

PLANNING ADVISORY BOARD ZONING COMMISSION

JUNE 12, 2012

Case Number

ANX2012-6
ZON2012-6

Applicant

Bruce Rohrer

Owner

Bruce Rohrer

Property Location

1517 17th Ave SW

Parcel ID Number

2276600

Requested Action

Annexation of ±0.53 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

1517 17TH AVE SW



Location Map



Subject ROW



Subject Site



Summary

Project Description

The Planning and Community Development Office has received an application from Bruce Rohrer, property owner, requesting the following:

1. Annexation of ±0.15 acres and abutting portion of 17th Avenue Southwest (±0.38 acres), containing in all ±0.53 acres.
2. Establishing City zoning classification of R-3 Single-family high density district.

Background

- Legal Description of property: Lots 26 & 27 and vacated alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East, Cascade County, MT
- Area of annexation: ±0.53 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.

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 the county as well as normal agricultural operations.

Adjacent Land Uses: There are single family residences surrounding the subject property on all sides. All adjacent properties are located in the County.



View of residence on subject property.



View of residence and driveway on subject property.



View east down 17th Ave SW..



View east down 17th Ave SW.

EXHIBIT A - AERIAL PHOTO



-  City Limits
-  1517 17th Ave SW
-  Right of Way
-  Tracts of Land

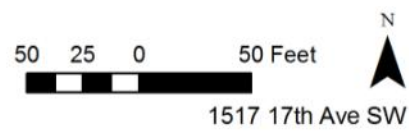
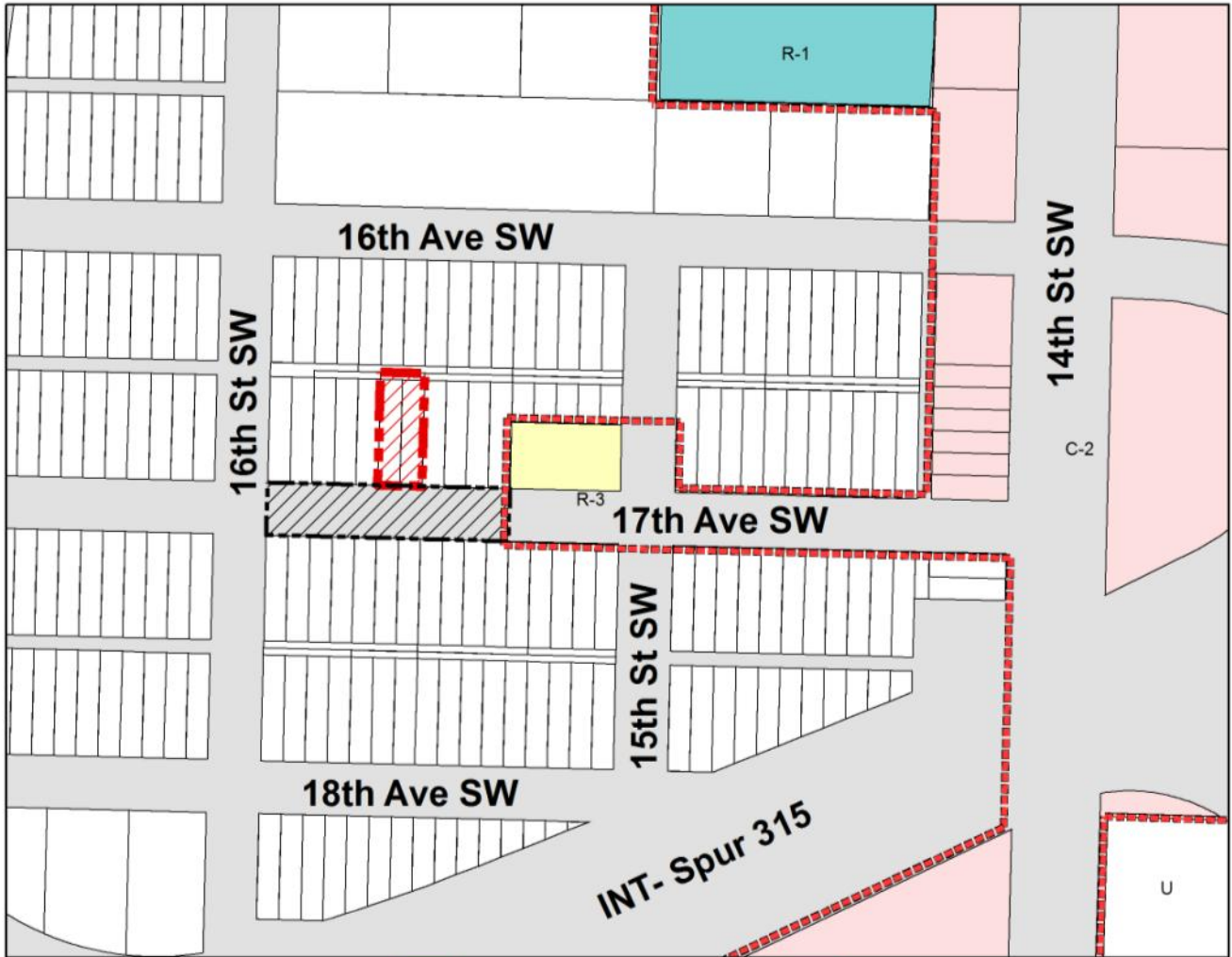


EXHIBIT B - ZONING MAP



- | | | |
|-----------------------------|--------------------------------|----------------------------------|
| City Limits | C-4 Central business core | R-1 Single-family suburban |
| 1517 17th Ave SW | C-5 Central business periphery | R-2 Single-family medium density |
| Right of Way | I-1 Light industrial | R-3 Single-family high density |
| Tracts of Land | I-2 Heavy industrial | R-5 Multi-family medium density |
| ZONING | M-1 Mixed-use district | R-6 Multi-family high density |
| AI Airport Industrial | M-2 Mixed-use transitional | R-9 Mixed residential |
| C-1 Neighborhood commercial | PLI Public lands institutional | R-10 Mobile home park |
| C-2 General commercial | POS Park Open Space | Unincorporated Enclave |
| C-3 Highway commercial | PUD Planned unit development | Right-of-Way |



1517 17th Ave SW

Annexation Request

The owner of 1517 17th Avenue Southwest is requesting annexation of their property that consists of ± 0.15 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 2 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.

In addition to the subject property, per MCA, the abutting portions of 17th Avenue SW, comprised of ± 0.38 acres, must also be annexed as a part of the request. In total ± 0.53 acres will be annexed into the City.

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 requires 17th Avenue Southwest be annexed for the entire block up to the east right-of-way of 16th Street Southwest. 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 owners

will waive their right to protest a future special improvement district for roadway 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 install a fire hydrant at the intersection of 17th Avenue Southwest and 16th Street Southwest. The owner will be eligible for reimbursement of this hydrant as additional properties are annexed.

There is currently no sanitary sewer in 17th Avenue Southwest. The owner shall extend the sewer as required by Public Works from its existing location in 15th Street Southwest to the owner's western property boundary. 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 May 15, 2012. Staff has received one letter of support from an adjacent property owner related to the project.

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 26 & 27 and vacated alley, Block 17, University Addition, Section 15, Township 20 North, Range 3 East and abutting portion of 17th Avenue Southwest from Cascade County into the City of Great Falls containing ± 0.53 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 two 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 1517 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 1517 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@casadecountymt.gov
Bruce Rohrer, 3200 Jasper Road, Great Falls, MT 59404

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: 5.4.12
 Application Number: ANX 2012-5
 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:

Bruce Rohrer

Owner Name:

3200 Jasper Road Great Falls MT 59404

Mailing Address:

H. 761-0328 C-899-1937

Phone:

brohrer@bresnan.net

Email:

Representative Name:

Mailing Address:

Phone:

Email:

PROPERTY DESCRIPTION / LOCATION:

Lot 26 & 27 + vacated alley

Mark/Lot:

15

Section:

TWN 20 N / BLK 17 RGE 3 E

Township/Block:

Range/Addition:

1517 17th ave. S.W.

Street Address:

ZONING:

LAND USE:

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.

Bruce Rohrer

Property Owner's Signature:

5-4-12

Date:

Representative's Signature:

Date: