

AGENDA REPORT

DATE October 18, 2005

ITEM Public Hearing – Resolution No. 9518 to Annex and Ordinance No. 2924 to Establish City Zoning Upon 7th Supplement to Skyline Heights Addition

INITIATED BY Joe Aline & Gene Shumaker, Property Owners and Developers

ACTION REQUESTED Commission Adopt Resolution No. 9518 and Ordinance No. 2924 and Approve Final Plat and Agreement all related to 7th Supplement to Skyline Heights Addition

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 final plat and annexation of 7th Supplement to Skyline Heights Addition and assign a zoning classification of “A” Residence Use, “B” Area District, to 7th Supplement to Skyline Heights Addition, upon annexation to the City. The appropriate and comparable zoning classification with the advent of the new Unified Land Development Code would be R-2 Single-family medium density District.

MOTIONS (Each motion to be separately considered):

“I move the City Commission adopt Resolution No. 9518 and approve the final plat and Annexation Agreement all related to 7th Supplement to Skyline Heights Addition.”

and

“I move the City Commission adopt Ordinance No. 2924.”

SYNOPSIS:

Resolution No. 9518 annexes 7th Supplement to Skyline Heights Addition which consists of 34 single-family residential lots between 9th Street NE and the television facilities of KFBB. Ordinance No. 2924 assigns a zoning classification of R-2 Single-family medium density District, to 7th Supplement to Skyline Heights Addition, upon annexation of same to City. The Annexation Agreement contains terms and conditions associated with annexation.

BACKGROUND:

In July, the City and County Commissions conditionally approved the preliminary plat of 7th Supplement to Skyline Heights Addition, a 34 lot single family residential subdivision located between 9th Street NE and the television facilities of KFBB.

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.

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.

The final engineering documents relative to the final plat of 7th Supplement 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 7th Supplement.

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 (R-2 Single-family medium density District under the new Unified Land Development Code) 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 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.

The Planning Board, at the conclusion of a public hearing held June 28, 2005, recommended the City Commission assign a zoning classification of "A" Residence Use, "B" Area District, (R-2 Single-family medium density District) to 7th Supplement to Skyline Heights Addition, upon annexation to the City. The Planning Board during a meeting held September 13, 2005, passed a motion recommending the City Commission approve the final plat of 7th Supplement to Skyline Heights Addition and the annexation of the property contained therein subject to the following conditions:

- 1) The applicant shall execute an Annexation Agreement acceptable to the City of Great Falls and shall submit the appropriate supporting documents referenced in the Agreement.
- 2) All applicable fees and charges due as a consequence of either plat or annexation approval shall be paid by the applicant.
- 3) Any errors or omissions on the final plat noted by staff shall be corrected.
- 4) Final engineering documents for required public improvements to serve the subdivision are subject to approval by the Public Works Department.

The above Conditions 1 & 2 have been fulfilled and Conditions 3 & 4 will be fulfilled prior to filing of the final plat.

Attach: Resolution No. 9518
Ord. No. 2924
Reduced Copy of Drawing Portion of Final Plat
Annexation Agreement

cc: Joe Aline & Gene Shumaker, P O Box 1279
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