

**A G E N D A   R E P O R T**

**DATE** November 16, 2004

**ITEM** Public Hearing – Annexation Resolution No. 9438, Amended Plat, Findings of Fact and Annexation Agreement for Unincorporated Area between 25<sup>th</sup> and 26<sup>th</sup> Streets South and 13<sup>th</sup> and 15<sup>th</sup> Avenues South

**INITIATED BY** Benefis Healthcare, Property Owner

**ACTION REQUESTED** Commission Adopt Resolution No. 9438 and Approve Amended Plat, Findings of Fact and Agreement

**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 numerous parcels between 25<sup>th</sup> and 26<sup>th</sup> Streets South and 13<sup>th</sup> and 15<sup>th</sup> Avenues South being replatted into a single parcel together with unincorporated abutting segments of 13<sup>th</sup> Avenue South and 25<sup>th</sup> Street South.

**MOTION:**

“I move the City Commission adopt Resolution No. 9438 and approve the Amended Plat of Blocks 28 and 29, Lincoln Heights Addition, and Blocks 1 and 2 of the South 26<sup>th</sup> Street Addition and including therein Parcel Mark No. 18A, Section 18, Township 20 North, Range 4 East, Cascade County, Montana, and the accompanying Findings of Fact and Annexation Agreement.”

**SYNOPSIS:**

Resolution No. 9438 annexes the unincorporated area between 25<sup>th</sup> and 26<sup>th</sup> Streets South and 13<sup>th</sup> and 15<sup>th</sup> Avenues South together with segments of 13<sup>th</sup> Avenue South and 25<sup>th</sup> Street South. The applicant, Benefis Healthcare, intends to construct a parking lot to occupy a majority of the site. The accompanying agreement contains terms and conditions associated with annexation of subject property.

**BACKGROUND:**

Benefis Healthcare has submitted applications regarding the following:

- 1) Amended Plat of Blocks 28 and 29, Lincoln Heights Addition, and Blocks 1 and 2 of the South 26<sup>th</sup> Street Addition and including therein Parcel Mark No. 18A, Section 18, Township 20 North, Range 4 East, Cascade County, Montana.
- 2) Annexation to the City of Great Falls of the unincorporated portion of the above mentioned Amended Plat, a segment of 13<sup>th</sup> Avenue South at 26<sup>th</sup> Street and the segment of 25<sup>th</sup> Street South between 14<sup>th</sup> and 15<sup>th</sup> Avenues South.

For additional information, please refer to the attached material.

- Vicinity Map attached to Res. No. 9438 as Exhibit “A”
- Reduced copy of proposed Amended Plat
- Parking Lot Plan

The proposed Amended Plat will consolidate into one tract or lot the following:

- Blocks 28 and 29, Lincoln Heights Addition
- Vacated portions of 14<sup>th</sup> and 15<sup>th</sup> Alleys South and 14<sup>th</sup> Avenue South
- Parcel Mark No. 18A, Section 18, T20N, R4E
- Blocks 1 and 2, South 26<sup>th</sup> Street Addition

The applicant's immediate development plans for subject property involve a parking lot for Benefis employees generally as depicted on the attached parking lot plan. The northeast corner of subject property is being reserved as a site for a future medical related building.

The abutting portion of 15<sup>th</sup> Avenue South and the portion of 25<sup>th</sup> Street South, south of 14<sup>th</sup> Alley South, are presently unimproved. It is anticipated said roadways will be improved when deemed necessary by the City with applicant agreeing to pay for its proportionate share of the costs of public infrastructure. For the near term, only the northerly three approaches to the parking lot will be utilized for access.

City water mains presently exist in the portions of 13<sup>th</sup> Avenue South and 26<sup>th</sup> Street South abutting subject property. A low pressure 30-inch water main is located in the abutting portion of 15<sup>th</sup> Avenue South. A sanitary sewer main is located in 26<sup>th</sup> Street South.

The applicant's engineer will work with City Public Works on a storm drainage plan to accommodate runoff from the proposed parking lot.

Subject annexation triggers reimbursement to the City for roadway and utility improvements installed in conjunction with SID 1268, which included 26<sup>th</sup> Street South and the Sand Hills Park Storm Water Detention Facility.

The Planning Board on September 14, 2004, conducted a public hearing on the applications. Mr. Jack Fisher, the project engineer, made a few comments clarifying some issues. The applications, leading to initial construction of a parking lot on subject property, has generated no proponents, opponents or public comments to date. At the conclusion of the hearing, the Planning Board passed a motion covering numerous actions including recommending City and County Commission approval of the hereinabove mentioned Amended Plat and accompanying Findings of Fact and that the City Commission annex the unincorporated portion therein subject to the following conditions:

- 1) payment of all applicable fees and reimbursements owed as a condition of annexation approval including:
 

a)	Annexation Agreement	\$ 200.00
b)	Resolution of Annexation Fee	100.00
c)	Storm Sewer Fee	
	\$250/acre x 3.59 acres	897.50
d)	Reimbursement owed City for SID 1268 Improvements	50,810.80
e)	Recording Fees for Agreement and Resolution (\$6 per page)	as determined
  
- 2) preparation of a certificate of title by a title company to be filed with the amended plat;
- 3) correction of any errors or omissions on the amended plat, which may be noted by staff;
- 4) entering into an annexation agreement containing typical terms and conditions associated with annexation including agreement:
  - a) to obtain Public Works approval of a drainage plan for the proposed parking lot;

- b) to obtain the City Forester's approval of the landscape plan for the proposed parking lot;
- c) to pay for proportionate share of the costs of standard City paving, curb, gutter, sidewalk and water main remaining to be installed in the abutting segments of 25<sup>th</sup> Street South and 15<sup>th</sup> Avenue South when deemed necessary by City.
- d) to construct the proposed skywalk within three years.

The above conditions 1) and 4) have been fulfilled with conditions 2) and 3) to be completed prior to filing of the Amended Plat.

Attach: Res. No. 9438 w/vicinity map  
Reduced Copy of Amended Plat  
Parking Lot Plan  
Findings of Fact  
Annexation Agreement

cc w/o attach: Benefis Healthcare, Attn: Dawn Willey, 1101 26<sup>th</sup> St S  
Jack Fisher, TD&H, 1200 25<sup>th</sup> St S