

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

DATE _____ July 19, 2005 _____

ITEM _____ Preliminary Plat of 7th Supplement to Skyline Heights Addition _____

INITIATED BY _____ Gene Shumaker and Joe Aline, Property Owners and Developer _____

ACTION REQUESTED _____ Commission Conditionally Approve Preliminary Plat and Findings of Fact _____

PREPARED BY _____ Bill Walters, Senior Planner _____

APPROVED & PRESENTED BY _____ Benjamin Rangel, Planning Director _____

- - - - -

RECOMMENDATION:

The City-County Planning Board has recommended the City Commission approve the preliminary plat of 7th Supplement to Skyline Heights Addition, and the accompanying Findings of Fact subject to fulfillment of stipulated conditions.

MOTION:

“I move the City Commission approve the preliminary plat of 7th Supplement to Skyline Heights Addition and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board.”

SYNOPSIS:

Skyline Heights Addition, 7th Supplement, consists of 34 proposed single family residential lots between 9th Street NE and the television facilities of KFBB.

BACKGROUND:

Gene Shumaker and Joe Aline have submitted applications regarding the following:

- 1) Preliminary Plat of 7th Supplement to Skyline Heights Addition, located in the NE ¼ of Section 36, Township 21 North, Range 3 East, Cascade County, Montana.
- 2) Rezoning the area within the Preliminary Plat upon annexation to the City from the current County “A” Agricultural District to the City “A” Residence Use, “B” Area District.

Skyline Heights Addition, 7th Supplement, consists of 34 proposed single family residential lots between 9th Street NE and the television facilities of KFBB. The applicants have requested subject area, consisting of 13.7 acres, be annexed to the City.

For more information regarding the subdivision, please refer to the attached Planning Staff Report and Recommendation with a Hearing date of June 28, 2005. Attached to the Report and Recommendation are:

- ? Vicinity Map
- ? Preliminary Plat
- ? Preliminary Engineering Plan
- ? Findings of Fact

The Planning Board conducted a public hearing on the preliminary plat on June 28, 2005. The development has generated no public comment. At the conclusion of the public hearing, the Planning Board unanimously passed a motion recommending the City and County Commissions approve the preliminary plat of 7th Supplement to Skyline Heights Addition and the accompanying Findings of Fact subject to the following conditions being fulfilled by the applicant:

- 1) The final plat of 7th Supplement shall incorporate correction of any errors or omissions noted by staff including increasing the right-of-way radius on the cul-de-sacs from 50 to 55 feet. (The radius from the center of the cul-de-sac to the back of curb shall be 42½ feet.)
- 2) The final engineering drawings and specifications for the required public improvements to serve 7th Supplement shall be submitted to the Public Works Department for review and approval prior to consideration of the final plat of the Addition and shall address:
 - a) roadway section design including subgrade strength analysis and a thickness design based on a design traffic number furnished by the City;
 - b) additional storm sewer main(s) to accommodate storm water runoff from the subdivision to the existing storm water detention facility in Skyline Heights Park or the existing storm sewer main along the west boundary of the subdivision; and,
 - c) any utility main extension(s) deemed necessary to the east boundary of the subdivision.
- 3) An Annexation Agreement shall be prepared containing terms and conditions for annexation of 7th Supplement including agreement by applicant to install, within two years of the date of annexation of 7th Supplement, the public improvements referenced in Paragraph 2) above.
- 4) All applicable fees owed as a condition of plat or annexation approval shall be paid in conjunction with the consideration of the final plat and annexation for 7th Supplement, including:

a) final plat	\$ 200.00
b) annexation agreement fee	200.00
c) annexation resolution fee	100.00
d) storm sewer fee (\$250/acre)	to be determined
e) recording fees for annexation document (\$7 per page)	to be determined
- 5) Disposing of the remaining corridor owned by the applicant between the east boundary of 7th Supplement and the Old Havre Highway with the obvious option being incorporation of same into an abutting parcel through preparation of an appropriate survey and deed.

Attach: Staff Report and Recommendation with Hearing date of June 28, 2005
Minutes of June 28, 2005, Planning Board Hearing

cc w/o attach: Woith Engineering, P.O. Box 7326
Joe Aline & Gene Shumaker, P.O. Box 1279

GREAT FALLS CITY-COUNTY PLANNING BOARD

**MINUTES OF THE PUBLIC HEARING ON
PRELIMINARY PLAT, ANNEXATION AND REZONING OF
7TH SUPPLEMENT TO SKYLINE HEIGHTS ADDITION
(SHUMAKER AND ALINE)**

June 28, 2005

The public hearing on the Preliminary Plat, Annexation and Rezoning of 7th Supplement to Skyline Heights Addition was called to order at 3:00 p.m. in the Commission Chambers of the Civic Center by Planning Board President Bill Bronson.

ROLL CALL & ATTENDANCE

Planning Board Members present:

Mr. William Austin
Mr. Bill Bronson
Mr. John Harding
Mr. Fay Lesmeister
Dr. Greg Madson
Ms. Jan Popa (abstained)
Mr. Bill Roberts
Mr. Joe Summers

Planning Board Members absent:

Ms. Andrea Pierce

Planning Staff Members present:

Ms. JoAnn Painter, Admin. Asst.
Mr. Ben Rangel, Planning Director
Mr. Charlie Sheets, Planner I
Mr. Bill Walters, Senior Planner

Others present:

Mr. Dave Dobbs, City Engineer

A copy of the attendance list as signed by those present is attached and incorporated by reference.

ABSTENTIONS

Ms. Popa abstained from participating and voting in this public hearing.

EXPLANATION OF HEARING PROCEDURES

Mr. Bronson advised that agendas are available on the table at the back of the room and the agenda will be followed. He requested that everyone present sign the attendance list, which was also on the table. He stated that there will be the opportunity for proponents as well as opponents to speak. There will also be a time for public comments. Anyone wishing to speak should come to the rostrum, state their name, address and whom they represent. He requested remarks be limited to the current business before the Board. The hearing is recorded on tape as an aid in preparing minutes. He asked that cell phones and electronic devices be turned off.

READING OF PUBLIC NOTICE

As there was no response to Mr. Bronson's question on whether anyone present wished to have the public notice read, the public notice was not read.

PLANNING STAFF REPORT & RECOMMENDATION

Mr. Walters said this public hearing involves the subdivision and rezoning associated with the 7th Supplement to Skyline Heights Addition. The subdivision is located between Ninth Street Northeast and the television facilities of KFBB and consists of 34 single-family lots.

A copy of the vicinity zoning map was displayed.

After reviewing the staff report and recommendation, Mr. Walters said he would be glad to respond to any questions from the Board.

Mr. Harding asked Mr. Walters to explain the condition under staff's recommendation that requires increasing the right of way radius on the cul-de-sacs from 50 to 55 feet. Mr. Walters explained that presently the standard for the right-of-way radius is 50 feet. It is now being recommended that be increased to 55 feet because there is not enough room in the boulevard area for the sidewalk and hydrants. So, essentially the boulevard width is being increased. The 55 feet is also a feature in the proposed Great Falls Land Development Code.

Mr. Harding asked about the frontage width of the lot on the cul-de-sacs. Mr. Walters replied that some of the lots probably had a minimal amount of frontage of about 35 to 40 feet. The lots get wider as they expand further away from the street.

Mr. Harding asked if the lots would be affected by the proposed Land Development Code, which requires a minimum of 60 feet frontage. Mr. Walters said he thought staff would look at the average width. Narrower frontages on cul-de-sacs, particularly those that are pie shaped and expand out further away from the street, have always been allowed. Staff's main concern is the front building line has at least 60 foot width.

Mr. Summers said there is an intense amount of radio frequency signals in that area and asked if that was suitable for housing in such close proximity.

Mr. Walters replied that perhaps the developer could address that. Mr. Walters wasn't aware of any complaints or problems associated with the signals.

In response to Mr. Roberts asking about the extension of Skyline Drive, Mr. Walters said the roadway will curve and transition into 11th Street Northeast. There was further discussion about the extension of Skyline Drive.

PETITIONER'S PRESENTATION

Mr. Joe Aline, developer, referred to condition 2)c) of the staff recommendation and asked about the location of the utility extension to the east boundary of subdivision.

Mr. Dobbs responded by saying this item would have to be resolved. There was a discussion between Mr. Aline, Mr. Dobbs and staff about the utility main extensions deemed necessary to the east boundary of the subdivision. Mr. Dobbs said he would like the condition to remain as part of the recommendation for now. The condition can be deleted if it is found there is no reason for the condition to be met.

Mr. Aline addressed Mr. Summers' concern about the frequency signals in the area. He said he has lived in the area for five years and has worked below the towers for twenty-five years. The signals don't affect his utilities, TV, radio, etc., and hasn't experienced any problems.

Mr. Bronson referred to the City's Engineering memo, which asks if consideration had been given to eliminating 32nd Avenue Northeast and extending Skyline Drive eastward to eventually connect to the Old Havre Highway. Mr. Bronson said he lives on 32nd Avenue Northeast and one of the complaints heard from people coming into this area is that they can't find their way. The proposed subdivision has Skyline Drive transitioning into 11th Street. He asked Mr. Aline if there was any reason why Skyline wasn't extended eastward.

Mr. Aline replied it isn't economically feasible to extend Skyline eastward because when you build a street with lots on one side only, the costs for the street improvements are added to one side without the benefit of splitting the costs when both sides of the street are developed.

PROponents OPPORTUNITY TO SPEAK

Mr. John Popa, Realtor with ReMax Real Estate, said he represents the developer in marketing these lots. He presented this subdivision to the Neighborhood Council. The neighborhood had a great deal of concern about thoroughfares through the area and access onto the Havre Highway. The neighborhood was happy that there would not be any access to the Havre Highway from this subdivision. Also, it makes a lot of safety sense in slowing the traffic down through a residential neighborhood where there are children and not causing a thoroughfare that people are using to rush out of town. That explains some of the reasons for the layout of the subdivision.

OPPONENTS OPPORTUNITY TO SPEAK

There were no opponents to speak.

PUBLIC COMMENTS

There were no public comments.

PLANNING BOARD DISCUSSION & ACTION

MOTION: That the Planning Board recommend:

- A) the governing bodies approve the preliminary plat of 7th Supplement to Skyline Heights Addition and the accompanying Findings of Fact; and
- B) the City Commission assign a zoning classification of "A" Residence Use, "B" Area District, to 7th Supplement to Skyline Heights Addition at such time the City approves the final plat of the Addition and the annexation of the area contained therein;

subject to the following conditions being fulfilled by the applicant:

- 1) The final plat of 7th Supplement shall incorporate correction of any errors or omissions noted by staff including increasing the right-of-way radius on the cul-de-sacs from 50 to 55 feet. (The radius from the center of the cul-de-sac to the back of curb shall be 42 ½ feet.)
- 2) The final engineering drawings and specifications for the required public improvements to serve 7th Supplement shall be submitted to the Public Works Department for review and approval prior to consideration of the final plat of the Addition and shall address:
 - a) roadway section design including subgrade strength analysis and a thickness design based on a design traffic number furnished by the City;

- b) additional storm sewer main(s) to accommodate storm water runoff from the subdivision to the existing storm water detention facility in Skyline Heights Park or the existing storm sewer main along the west boundary of the subdivision; and,
 - c) any utility main extension(s) deemed necessary to the east boundary of the subdivision.
- 3) An Annexation Agreement shall be prepared containing terms and conditions for annexation of 7th Supplement including agreement by applicant to install, within two years of the date of annexation of 7th Supplement, the public improvements referenced in Paragraph 2) above.:
- 4) All applicable fees owed as a condition of plat or annexation approval shall be paid in conjunction with the consideration of the final plat and annexation for 7th Supplement, including:
- a) final plat \$ 200.00
 - b) annexation agreement fee 200.00
 - c) annexation resolution fee 100.00
 - d) storm sewer fee (\$250/acre) to be determined
 - e) recording fees for annexation documents (\$7 per page) to be determined
- 5) Disposing of the remaining corridor owned by the applicant between the east boundary of 7th Supplement and the Old Havre Highway with the obvious option being incorporation of same into an abutting parcel through preparation of an appropriate survey and deed.

Made by: Mr. Harding
Second: Mr. Lesmeister

Vote: The motion carried unanimously, with Ms. Popa abstaining.

Mr. Walters said staff anticipates the Board recommendation will be forwarded to the City Commission for its July 19 meeting.

ADJOURNMENT

The hearing adjourned at 3:30 P.M.

Minutes of the June 28, 2005

Public Hearing

Prel. Plat, Annex & Rezone, Skyline Hghts. 7th (Shumaker & Aline).

Page 6

PRESIDENT

SECRETARY

GREAT FALLS CITY-COUNTY PLANNING BOARD

STAFF REPORT AND RECOMMENDATION

ITEM: Preliminary Plat of 7th Supplement to Skyline Heights Addition

INITIATED BY: Gene Shumaker and Joe Aline, Property Owners and Developer

PRESENTED BY: Bill Walters, Senior Planner

GENERAL OVERVIEW:

The Planning Office is in receipt of applications from Gene Shumaker and Joe Aline, regarding the following:

- 1) Preliminary Plat of 7th Supplement to Skyline Heights Addition, located in the NE ¼ of Section 36, Township 21 North, Range 3 East, Cascade County, Montana.
- 2) Rezoning the area within the Preliminary Plat upon annexation to the City from the current County "A" Agricultural District to the City "A" Residence Use, "B" Area District.

Skyline Heights Addition, 7th Supplement, consists of 34 proposed single family residential lots between 9th Street NE and the television facilities of KFBB. The applicants have requested subject area, consisting of 13.7 acres, be annexed to the City.

For additional information, please refer to the attached material.

- Vicinity Map
- Preliminary Plat
- Preliminary Engineering Plan

Access to the lots in the subdivision will be from the easterly extension of Skyline Drive NE and the southerly extensions of 11th and 12th Streets NE. All roadways in the subdivision will be improved with standard paving, curb, and gutter and contain standard City water and sanitary sewer mains. Public Works is currently assessing the need for utility extensions to the east toward the Old Havre Highway. The developer should be prepared to extend utility main(s) to the east boundary of the subdivision and furnish appropriate easements.

Surface drainage from the subdivision will be directed west to the west boundary of the subdivision where it will be collected in a City storm sewer that runs south to and through the City Shop Complex to 25th Avenue Northeast. Some additional storm sewer mains may be required within the subdivision to accommodate storm water runoff.

The applicant fulfilled the park requirement for Phase 7 when the easterly portion of Skyline Heights Park was dedicated in conjunction with Phase 6.

TRAFFIC ANALYSIS:

- Proposed land use: 34 Single Family Residential Lots
- Trip rate: 9.57 trips per dwelling unit (ITE Trip Generation Rates, 7th edition, 2003)
- Trip generation: 34 units x 9.57 trips per unit = 325 trips per day, when fully developed

Trip Generation: (Assumption)

Due to the general configuration of the existing street system in the area, it is assumed that a majority of the trips generated by this Supplement will access the site via Skyline Drive and 11th Street NE. The nearby collector streets of 8th/9th Street NE and 36th Avenue NE will be the main routes to access the subdivision from the nearest arterials - Smelter Avenue and the Old Havre Highway.

Traffic Counts:

Count ID Number	Count Location Description	Daily Traffic	Year
268	36 th Ave NE, just west of Bootlegger Trail	2,595	2004
248	8 th St NE, between 27 th & 28 th Avenues NE	3,807	2004

Functional Classification:

The functional classification of roadways that would serve the proposed development are:

- 12th Street NE Local
- 11th Street NE Local
- Skyline Drive NE Local
- 9th/8th Streets NE Collector
- 36th Avenue NE Collector

The various intersections on these roadways are either stop sign controlled, yield sign controlled or uncontrolled, depending upon traffic conditions and related circumstances. No traffic signals exist in the immediate area.

Conclusions/Recommendations:

Few congestion problems or traffic flow complaints currently exist in the immediate area of the proposed development. The majority of noted complaints are primarily where traffic from this general residential area accesses collectors and arterials, such as 9th Street NE at 36th Avenue NE. This intersection is currently yield sign controlled, and the City is investigating the possibility of installing a stop sign control. The width and condition of the County section of 36th Avenue NE is also a source of complaint. As development occurs, this stretch of roadway will be brought to City standards.

Traffic continues to grow on 36th Avenue NE as this part of the City grows. The State is currently redesigning the intersections of 36th Ave NE, Bootlegger Trail and the Old Havre Highway. It is anticipated that this redesign will better accommodate the growth of traffic from both Bootlegger Trail and 36th Avenue NE.

Providing a roadway access to the subdivision from the Old Havre Highway was considered. However, the roadway would intersect the Old Havre Highway at a location where visibility is difficult and speeds of vehicles moving down the hill (southbound) are high. Due to concerns about the safety of vehicles exiting the subdivision and entering the subdivision from the south (making a left-hand turning movement), this access roadway was rejected.

Cumulative Effects of Subdivision:

The estimated 325 trips per day generated by the subdivision will not have a noticeable affect on the adjoining roadways, especially since they will be dispersed to the north and to the west.

It is important to note that 36th Avenue NE will continue to receive the bulk of traffic that new subdivisions in the area are generating, including this one. The various new subdivisions, supplements and phases in the area will cumulatively have an impact over time on the area's roads. Long-range plans to create another east-west collector to the north may eventually divert some traffic from this Avenue. Also, expansion of 36th Avenue to the west is also expected to reduce trips on the eastern segment of the Avenue. However, until that time, 36th Avenue NE will continue to be the main feeder roadway to the Old Have Highway. 9th and 8th Streets NE will also receive some of the traffic this and other subdivisions generate. However, current traffic volumes are relatively low for a collector roadway, and it has sufficient capacity for this and future phases of Skyline Heights.

The streets in the area should be monitored as this project and others become more fully developed and as traffic patterns become better established. Adjustments to existing signing and/or the installation of new signing at intersections should be conducted as warranted.

ZONING ANALYSIS:

Subject property is presently zoned in the County as "A" Agricultural District and the applicant has requested the property be zoned "A" Residence Use, "B" Area District, upon annexation to the City.

Section 76-2-304 Montana Code Annotated lists 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 borders a developing single-family residential neighborhood and the backside of property along Old Havre Highway occupied by two television studios and broadcast towers. The proposed project will partially fill in a current vacant enclave on the side of a hill and will result in the extension of City services and infrastructure.

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.

RECOMMENDATION:

It is recommended the Planning Board recommend:

- A) the governing bodies approve the preliminary plat of 7th Supplement to Skyline Heights Addition and the accompanying Findings of Fact; and
- B) the City Commission assign a zoning classification of "A" Residence Use, "B" Area District to 7th Supplement to Skyline Heights Addition at such time the City approves the final plat of the Addition and the annexation of the area contained therein;

subject to the following conditions being fulfilled by the applicant:

- 1) The final plat of 7th Supplement shall incorporate correction of any errors or omissions noted by staff including increasing the right-of-way radius on the cul-de-sacs from 50 to 55 feet. (The radius from the center of the cul-de-sac to the back of curb shall be 42½ feet.)
- 2) The final engineering drawings and specifications for the required public improvements to serve 7th Supplement shall be submitted to the Public Works Department for review and approval prior to consideration of the final plat of the Addition and shall address:

- a) roadway section design including subgrade strength analysis and a thickness design based on a design traffic number furnished by the City;

- b) additional storm sewer main(s) to accommodate storm water runoff from the subdivision to the existing storm water detention facility in Skyline Heights Park or the existing storm sewer main along the west boundary of the subdivision; and,
- c) any utility main extension(s) deemed necessary to the east boundary of the subdivision.

- 3) An Annexation Agreement shall be prepared containing terms and conditions for annexation of 7th Supplement including agreement by applicant to install, within two years of the date of annexation of 7th Supplement, the public improvements referenced in Paragraph 2) above.

- 4) All applicable fees owed as a condition of plat or annexation approval shall be paid in conjunction with the consideration of the final plat and annexation for 7th Supplement, including:
 - a) final plat \$ 200.00
 - b) annexation agreement fee 200.00
 - c) annexation resolution fee 100.00
 - d) storm sewer fee (\$250/acre) to be determined
 - e) recording fees for annexation document (\$7 per page) to be determined

- 5) Disposing of the remaining corridor owned by the applicant between the east boundary of 7th Supplement and the Old Havre Highway with the obvious option being incorporation of same into an abutting parcel through preparation of an appropriate survey and deed.

Prepared by: Bill Walters, Senior Planner

Concurrence by: Benjamin Rangel, Planning Director

Attach: As noted hereinabove

Findings of Fact

Memo from City Engineer's Office dated June 15, 2005

cc w/attach: Jim Rearden, Public Work Director

Dave Dobbs, City Engineer

Woith Engineering, P. O. Box 7326

Joe Aline & Gene Shumaker, P O Box 1279