

AGENDA REPORT

DATE September 6, 2005

ITEM Preliminary Plat of Castle Pines Phase III

INITIATED BY Harold Poulsen, Property Owner and Developer

ACTION REQUESTED Approve Preliminary Plat and Findings of Fact

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

RECOMMENDATION:

The Great Falls Planning Board has recommended the City Commission approve the preliminary plat of Castle Pines Phase III, and the accompanying Findings of Fact subject to fulfillment of stipulated conditions.

MOTION:

“I move the City Commission approve the preliminary plat of Castle Pines Phase III and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board.”

SYNOPSIS:

Castle Pines Phase III, consists of 16 proposed single family residential lots located in the vicinity of 27th Avenue South and 15th Street South.

BACKGROUND:

Harold Poulsen has submitted applications regarding the following:

- 1) Preliminary Plat of Castle Pines Phase III, located in Section 19, Township 20 North, Range 4 East, Cascade County, Montana.
- 2) Rezoning the area within the Preliminary Plat upon annexation to the City from the current County R-2 Low Density Residential District to the City "A" Residence Use, "B" Area District.

Castle Pines Phase III, consists of 16 proposed single family residential lots located in the vicinity of 27th Avenue South and 15th Street South.

For more information regarding the subdivision, please refer to the attached Planning Staff Report and Recommendation with a Hearing date of August 9, 2005. Attached to the Report and Recommendation are:

- Vicinity Map
- Preliminary Plat
- Findings of Fact

The Planning Board conducted a public hearing on the preliminary plat on August 9, 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 Commission approve the preliminary plat of

Castle Pines Phase III and the accompanying Findings of Fact subject to the following conditions being fulfilled by the applicant:

- 1) The final plat of Castle Pines Phase III, shall incorporate correction of any errors or omissions noted by staff including expanding the right-of-way diameter for the cul-de-sac to 110 feet.
- 2) The final engineering drawings and specifications for the required public improvements to serve Castle Pines Phase III, shall be reviewed and approved by the Public Works Department prior to consideration of the final plat of the Addition.
- 3) An Annexation Agreement shall be prepared containing terms and conditions for annexation of Castle Pines Phase III, including agreement by applicant to:
 - a) install, within two years of the date of annexation of Castle Pines Phase III, the public improvements referenced in Paragraph 2) above, and
 - b) adhere to the Agreement dated November 7, 1995, pertaining to the previously mentioned Off-Site Improvement Trust Fund.
- 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 Castle Pines Phase III, 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) Providing the appropriate off-site easement to accommodate the vehicle turnaround at the terminus of 27th Avenue South.

Attach: Staff Report and Recommendation with Hearing date of August 9, 2005
Minutes of August 9, 2005, Planning Board Hearing

cc w/o attach: Harold Poulsen, P O Box 1376
Jack Fisher, TD&H, 1200 25th St S
Sheila Rice, NHS, 509 1st Ave S

GREAT FALLS PLANNING BOARD

STAFF REPORT AND RECOMMENDATION

ITEM: Preliminary Plat of Castle Pines Phase III

INITIATED BY: Harold Poulsen, Property Owner and Developer

PRESENTED BY: Bill Walters, Senior Planner

GENERAL OVERVIEW:

The Planning Office is in receipt of applications from Harold Poulsen, regarding the following:

- 1) Preliminary Plat of Castle Pines Phase III, located in Section 19, Township 20 North, Range 4 East, Cascade County, Montana.
- 2) Rezoning the area within the Preliminary Plat upon annexation to the City from the current County R-2 Low Density Residential District to the City "A" Residence Use, "B" Area District.

Castle Pines Phase III, consists of 16 proposed single family residential lots located in the vicinity of 27th Avenue South and 15th Street South.

For additional information, please refer to the attached material.

- Vicinity Map
- Preliminary Plat

Neighbor Housing Services is working with NeighborWorks to acquire twelve lots in the subdivision to accommodate construction of self-help homes. Funding arrangements stipulate the homes be constructed outside the City Limits. Therefore, although the subdivision and annexation will be processed simultaneously, upon filing the final plat, the lots will be sold, homes constructed and infrastructure installed, with annexation becoming effective when the homes are ready for occupancy.

Access to the lots in the subdivision will be through the extension of 15th Street South from Castle Pines Phase I and the extension of 27th Avenue South from Castle Pines Phase II. The subdivision will eventually be connected to 13th Street South through the westerly extension of 27th Avenue South.

A City water main exists in 15th Street South and in 27th Avenue South between 15th and 16th Streets South. A water main will be stubbed into Big Sandy Court and City sanitary sewer mains will be installed in 15th Street, 27th Avenue and Big Sandy Court. Roadways in the subdivision will be improved to City standards with paving, curb and gutter.

According to the contours, subject area generally slopes to the northwest. The Master Plan Agreement which accompanied Castle Pines Phase I indicates the developer of Phase I and the City participated

jointly in the construction of a surface drainage control facility (south of Multi-Sports Complex) and storm drain piping in 13th Street South to serve the area being developed as Castle Pines.

According to the Master Plan Agreement, the developer of Castle Pines Phase I paid to the City \$12,261.00 in lieu of dedicating park land for the area covered by the original master plan for Castle Pines Subdivision. Castle Pines Phase III is included within that original master plan area.

Issues or concerns the Planning Staff foresees with the currently proposed project include:

- 1) To comply with new standards, the cul-de-sac street section and right-of-way diameters need to be expanded to 85 feet and 110 feet, respectively.
- 2) The extent of utility and roadway improvements for the portion of 27th Avenue South in the subdivision west of 15th Street needs to be tied down.
- 3) An Off-Site Improvement Trust Fund was established in conjunction with Castle Pines Phase I wherein as each lot is sold a monetary amount is deposited in the trust fund to assist in the eventual expenses in improving 13th Street South and 24th Avenue South including water main installation and providing a secondary water source to the Castle Pines development area. Possible perpetuation and further evaluation of this funding mechanism needs to be addressed.

TRAFFIC ANALYSIS:

Based upon 10 trips/day/single family lot, the subdivision is expected to generate 160 vehicle trips per day.

Primary access will use 24th Avenue South via 13th and 26th Streets to/from 10th Avenue South.

Functional classification of roadways in the vicinity are:

24 th Avenue South	Collector
13 th Street South	Minor Arterial
26 th Street South	Minor Arterial

Traffic counts (average daily traffic) in the vicinity are:

24 th Avenue South (between 19 th and 20 th Streets)	1,555 (2002)	1,352 (2004)
13 th Street (just south of 22 nd Avenue South)	3,853 (2002)	2,990 (2004)
26 th Street (just south of 10 th Avenue South)	9,259 (2002)	10,790 (2004)

A recently completed roadway reconstruction project involved widening, smoothing out a curve and bringing the roadway up to urban standards along 13th Street South between 10th and 21st Avenues South. This project has resulted in better traffic flow and better sight distances and a more safe intersection alignment at 17th Avenue South.

The 2003 Transportation Plan recommends the following improvements:

- 24th Avenue South (from 13th Street to 26th Street): Overlay with new asphalt.
- 26th Street South (from 17th Avenue South to 33rd Avenue South): Overlay poor sections on this piece of roadway with new asphalt. (The portion of 26th Street South between 17th Avenue South and the approximate projection of 21st Avenue South was recently annexed and totally reconstructed to four lanes.)

Generally, the additional trips to be generated by the proposed addition can currently be accommodated with the existing street network. However, as the area continues to develop, improvements to 24th Avenue South and other segments of 13th Street, south of 21st Avenue South will be warranted. An Off-Site Improvement Trust Fund was established in conjunction with Castle Pines Phase I, wherein as each lot is sold a monetary amount is deposited in the Trust to assist in the eventual cost of improving 24th Avenue and 13th Street. This requirement should be perpetuated with this and any subsequent phases of this subdivision and should be extended to other similar development proposals in the area that would rely on the use of 24th Avenue and 13th Street for access.

Since 26th Street South is somewhat removed from this project location and since recent and future anticipated developments along 26th Street South will gradually upgrade the roadway, no specific contribution to improvements of this roadway is recommended.

ZONING ANALYSIS:

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, "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 both Castle Pines Phases I and II, a developing single-family residential subdivision. The subdivision generally adheres to a conceptual plan for the area that was prepared in 1995 in conjunction with Castle Pines Phase I.

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 City Commission approve the preliminary plat of Castle Pines Phase III, and the accompanying Findings of Fact; and
- B) the City Commission assign a zoning classification of “A” Residence Use, “B” Area District (or R-3 Single-family high density should the new Unified Land Development Code be in effect) to Castle Pines Phase III, 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 Castle Pines Phase III, shall incorporate correction of any errors or omissions noted by staff including expanding the right-of-way diameter for the cul-de-sac to 110 feet.
- 2) The final engineering drawings and specifications for the required public improvements to serve Castle Pines Phase III, shall be reviewed and approved by the Public Works Department prior to consideration of the final plat of the Addition.
- 3) An Annexation Agreement shall be prepared containing terms and conditions for annexation of Castle Pines Phase III, including agreement by applicant to:
 - a) install, within two years of the date of annexation of Castle Pines Phase III, the public improvements referenced in Paragraph 2) above, and
 - b) adhere to the Agreement dated November 7, 1995, pertaining to the previously mentioned Off-Site Improvement Trust Fund.
- 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 Castle Pines Phase III, 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) Providing the appropriate off-site easement to accommodate the vehicle turnaround at the terminus of 27th Avenue South.

Prepared by: Bill Walters, Senior Planner

Concurrence: Benjamin Rangel, Director

Attach: Vicinity Map
Reduced Copy of Preliminary Plat
Findings of Fact
Memo from City Engineer dated August 1, 2005

cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Harold Poulsen, P O Box 1376
Jack Fisher, TD&H, 1200 25th St S
Sheila Rice, NHS, 509 1st Ave S

GREAT FALLS PLANNING BOARD

MINUTES OF THE PUBLIC HEARING ON PRELIMINARY PLAT, ANNEXATION AND REZONING OF CASTLE PINES, PHASE III, (POULSEN)

August 9, 2005

The public hearing on the Preliminary Plat, Annexation and Rezoning of Castle Pines, Phase III, was called to order at 3:07 p.m. in the Commission Chambers of the Civic Center by Planning Board Vice Chairman Greg Madson.

ROLL CALL & ATTENDANCE

Planning Board Members present:

Mr. Art Bundtrock
Mr. John Harding
Dr. Greg Madson
Mr. Bill Roberts
Mr. Joe Schaffer

Planning Board Members absent:

Mr. Bill Bronson
Mr. Ron Kinder
Two positions vacant

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. Jack Fisher, Project Engineer
Mr. Jim Young, City Engineering Office

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

EXPLANATION OF HEARING PROCEDURES

Dr. Madson 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 an 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 be turned off.

READING OF PUBLIC NOTICE

As there was no response to Dr. Madson'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 Castle Pines, Phase III. The subdivision consists of 16 single-family residential lots located in the vicinity of 27th Avenue South and 15th Street South.

Copies of the vicinity map and the preliminary plat were displayed.

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

In response to Mr. Harding asking whether the size of the proposed Big Sandy Court was similar to Balsam Court, Mr. Walters replied that the cul-de-sac was larger as a result of the new codes.

Mr. Young added that sidewalks are now being set back six and one-half feet behind the curb for mail delivery as requested by the postal service. To keep a uniformed distance the cul-de-sac diameter has been increased to 110 feet.

PETITIONER'S PRESENTATION

Mr. Jack Fisher, Project Engineer with Thomas, Dean & Hoskins, said they didn't have a problem with the cul-de-sac increase. However, if the increase is just for mail delivery, the mail delivery for this subdivision is to mailboxes in a single location as requested by the post office. They will work with City staff and will agree with staff's recommendation. The engineering drawings have been presented to Public Works, and unless the City Engineers request changes, the engineering drawings are the final drawings. They presently show a cul-de-sac on 27th Avenue South, west of 15th Street. But for future storm drainage, it may be better to only construct the roads in front of the proposed lots and leave the westerly 100 feet of 27th Avenue South to be constructed in the next phase. They will work with City Engineering on this. Mr. Fisher said he would be glad to answer any questions.

Mr. Harding asked if Mr. Fisher was willing to address the Off-Site Improvement Trust Fund issue. Mr. Fisher replied that the issue was met on the other phases of this subdivision and didn't see any reason why it would not be met on this phase. They will work with Planning staff on the improvements agreement and didn't foresee any problems.

Mr. Harding asked staff if the trust funds had been established. Mr. Walters replied that it was his understanding the trust fund had been established at the time Phase I was developed in 1995 or 1996 where as each lot is sold, an amount of money is deposited in that trust fund.

There was further discussion about the trust fund and that the amount of money for each lot was determined in 1995 or 1996 and as time progressed, an inflation factor would be added. The title companies extract money at the time of the closing on the sale of a lot and direct that money into an account that is maintained by the City's Fiscal Department. This was set up in the original agreement.

PROPOSERS OPPORTUNITY TO SPEAK

There were no proposers to speak.

OPPOSERS OPPORTUNITY TO SPEAK

There were no opposers to speak.

PUBLIC COMMENTS

There were no public comments.

PLANNING BOARD DISCUSSION & ACTION

MOTION: That the Planning Board recommend:

- A) the City Commission approve the preliminary plat of Castle Pines, Phase III, and the accompanying Findings of Fact; and
- B) the City Commission assign a zoning classification of "A" Residence Use, "B" Area District (or R-3 Single-family high density should the new Unified Land Development Code be in effect) to Castle Pines, Phase III, at such time the City approves the final plat of the Addition and the annexation of the area contained therein;

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- 5) Providing the appropriate off-site easement to accommodate the vehicle turnaround at the terminus of 27th Avenue South.

Made by: Mr. Harding
Second: Mr. Bundtrock

Mr. Schaffer asked for clarification of the zoning classification. Mr. Walters identified it as being rezoned as "A" Residence Use, "A" Area District, in his presentation but the staff report and recommendation states "A" Residence Use, "B" Area District, be assigned. Mr. Walters replied it should be "B" Area.

Vote: The motion carried unanimously.

Prior to the hearing, Mr. Roberts questioned the propriety of his voting on this issue in that proposed Phase III would create lots to be sold to Neighborhood Housing Services (NHS), of which he is also a member of that agency's Board of Directors. He was informed by staff that there would be no conflict of interest since he personally would not benefit from the creation or sale of the lots to NHS.

Mr. Walters said staff anticipates the Board's recommendation will be forwarded to the City Commission for its September 6 meeting.

ADJOURNMENT

The hearing adjourned at 3:30 P.M.

PRESIDENT

SECRETARY