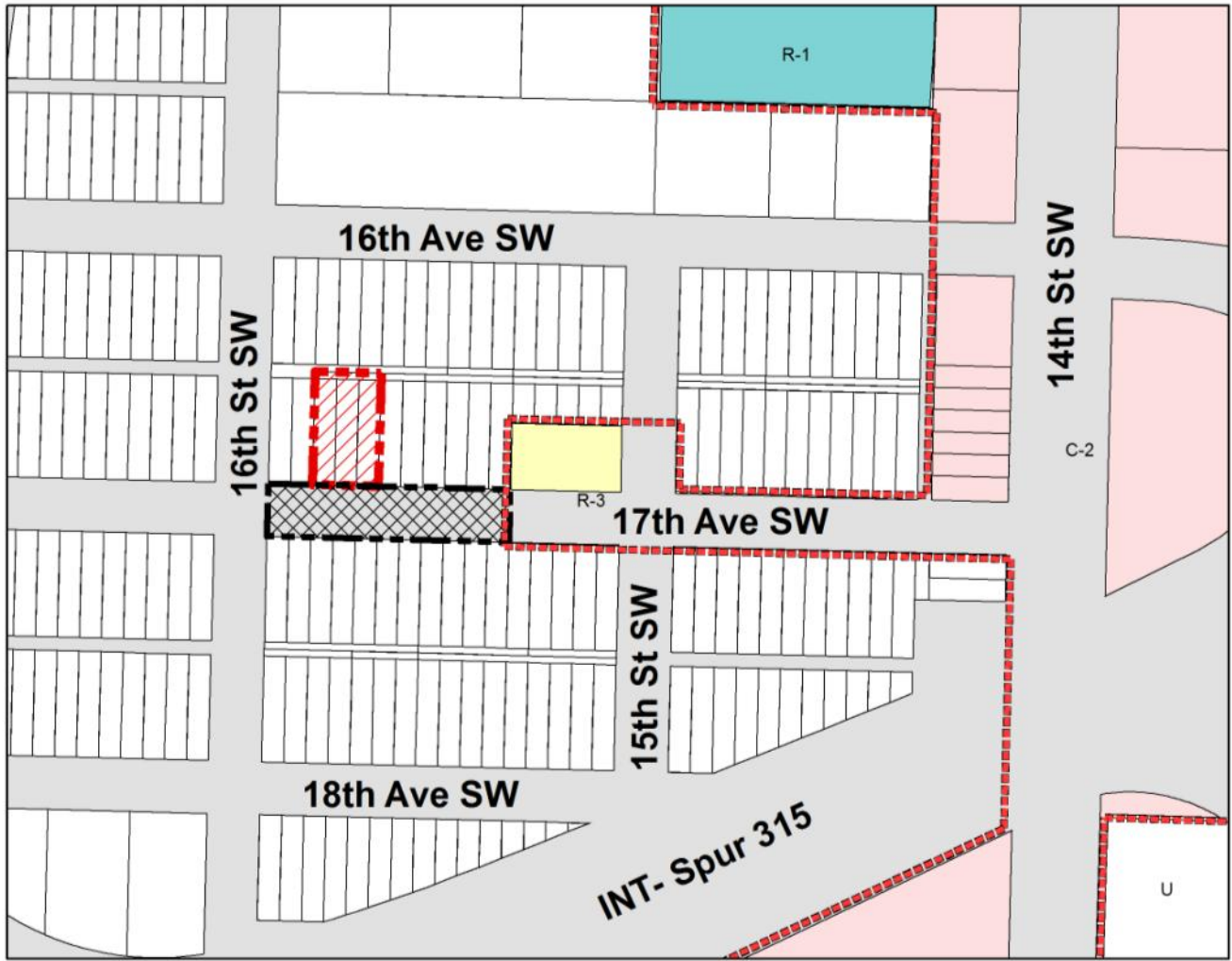
Background

- Legal Description of property: Lots 28, 29, 30 and vacated alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East, Cascade County, MT
- Area of annexation: ±0.22 acres

Agency Comment

Representatives from the City's Public Works and Fire Departments have been involved in the review process for this application. All comments made by the above parties have been addressed by the client or in the conditions of this report.

EXHIBIT A - VICINITY / ZONING MAP



- City Limits
 - 1527 17th Ave SW
 - ROW - annexed as part of separate application
 - Tracts of Land
- ZONING**
- | | | |
|--|--|--|
| <ul style="list-style-type: none"> AI Airport Industrial C-1 Neighborhood commercial C-2 General commercial C-3 Highway commercial | <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 Enclave Right-of-Way |
|--|--|--|

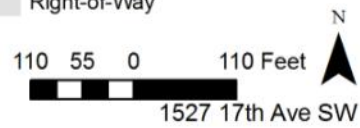


EXHIBIT B - AERIAL PHOTO



-  City Limits
-  1527 17th Ave SW
-  Right of Way Being Annexed Separately
-  Tracts of Land



1527 17th Ave SW

Existing Conditions

The existing site information for the subject property includes:

Existing Use: The subject property consists of a single-family residential home.

Existing Zoning: County SR1 Suburban Residential 1. This land use allows for a single-family dwelling on each separate parcel of land listed within Cascade County as well as normal agricultural operations.

Adjacent Land Uses: There are single-family residences to the east and south and vacant land to the north and west of the subject property. The properties to the north, south and west are located in the County. The property to the east has petitioned to annex and is working with the City through the annexation process at this time.

Annexation Request

The owner of 1527 17th Avenue Southwest is requesting annexation of their property, which consists of ± 0.22 acres. There is a single-family residence on the property and the owner is making the request in order to utilize and connect to existing public utilities adjacent to the subject property. The subject property is comprised of three lots and a portion of a vacated alley. An amended plat of the property, consolidating the lots and alley, is required as a condition of annexation.

Per MCA, the abutting portions of 17th Avenue SW, must also be annexed. The property to the east petitioned for annexation in May, 2012, and as a part of that request, the City is requiring all of 17th Avenue Southwest from 15th Street Southwest to 16th Street Southwest be annexed. Therefore, the portion of 17th Avenue Southwest abutting the subject property will be annexed by the time City Commission makes a final decision on



View of residence on subject property.



View of residence and driveway on subject property.



View east down 17th Ave SW.

Rezone Request

The subject property, upon annexation shall be zoned R-3 Single-family high density zoning district. This zoning is consistent with the surrounding neighborhood. According to the Land Development Code, the “R-3” Single-family high density residential zoning classification is:

Intended to accommodate medium-density, single-family residential development 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.

There is an existing single-family residence on the lot that is compatible with neighboring uses.

Improvements

Street Improvements

The subject property abuts 17th Avenue Southwest, which is a gravel roadway. In order to simplify maintenance responsibility, the City’s Street Division is requiring 17th Avenue Southwest be annexed for the entire block up to the east right-of-way of 16th Street Southwest as a part of a separate annexation that is currently being processed through the City. As a condition of annexation, any roadway section (gravel and subgrade) that is disturbed during construction activities of the project shall be restored to their original condition. Public Works is not requiring any escrow of funds for the improvement 17th Avenue Southwest. The owner will waive their right to protest a future special improvement district for street improvements as a condition of annexation into the City.

Utilities

The applicant proposes to install water services from the City transmission mains located in the abutting right-of-way of 17th Avenue Southwest. As a condition of annexation, the owner will be required to participate in the cost to install a fire hydrant at the intersection of 17th Avenue Southwest and 16th Street Southwest.

There is currently no sanitary sewer in 17th Avenue Southwest. The owner shall extend the sewer as required by Public Works. The owner will be eligible for reimbursement of this main as surrounding properties

annex into the City. The owner will waive their right to protest a future special improvement district for water and sewer improvements as a condition of annexation into the City.

Traffic Analysis

The request does not include a proposal for any new development; therefore, it is reasonable to assume that there would be no increased traffic demands caused by this request.

Storm Water Management

There is an existing storm drain in 17th Avenue Southwest (no inlets). The applicant would not be required to extend storm drain facilities in the area. Any future expansion of facilities is subject to review by the Department of Public Works for applicable storm water regulations.

2005 City of Great Falls Growth Policy

The proposed development is compatible with the 2005 Growth Policy, as it advances specific Goals, Policies, and Action Strategies contained within the related plan elements, and is also in line with the general themes and principles found in the document. Plan elements related to the proposed development include supporting and encouraging a compatible mix of land uses in developing areas and preserving and enhancing the character, quality, and livability of existing neighborhoods. The Growth Policy also states that annexations should be logical and efficient extensions of the City’s boundaries and service areas, which applies to this project.

Neighborhood Council Input

The subject property is located in Neighborhood Council #1. Patty Cadwell, Neighborhood Council Coordinator, provided the project information to the Council on June 13, 2012. At the time this report was written, Staff had not received any comments regarding the application

Recommendation

The Planning Advisory Board has the responsibility to review and make recommendations on annexations. The City Zoning Commission has the responsibility to review and make recommendations on Zoning Map Amendments. As such, each of the two recommendations presented below are to be considered and acted upon separately by the Commission and Board:

RECOMMENDATION I: It is recommended the Planning Advisory Board recommend the City Commission approve annexation of Lots 28, 29 & 30 and vacated alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East from Cascade County into the City of Great Falls containing ± 0.22 acres, subject to the conditions below.

RECOMMENDATION II: It is recommended the Zoning Commission recommend the City Commission approve rezoning said property from the existing SR1 Suburban Residential 1 to R-3 Single-Family High Density District, subject to the conditions below.

Conditions of Approval

1. The property owners shall prepare an amended plat consolidating the three lots and vacated alley, and the amended plat of the subject property shall incorporate correction of any errors or omissions noted by staff.
2. An Annexation Agreement shall be prepared containing the terms and conditions for annexation of 1527 17th Ave SW including, but not limited to, agreement by applicant to:
 - a) Agree to waive their right to protest any future special improvement districts for improvements to roadways or public utilities.
 - b) Indemnify the City for any damages attributable to adverse soil or groundwater conditions.
3. All applicable fees owed as a condition of the amended plat or annexation approval shall be paid upon final platting and annexation of 1527 17th Ave SW.
4. The property shall be reviewed by the City's Building Official for any life safety issues. All life-safety issues noted by the Building Official shall come into compliance with City Code within 6 months of the date of annexation.

Review/Approval Process

Next Steps

1. The Planning Advisory Board/Zoning Commission recommendation will be presented to the City Commission.
2. City Commission will approve or deny the Annexation and Zoning.
3. If approved, the applicant will submit any required documents for review and then file the required documents with the Cascade County Clerk and Recorder's Office.

Cc: Jim Rearden, Public Works Director
 Dave Dobbs, City Engineer
 Patty Cadwell, Neighborhood Council Coordinator
 Susan Conell, Cascade County, sconell@cascadecountymt.gov
 Marla & Lester Mesenbrink, 2240 Richter St, Kelowna, BC V1Y 2P2, Canada

EXHIBIT C - APPLICATION

CITY OF GREAT FALLS
 PLANNING & COMMUNITY DEVELOPMENT DEPT.
 P.O. Box 5021, GREAT FALLS, MT, 59403-5021
 406.455.8415 • WWW.GREATFALLSMT.NET

DEVELOPMENT APPLICATION

Submittal Date: 10.4.12
 Application Number: ANX 2012 8
 Paid (Official Use ONLY):

- Annexation: \$400
- Establish City Zoning: \$700
- Zoning Map Amendment: \$700
- Conditional Use Permit: \$700
- Planned Unit Development: \$700
- Subdivision Preliminary Plat: \$800
- Subdivision Minor Plat: \$600
- Subdivision Final Plat: \$300
- Amended Plat (6 or more lots): \$600
- Vacate Public Right of Way: \$200

Name of Project / Development:
Lester & Marla Mesenbrink

Owner Name:
2240 Richter St Kelowna, BC V1Y 2P2 Canada

Mailing Address:
250-860-4206 marorlesmes@gmail.com
 Phone: Email:

Representative Name:

Mailing Address:
 Phone: Email:

PROPERTY DESCRIPTION / LOCATION:

University Lot 28 29 30 and vacated alley 17
 Mark/Lot: Section: Township/Block: Range/Addition:
1527 17th Ave SW Great Falls, MT
 Street Address:

ZONING:

LAND USE:

<u>Cascade County</u>	<u>R-3 single family high density</u>	<u>Single family residence</u>	<u>addition of public water & sewer services</u>
Current:	Proposed:	Current:	Proposed:

I (We) the undersigned understand that the filing fee accompanying this application is not refundable. I (we) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application. I (we) further understand that other fees may be applicable per City Ordinances.
 I (We) also attest that the above information is true and correct to the best of my (our) knowledge.

Marla Mesenbrink Marla Mesenbrink June 4, 2012
 Property Owner's Signature: Date:

Representative's Signature: Date: