

PLANNING ADVISORY BOARD ZONING COMMISSION

JULY 28, 2015

Case Numbers

ANX2015-2
ZON2015-2
SUB2015-2

Applicant/Owner

Shawna Rothwell and
Leanne Bailly,
S & L Development

Property Location

North of 40th Ave NE,
between 2nd St NE and 4th
St NE

Parcel ID Number

2579105

Requested Action

Final Plat creating 38 residential lots and dedicating public right-of-way

Annexation of ±58.749 acres

Zoning from County SR-1 Suburban Residential to City R-3 Single-family high density district

Neighborhood Council

Neighborhood Council #3

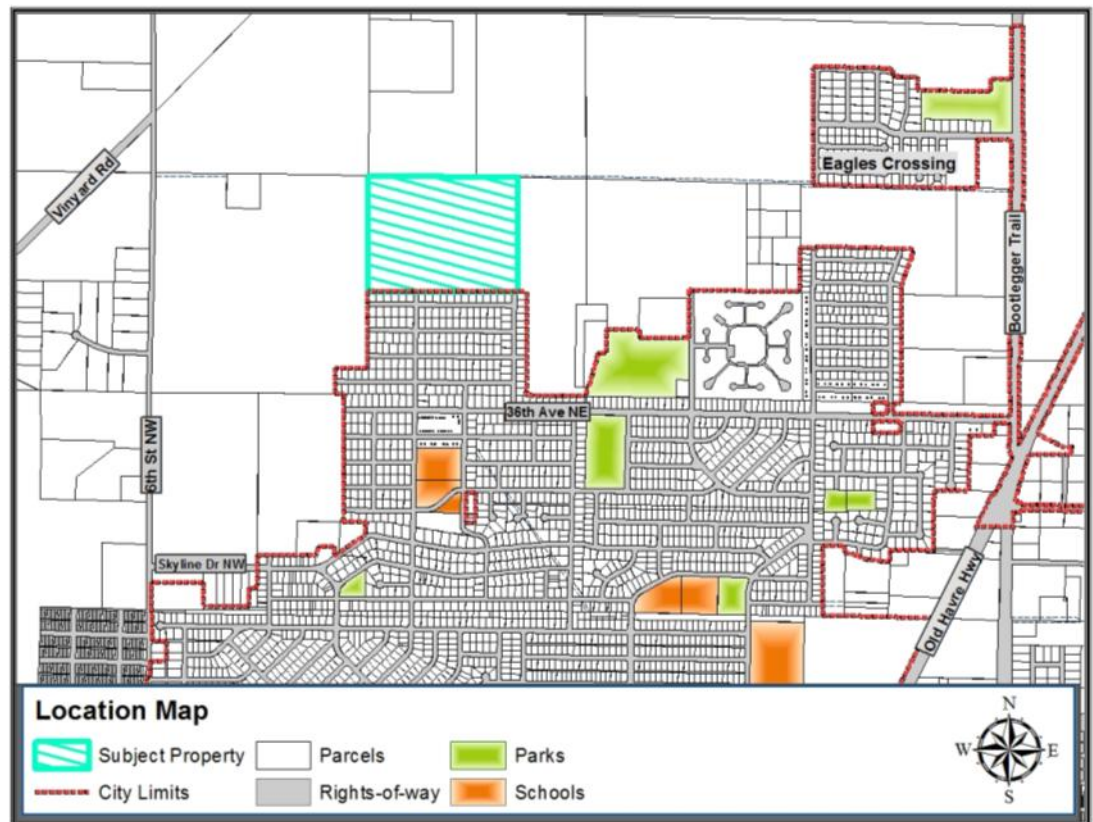
Recommendation

Approval of the request with Conditions

Project Planner

Galen Amy

WEST RIDGE ADDITION PHASE VII FINAL PLAT, ANNEXATION & ZONING



Summary

The subject property is abutting the northwest edge of the City of Great Falls, north of 40th Avenue Northeast and between 2nd Street Northeast and 4th Street Northeast. The proposed subdivision is adjacent to recent housing developments.

The developer is now requesting approval of the Final Plat of Phase VII in addition to establishing City zoning and annexation of the West Ridge Addition Phase VII - XI property, which will consist of 171 total residential lots.

- Legal Description: Peretti Addition Tract 2, located in the SE¼ Section 26, Township 21 North, Range 3 East, Cascade County, Montana
- Area of Property: ±58.47 acres
- Area of Phase VII: ±12.46 acres

Agency Comment

Representatives from the City's Public Works, Police, Park & Recreation Department and Fire Department have been involved in the review process for this application. All comments made by the above parties will be addressed by the applicant or in the conditions of this report.

Existing Conditions

Existing Use: Vacant, undeveloped agricultural land.

Existing Zoning: The subject property is located in Cascade County and is zoned SR-1 Suburban Residential.

Adjacent Land Use: The subject property is located immediately north of a developing residential neighborhood with existing single-family homes immediately to the south. To the north and east of the subject property are large undeveloped agricultural properties located in the County. The Eagles Crossing Subdivision is located further northeast. The adjacent property on the west is the Thaniel Addition property, owned by Kendall and Maxima Cox, which was approved by the City Commission on July 21, 2015, for annexation, subdivision and establishing City zoning.

Project Overview and Background

Part of the single-family residential development immediately south of the subject property is still under construction, and is part of West Ridge Phase VI, which was approved by the City Commission on September 3, 2013. The developer has been working in the area since West Ridge Phase I was approved in 2003, and has contributed to a large portion of the now established residential neighborhood with all of the lots on the west side of 2nd Street Northeast from 32nd Avenue Northeast to 40th Avenue Northeast consisting of West Ridge Phases I-VI, with the exception of Phase II, which is located on the east side of 2nd Street Northeast between 35th Avenue Northeast and 36th Avenue Northeast.

At the conclusion of a public hearing held on June 9, 2015, the Planning Advisory Board recommended the City Commission approve the Preliminary Plat of West Ridge Phases VII - XI and recommended approval of annexation of the subject property, and the Zoning Commission approved assigning a zoning classification of R-3 Single-family high density district upon annexation to the City. During a meeting held July 7, 2015, the City Commission conditionally approved the Preliminary Plat of West Ridge Addition subdivision.

For additional information, please refer to the attached Exhibits A through H.



View north from the temporary turnaround at the end of 2nd St NE across the subject property.



View east along the south property line of the subject property from the end of 2nd St NE.

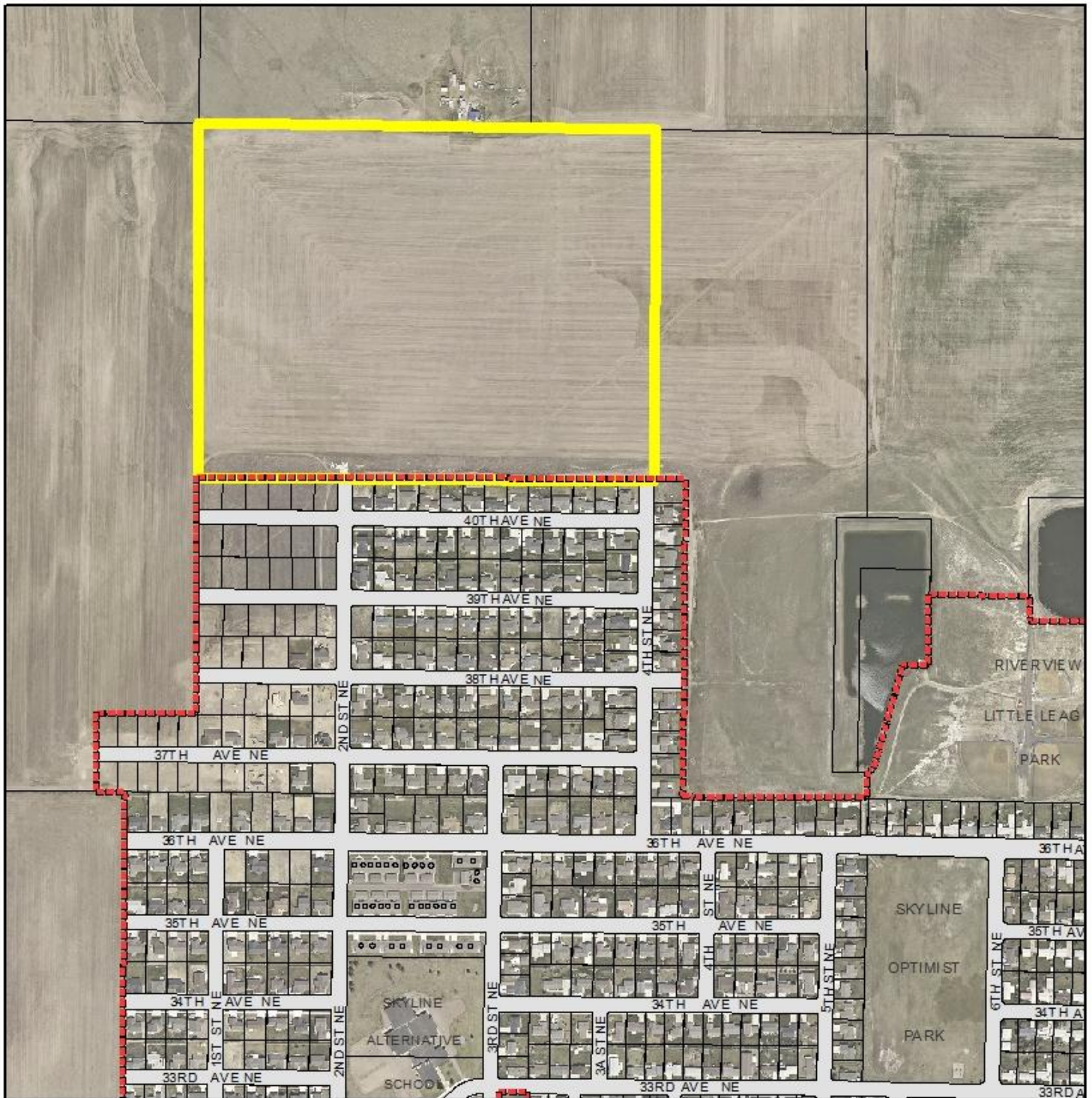


View south from the north end of 4th St NE at existing adjacent single-family development.



View west along the south property line of the subject property from the end of 4th St NE.

EXHIBIT A - AERIAL MAP



- City Limits
- Subject Property
- Tracts of Land



West Ridge Addition
Annexation, Zoning, Preliminary Plat

Preliminary Plat Request

The Owner is requesting a Final Plat of Phase VII of the subject property, which would create 38 single-family residential lots and dedication of all public right-of-ways within this Phase. The approved Preliminary Plat subdivides the subject property into 171 total lots. The subject property is ± 58.749 acres so the proposed subdivision would create a density of 2.91 dwelling units per acre. The portion of the property for Phase VII consists of ± 12.46 acres. The lot sizes range from $\pm 9,771$ square feet and $\pm 11,801$ square feet, which is similar to the adjacent neighborhood to the south. The applicant submitted a Draft Final Plat (Exhibit D), which shows the layout for Phase VII.

The basis for decision to approve, conditionally approve, or deny a proposed subdivision is whether the subdivision application, preliminary plat, applicable environmental assessment, public hearing, planning board recommendations, or additional information demonstrate that development of the proposed subdivision meets the requirements of 76-3-608 MCA. The governing body shall issue written findings of fact that weigh the criteria in of 76-3-608 (3) MCA.

Findings of Fact (Prepared in Response to 76-3-608(3) MCA)

PRIMARY REVIEW CRITERIA

Effect on Agriculture: The subject property is being used for agricultural purposes. However, dry land crop production in the immediate vicinity has decreased due to residential development. There is not an irrigation system in the area that the proposed development will interfere with, and based on the demand for a transition from agriculture to residential use in the immediate vicinity, it is not anticipated that approval of the subdivision will present any interference with agricultural operations in the area.

Effect on Local Services: Lots in the subdivision will extend and connect to City water and sewer mains. The Owner will pay the cost of extending these utility mains and reimburse the City its proportionate share of the cost of installing a new sanitary sewer lift station, to be constructed on the adjacent property to the west (Thaniel Addition) and force mains to serve the property and surrounding area. The Owner will also pay per lot fees for sanitary sewer, water service and storm water maintenance fee. The occupants of the single-family residences within the subdivision will pay regular water and sewer charges, and monthly storm drain charges. There will also be an annual park fee which will go towards improvements and maintenance of the neighborhood park dedicated by the Thaniel Addition Major Subdivision. Additionally, Section 17.68.040.B of the OCCGF requires the Owner provide a security that will allow the City to contract for and complete the required improvements if the Owner fails to do so.

The nearest fire station is $\pm 2-2.5$ miles away depending on where one is on the subject property. Upon annexation the subdivision will receive law enforcement and fire protection service from the City of Great Falls. Providing these services to the subdivision is expected to be a manageable cost to the City. Increased tax revenues from improved properties may cover increased costs.

The Owner will have the responsibility to install curb, gutter, sidewalks and paved roadways within the subdivision as each phase is final plated. Because this is a large property that will be developed over many years, the Draft Improvement Agreement accounts for the development of a future Special Improvement District (SID) for roadway improvements outside of the subdivision, and that the Owner pay its proportional share, 30%, of the costs of a study of the impacts of traffic that the development of the property and prospective development of neighboring properties will generate, with that study being completed before final construction plans and a final plat for the second phase of the Development is accepted by the City. Please see Exhibit H for more specific information on how the Owner will be required to address the effects on local services.

Effect on the Natural Environment: The subdivision is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Surface drainage from the subdivision primarily flows to the northwest of the subject property, with a smaller portion flowing due north. The dedication of a natural drainage on the Thaniel Addition property for parkland and a detention pond, and runs to Watson Coulee, will preserve a portion

of the natural drainage in the area from adjacent properties. However, storm water drainage will ultimately be managed in a regional storm water detention facility immediately north of the Thaniel Addition. It is expected that any excess surface runoff will flow into Public Works reviewed and approved temporary storm drainage improvements made by the applicant at the time of construction.

The Sun River Watershed Group submitted a letter expressing their concerns about storm water runoff from Watson Coulee related to development of the subject property impacting the Sun River, and attached the U.S. Army Corps of Engineers Sun River Flood Protection Project Operation and Maintenance Manual Section V - Watson Coulee study (see Exhibit G). The City understands that Watson Coulee is a sensitive drainage and has taken steps to work with and educate developers on managing storm water and requiring that runoff be no greater than pre-development levels as reflected in the Public Works Department Storm Drainage Design Manual for Great Falls and by the Montana Department of Environmental Quality (MDEQ) for this area and the City at large.

Effect on Wildlife and Wildlife Habitat: The subdivision is located along the northwestern edge of the City with existing development to the east and south. The subdivision is not in an area of significant wildlife habitat beyond occasional grazing deer or migrating fowl, and will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety: Based on available information, the subdivision is not subject to abnormal potential natural hazards such as wildfire, avalanches or rockslides; however, the drainage basin in which the subject property is located has experienced flooding in the past. Installation of effective storm drainage facilities as reviewed and approved by the City Public Works Department and MDEQ at the time of development will prevent a reoccurrence of said flooding events.

REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The local government has complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

EASEMENT FOR UTILITIES

The developer shall provide necessary utility easements to accommodate water mains, sanitary sewer mains and private utilities to serve all lots of the subdivision.

LEGAL AND PHYSICAL ACCESS

Extensions of public right-of-ways and future transportation connectivity is understood by the Owner and is shown on the Preliminary Plat (Exhibit D), which includes dedicating 43rd Avenue Northeast as an 80-foot wide right of way to serve as a future full collector roadway. The grid pattern established by the adjacent neighborhoods to the south is continued on the subject property. The Owner agrees to the dedication and installation of the roadways as each phase is Final Platted and developed, which is also shown on the Preliminary Plat. These will be public right-of-ways maintained by the City of Great Falls after construction is completed and after final acceptance of the improvements by the City.

Annexation Request

In conjunction with the Preliminary Plat and establishment of City zoning, the developer is requesting annexation of ±58.749 acres from Cascade County into the City of Great Falls. The Preliminary Plat creates 171 residential lots and all public right-of-ways. Phase VII is one of 5 phases that are planned to be final platted over a number of years. These phases are Phase VII - XI. Each phase has 38 lots, except Phase XI which has 19 lots.

The Draft Improvement Agreement outlines improvement requirements as it relates to the timing of improvements and phasing of the subject property (see Exhibit H). Expansion of the City limits and annexation at this time comes with concerns as to how the surrounding area will be developed in the future and what necessary infra-

structure and street connectivity will be. As a result, the property owner takes on the responsibility of addressing numerous infrastructure and service concerns incrementally as the Phases are final platted, and as recommendations from completion of area wide traffic and storm water studies, that the Owner participates in, are received. To address these concerns, the Draft Improvement Agreement requires the Owner take a cooperative approach and work with the owner of the property to the west.

Improvements

Roadways

The proposed development will connect to existing City roadways. Additional internal roads to serve the development will be planned and constructed as future phases are considered. Sidewalks will be constructed along each lot frontage at the time of home construction, and will connect to a fully built-out sidewalk network.

From the ITE Trip Generation Manual (9th edition), the average trip generation rate for detached single-family residential units is 9.52 trips per occupied dwelling unit on a weekday, resulting in 1,628 estimated daily trips from the 171 units. The existing transportation network and proposed roadway layout is expected to have sufficient capacity to accommodate traffic generated by the Phases VII through XI, as well as traffic generated by the first phases of the Thaniel Addition (up to 88 single-family units).

To better quantify the impact of the proposed subdivision upon the broader road network in the immediate vicinity, the developer will be required to contribute to a larger transportation study for North Great Falls. See Exhibit E for full Traffic Analysis, which includes trip generation, trip distribution, and recommendations.

Utilities

The on-site improvements required for the development of the subject property shall be installed as shown on the final construction plans that are submitted to and approved by the Public Works Department before the final plat of each phase is approved by the City Commission. The on-site improvements shall include everything required to provide water, sanitary sewer, storm water management, and access, including streets and sidewalks, serving each lot proposed. All on-site improvements will be installed at the Owner's expense, in accord with the requirements of the OCCGF and the final Improvement Agreement.

The City has planned for and will install the lift station and mains required to provide sanitary sewer service to the proposed development. To support these improvements the Owner will pay the City its proportional share of the actual cost of those improvements, beginning with an initial payment of \$49,855 for the required gravity main that is due and payable within 30 days after the City has accepted a bid on the sanitary sewer improvement, and then phase-by-phase on a per lot basis, with the per lot payments for the lift station and force mains being made before work begins on each phase.

Owner's per lot proportional share will be calculated as follows. The total number of lots that can be served by the lift station and force mains will be determined. The number of lots in the development will then be divided by that number, yielding the development's share of the total lots to be served. That share will be multiplied by the total actual cost of the lift station and force mains, yielding the development's overall share of the cost. That share will then be divided by the number of lots, resulting in the per lot fee.

See also the Draft Improvement Agreement for more information for utility improvements required (Exhibit H).

Storm Water Management

To date, the Owner has worked with the City Public Works and Planning and Community Development Departments and the owner of Thaniel Addition for the general location of a principal detention pond located on the northwest corner of the Thaniel Addition property, with a secondary, larger detention pond being located immediately north on the adjacent property. This is preliminary, so both developers will be participating in the cost of a storm water management plan for the area for what the ultimate improvements required will be (see Exhibit H). All future storm water management plans will be reviewed and approved by the Public Works Department.

Park Land

The Owner will fulfill the park land provision obligation imposed by 76-3-621 MCA and 17.68.090 OCOCGF by making a cash payment to the City equal to 11% of the undivided, undeveloped value of the acreage included in the Development, which is acceptable to the Park and Recreation Department. The calculation of payment and timing are outlined in the Draft Improvement Agreement, as well as the following terms:

20. Neighborhood Park Maintenance Fee. *The Owner and all its successors, including all owners of individual lots that are being created by the Development shall pay an annual neighborhood park fee to the City of Great Falls.*

20.1 Use of the Fee. *The proceeds of this fee shall be managed as a separate "Northwest Neighborhood Park Assessment" account within the Parks and Recreation Department budget and used solely for the improvement and maintenance of one or more neighborhood parks that serve the Development. For the purposes of this Agreement, "serving" shall mean that the nearest edge of the neighborhood park on which proceeds of the assessment are spent is within 1/2 mile (2,640 ft) of the Development.*

20.2 Amount of the Fee. *The annual neighborhood park fee will begin at \$92.44 per lot, a figure that is based on the actual costs of neighborhood park maintenance and the number of lots it is anticipated the park will serve, and will be automatically increased by the rate of inflation each year. The annual rate of inflation shall be calculated using the Consumer Price Index published by the US Bureau of Labor Statistics for the Western Region.*

20.3 Citywide Parks District. *The neighborhood park fee established here will be terminated by the City upon the creation of citywide parks district that will fund neighborhood park maintenance.*

The proposed fee in-lieu of park dedication complies with the requirements of 76-3-621 MCA, 17.68.090 OCOCGF, and the City's Park Plan.

City of Great Falls Growth Policy

The proposed annexation, subdivision, and zoning is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project strongly supports the Social and Physical portions of the Growth Policy, specifically the goals and principles to encourage a safe, adequate and diverse supply of housing and fair housing opportunities in the City.

Additional supportive Policies with which this project is consistent include:

Social - Housing

- Soc1.4.1 Work with the private sector and non-profits to increase housing opportunities in the city.
- Soc1.4.2 Expand the supply of residential opportunities including single family homes, apartments, manufactured homes and assisted living facilities.

Physical - Land Use

- Phy4.1.3 Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City.
- Phy4.1.4 Foster the development of safe, walkable neighborhoods, with a mix of uses and diversity of housing types.
- Phy4.7.6 Encourage new development in areas contiguous to existing development in the City, where capacity exists or can be planned for.

The Growth Policy identifies that Great Falls embodies balanced, compatible growth, while at the same time encourages the development of underutilized or vacant land.

Neighborhood Council/Public Comment

The subject property is located in Neighborhood Council #3. The Owner presented information to Council #3 on October 2, 2014, and the Council voted in favor of the project. The Council has been provided an update of the project information via email on June 4, 2015.

To date, Staff has received numerous phone calls, in-person inquiries, and Citizen Requests via the City's website regarding Thaniel Addition and proposed development in this area of the City, including West Ridge Addition—

Phase VII - XI, from residents with general questions and concerns about the proposed development. Concerns expressed largely include, but are not limited to: traffic impact, property and home values, storm drainage, park improvements and maintenance, zoning standards and the timing on the project planning process.

Public comment on record is available through the City Clerk's office and on the City's website. For the July 7, 2015 City Commission meeting recording go to: <http://www.greatfallsmt.net/citycommission/city-commission-meeting-83> And for the July 21, 2015 City Commission meeting recording go to: <http://www.greatfallsmt.net/citycommission/city-commission-meeting-84>

Rezone Request

In conjunction with the Final Plat of Phase VII, the Owner is requesting that the subject property be rezoned from County SR-1 Suburban Residential to R-3 Single-family high density district upon annexation into the City of Great Falls. The proposed zoning is compatible with the existing zoning on the adjacent properties to the east and south. Continuation of the single-family residential development pattern on the vacant property is logical given the high demand for lots and the context of the site.

The grid pattern of the proposed subdivision matches the adjacent development pattern immediately to the south with the proposed R-3 district development standards for setbacks, density, height, and parking. The size of the subject lots provides sufficient space for the buildings, off-street parking, landscaping, and storm water detention area.

Recommendation

The Planning Advisory Board has the responsibility to review and make recommendations on annexations and subdivisions.

RECOMMENDATION: The Planning Advisory Board recommends the City Commission approve the Final Plat of West Ridge Addition -Phase VI, legally described in the staff report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.

Conditions of Approval

1. The Final Plat of the West Ridge Addition phases shall incorporate correction of any errors or omissions noted by staff.
2. The final engineering drawings, specifications and cost estimates for public improvements for the West Ridge Addition phases shall be submitted to the City Public Works Department for review and approval, prior to consideration of the Final Plat of any West Ridge Addition phase.
3. An Improvement Agreement shall be executed and filed containing terms and conditions for annexation Final Plat phases, including, but not limited to, agreement by Owner to:
 - a) install, within three 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) Provide temporary storm water management facilities until such time as the final detention area that will server the subject property is secured and construct all of the storm water conveyance improvement to drain the site to the future onsite detention pond, whether they be surface conveyance and/or inlets and pipe;
 - d) reimburse the City its proportionate share of the cost of installing a new lift station and force mains to serve the property;
 - e) pay its proportionate share of the cost of an area storm water master plan;
 - f) pay its proportionate share of a North Great Falls transportation study;
 - g) pay all applicable fees owed as a condition of annexation, as determined in Improvement Agreement.

Next Steps

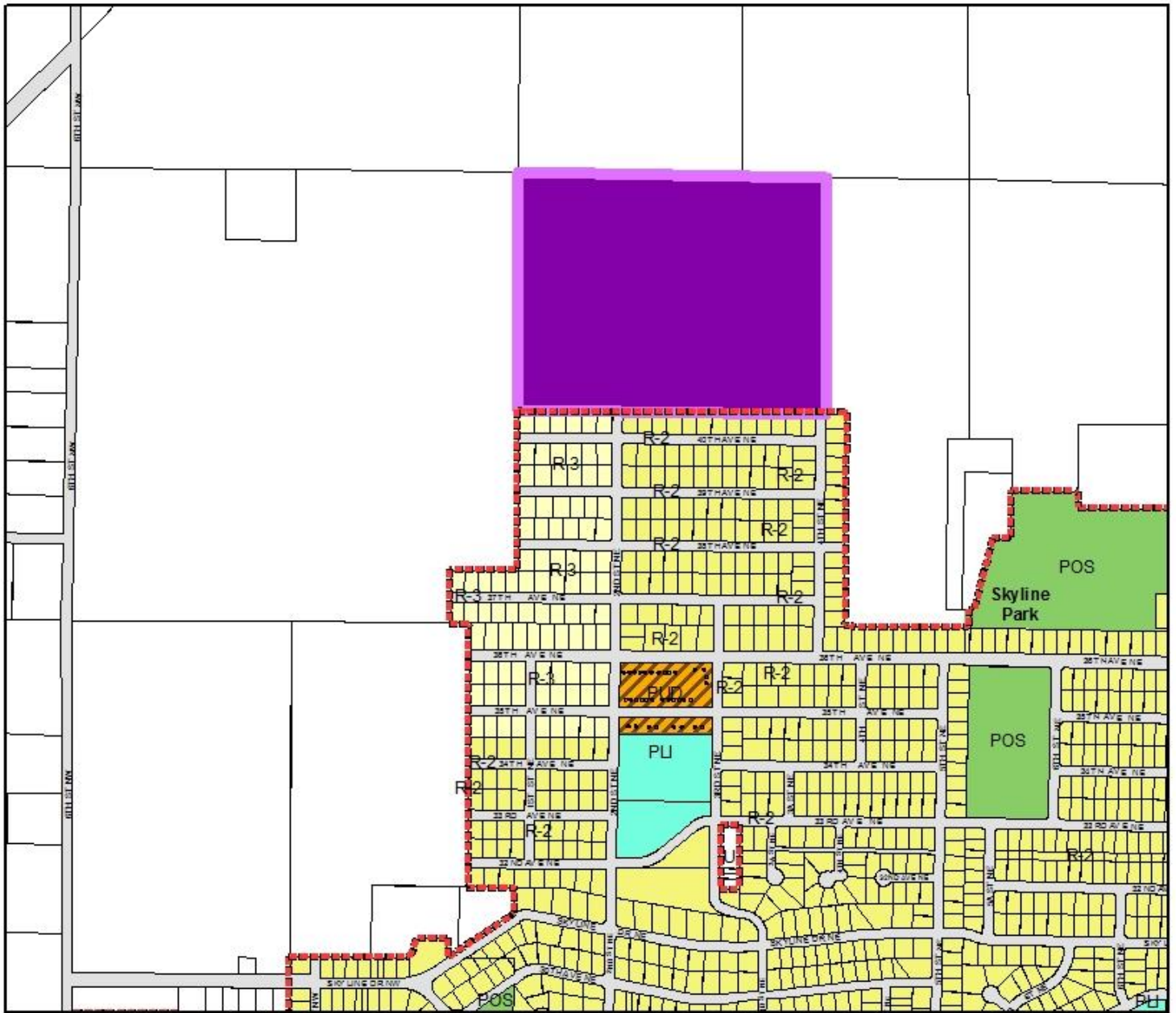
1. The Planning Advisory Board/Zoning Commission recommendation will be presented to the City Commission.
2. City Commission will approve or deny the Final Plat of West Ridge Addition Phase VII, Resolution to Annex and Zoning Ordinance.
3. If approved, the applicant will submit any required documents for review and then file the required documents with the Cascade County Clerk and Recorder's Office.

Exhibits

- A- Aerial Map (p. 3)
- B - Zoning Map (p. 10)
- C - Application (p. 11)
- D - Draft Final Plat of Phase VII (p. 13)
- E - Traffic Analysis (p. 15-16)
- F - Sun River Watershed Group Letter and US Army Corps of Engineers Study (p. 20-29)
- G - Draft Improvement Agreement (starts on p. 31)

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Patty Cadwell, Neighborhood Council Coordinator
Bill Hunter, Communications Manager, Police Department
Susan Conell, Cascade County Planning Director, sconell@cascadecountymt.gov
Shawna Rothwell, S & L Development, jmrothwell@bresnan.net
Leanne Bailly, S & L Development, leannekk@yahoo.com
Gary Knudson, S & L Development, glknudson.eng70@yahoo.com
Al Rollo, Coordinator, Sun River Watershed Group, arollo7@msn.com

EXHIBIT B - ZONING MAP



Legend

- City Limits
- Subject Property
- Tracts of Land
- right-of-way
- R-3 Single-family High Density
- PUD Planned Unit Development
- PLI Public Lands and Institutional
- POS Parks and Open Space
- U Unincorporated Enclave

ZONING

- R-2 Single-family Medium Density

N
560 280 0 560 Feet
West Ridge Addition Phase VII - XI
Annexation, Zoning &
Preliminary Plat

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: 7/23/15
 Application Number: ANX 2015-3
 Paid (Official Use ONLY): SVB
 Annexation: \$500
 Preliminary Plat, Major: \$1,500 + \$50/lot
 Revised Preliminary Plat: \$1,000
 Final Plat, Major: \$1,500 + \$25/lot x 38 lots @ \$950
 Minor Subdivision: \$1,250
 Amended Plat, Administrative: \$200
 Amended Plat, Non-administrative: \$1,000
 Zoning Map Amendment: \$2,000
 Conditional Use Permit: \$1,500
 Planned Unit Development: \$2,000
 Vacate Public Right-of-Way: \$1,250
 Public Hearing Notice

West Ridge Addition - Phase VII
 Name of Project / Development:

J+L Development LLC
 Owner Name:

221 30 Ave NE 6F MT 59404
 Mailing Address:

799-5665
 Phone:

Jm. ROTHWELL@CHARTER.NET
 Email:

Shawna K. Rothwell
 Representative Name:

221 30 Ave NE Great Falls MT 59404
 Mailing Address:

799-5665
 Phone:

Jm. ROTHWELL@CHARTER.NET
 Email:

PROPERTY DESCRIPTION / LOCATION:

w 1/2 SW SW 26 T21N R3E
 Mark/Lot: Section: Township/Block: Range/Addition:

1st & 2nd ST NE 41st Ave NE
 Street Address:

ZONING:

SR-1 R-3
 Current: Proposed:

LAND USE:

AGRI SINGLE FAMILY
 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 public hearing notice requirements and associated costs for land development projects are my (our) responsibility. 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.

Shawna K Rothwell
 Property Owner's Signature:

7-22-15
 Date:

Shawna K Rothwell
 Representative's Signature:

7-22-15
 Date:

EXHIBIT D - DRAFT FINAL PLAT

EXHIBIT E - TRAFFIC ANALYSIS

EXHIBIT F - SUN RIVER WATERSHED GROUP LETTER AND
SECTION V - WATSON COULEE OF THE SUN
RIVER FLOOD PROTECTION PROJECT
OPERATION AND MAINTENANCE MANUAL
U.S. ARMY CORPS OF ENGINEERS

EXHIBIT G - DRAFT IMPROVEMENT AGREEMENT
