

**CITY OF GREAT FALLS, MONTANA**

**AGENDA #** 6

**AGENDA REPORT**

**DATE** July 5, 2005

**ITEM** Ordinance No. 2922 to Establish City Zoning Upon Skyline Park Addition, Phases 15 & 16

**INITIATED BY** Jim Workman Construction Co., Property Owner and Developer

**ACTION REQUESTED** Commission Accept Ordinance No. 2922 on First Reading and Set Hearing

**PREPARED BY** Bill Walters, Senior Planner

**APPROVED & PRESENTED BY** Benjamin Rangel, Planning Director

**RECOMMENDATION:**

The City-County Planning Board has recommended the City Commission assign a zoning classification of "A" Residence Use, "A" Area District, to Skyline Park Addition, Phases 15 & 16, upon annexation to the City.

**MOTION:**

"I move the City Commission accept Ordinance No. 2922 on first reading and set a public hearing for August 2, 2005, to consider adoption of Ordinance No. 2922."

**SYNOPSIS:**

Ordinance No. 2922 assigns a zoning classification of "A" Residence Use, "A" Area District, to Skyline Park Addition, Phases 15 & 16, upon annexation of same to City. Subject development consists of 31 single-family residential lots and segments of 2<sup>nd</sup> and 3<sup>rd</sup> Streets NE and 39<sup>th</sup> and 40<sup>th</sup> Avenues NE.

**BACKGROUND:**

In April, 2002, the City and County Commissions conditionally approved the preliminary plat of Skyline Park Addition, Phases 8-16, a 127 lot single family residential subdivision located north of Skyline Education Center.

Jim Workman Construction has completed the platting and annexation of Phase 8, consisting of 15 lots; Phase 9, consisting of 6 lots; Phase 10, consisting of 14 lots; Phase 11, consisting of 17 lots; Phase 12, consisting of 14 lots; Phase 13, consisting of 15 lots; Phase 14, consisting of 14 lots, and now desires to final plat and complete the annexation of Phases 15 and 16, consisting of 31 lots and segments of 2<sup>nd</sup> and 4<sup>th</sup> Streets NE and 39<sup>th</sup> and 40<sup>th</sup> Avenues Northeast. Final approval of Phases 15 and 16 will complete the platting projected by the preliminary plat approved three years ago.

The applicant will install standard City paving, curb and gutter, and an 8-inch water main in the involved segments of 37<sup>th</sup> Avenue NE and 2<sup>nd</sup> Street NE as well as a 10-inch sanitary sewer main in 37<sup>th</sup> Avenue NE. It is expected the City will pay for and front half the costs of the roadway and water main in 2<sup>nd</sup> Street NE.

Surface runoff from Phases 15 and 16 will drain east on 39<sup>th</sup> and 40<sup>th</sup> Avenues Northeast then south on 4<sup>th</sup> Street Northeast ultimately discharging into the City's Northeast Regional Storm Water Retention Facility.

The final engineering documents relative to the final plat of Phases 15 and 16 have been prepared by the project engineer and are in the process of being submitted to the City Engineer. Staff concludes that the basic conditions set forth in the conditional approval of the preliminary plat are being met by the developer in the overall process of final plat, final engineering and Annexation Agreement preparation for Phases 15 and 16.

Subject property is presently zoned in the County as "R-2" Low Density Residential District and the applicant has requested the property be zoned "A" Residence Use, "A" Area District upon annexation to the City.

Section 76-2-304 Montana Code Annotated lists the following criteria and guidelines which must be considered in conjunction with establishing municipal zoning on land:

- a) is designed in accordance with the growth policy (comprehensive plan);
- b) is designed to lessen congestion in the streets;
- c) will secure safety from fire, panic or other dangers;
- d) will promote health and the general welfare;
- e) will provide adequate light and air;
- f) will prevent overcrowding of land;
- g) will avoid undue concentration of population;
- h) will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- i) gives reasonable consideration to the character of the district;
- j) gives reasonable consideration to the peculiar suitability of the property for particular uses;
- k) will conserve the value of buildings; and
- l) will encourage the most appropriate use of land throughout the municipality.

Subject property is located on the fringe of the City, which has been attracting high quality single family dwelling units. The subdivision is a natural projection of urban growth.

Annexation of subject property will enhance health, safety and welfare through application of City Codes and provision of municipal services.

It is anticipated the planned single-family use of the property will be compatible with neighboring uses. Therefore, staff concludes the above-cited criteria are substantially met.

The Planning Board, at the conclusion of a public hearing held March 26, 2002, recommended the City Commission assign a zoning classification of "A" Residence Use, "A" Area District, to Skyline Park Addition, Phases 15 & 16, upon annexation to the City.

It is anticipated the City Commission, following the public hearing on August 2, will consider an annexation resolution, annexation agreement and final plat for Skyline Park Addition, Phases 15 & 16, simultaneously with Ordinance No. 2922.

Attach: Ord. No. 2922  
Vicinity Map  
Reduced Copy of Drawing Portion of Final Plat

cc: Jim Workman, 4901 2<sup>nd</sup> Ave N  
Woith Engineering, P O Box 7326 G F 59406