

A G E N D A R E P O R T

DATE February 17, 2004

ITEM Resolution No. 9366, Intent to Annex Loy School and a Segment of 57th Street North

INITIATED BY School District No. 1

ACTION REQUESTED Commission Adopt Resolution No. 9366, Setting Hearing for March 16, 2004

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Ben Rangel, Planning Director

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RECOMMENDATION:

The City-County Planning Board has recommended the City Commission annex the 20 acres occupied by Loy School and a 2,700 foot segment of 57th Street North.

MOTION:

“I move the City Commission adopt Resolution No. 9366.”

SYNOPSIS:

Resolution No. 9366 sets a public hearing for March 16, 2004, to consider the annexation of 20 acres occupied by Loy School and a 2,700 foot segment of 57th Street North.

BACKGROUND:

Great Falls Schools has submitted applications regarding the following:

- 1) Annexation to the City of Great Falls of a 20.045 acre tract of land in the SW ¼ of Section 3, Township 20 North, Range 4 East, Cascade County, Montana.
- 2) Rezoning the 20.045 acres requested to be annexed to the City from the current County “A” Agricultural District to the City “A” Residence Use, “A” Area District.

Said 20.045 acres requested to be annexed to the City is located between 57th Street North and Malmstrom Air Force Base and is occupied by the Loy Elementary School. To provide contiguity to the existing City Limits, a 2,706-foot segment of 57th Street North is also proposed to be simultaneously annexed to the City.

For additional information, please refer to the attached vicinity map and an Annexation Map (Exhibit “A”) attached to Resolution No. 9366.

Since Loy School was built, it has obtained water and sanitary sewer service from Malmstrom AFB. Earlier this year, the City installed a 16-inch water main along the east side of 57th Street North abutting the School property. In order to switch service and obtain water from the new City main, which will reduce the School District’s expenses, the District has petitioned to annex the School property. A tentative plan is to extend a public 8-inch main eastward from 57th Street to the back of the School where a public fire hydrant would be located and the existing service line could be disconnected from Malmstrom’s system and be reconnected to the City’s system. Loy School will continue to discharge its sewage into the Base’s system.

The Planning Board conducted a public hearing on the annexation on December 9, 2003. There has been no public testimony provided concerning the annexation. At the conclusion of the public hearing, the

Planning Board passed a motion recommending the City Commission annex the 20 acres occupied by Loy School in Section 3, T20N, R4E, Cascade County Montana, and a 2,700 foot segment of 57th Street North, subject to the following conditions being fulfilled by the applicant:

- 1) payment of all applicable fees owed as a condition of annexation approval including:
 - a) Annexation Agreement Fee \$ 200.00
 - b) Resolution of Annexation Fee 100.00
 - c) Storm Sewer Fee (\$250/acre x 20 acres) 5,000.00
 - d) Reimbursement to City for proportionate share of cost of water main in 57th St. (1,357 ft. x \$19/front foot) 25,783.00
 - e) Recording fees for Agreement and Resolution (\$6 per page x ? pages) to be determined

- 2) entering into an agreement with the City agreeing to the typical terms and conditions associated with annexation including:
 - a) agreeing to install within two years of the date of the agreement an 8-inch water main, with accompanying fire hydrant(s), from 57th Street to the rear of subject property;
 - b) agreeing to participate in the costs of public roadway lighting and street maintenance districts, lawfully created by the City;
 - c) agreeing to provide the appropriate easement to accommodate the on-site 8-inch water main referenced in 2)a) above.

Through a Memorandum dated January 24, 2004, the Public Works Department waived the storm sewer fee and reimbursement for the 57th Street water main referenced in conditions 1)c) and 1)d) respectively. As it is a taxing entity, similar to the City, it didn't make sense to in effect tax the School District under the annexation.

The remaining conditions have been fulfilled by the School District and it is anticipated a copy of the Annexation Agreement will be provided to the Commission prior to the hearing on March 16.

Attach: Res. No. 9366
Vicinity Map

cc w/o attach: School District No. 2, Attn: Robert Odermann, P. O. Box 2429