

CITY OF GREAT FALLS, MONTANA

AGENDA # 14

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

DATE January 8, 2008

ITEM Preliminary Plat of Bootlegger Addition, Phases I & II

INITIATED BY McIntyre Enterprises., Inc. & Murphy Real Estate L.L.C., Property Owners and Developers

ACTION REQUESTED Approve Preliminary Plat and Findings of Fact

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

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RECOMMENDATION:

The Great Falls Planning Board has recommended the City Commission approve the preliminary plat of Bootlegger Addition, Phases I & II, and the accompanying Findings of Fact subject to fulfillment of stipulated conditions.

MOTION:

“I move the City Commission approve the preliminary plat of Bootlegger Addition, Phases I & II and the accompanying Findings of Fact subject to fulfillment of conditions stipulated by the Planning Board.”

SYNOPSIS:

Bootlegger Addition, Phases I & II, consists of 51 proposed single family residential lots located between Northview Addition and Eagle’s Crossing Addition.

BACKGROUND:

McIntyre Enterprises, Inc. and Murphy Real Estate LLC, have submitted applications regarding the following:

- 1) Preliminary Plat of Bootlegger Addition, Phases I and II, located in the NW1/4SE1/4 of Section 25, Township 21 North, Range 3 East, Cascade County, Montana.
- 2) Separate annexation of each phase contained in said Preliminary Plat, consisting of 7.244 acres, to the City of Great Falls.
- 3) Establishing a City zoning classification of R-3 Single-family high density district on each phase of said Preliminary Plat, upon annexation.

Said Preliminary Plat consists of 51 lots ranging in size from 8,000 sq ft to 12,474 sq ft located between Northview Addition and Eagle’s Crossing Addition. Phase I includes 24 lots and Phase II includes 27 lots.

Please refer to the attached Vicinity/Zoning Map and a reduced copy of the drawing portion of the Preliminary Plat of Bootlegger Addition, Phases I and II.

Access to the subdivision will initially be provided by 9th Street NE with eventual roadway connections to 12th Street NE, the Bootlegger Trail and streets in Eagle’s Crossing Addition. Roadways within the subdivision will be improved to City standards with paving, curb and gutter. City water and sanitary sewer mains will be installed in the roadways within the subdivision. As much of the subdivision as possible will drain by gravity into the existing sanitary system at the southwest corner of the subdivision with the reminder draining into the existing City sewer lift station in Eagle’s Crossing Addition.

Surface runoff from the subdivision will be directed north in the extension of 9th Street NE to the existing City storm water detention facility west of Eagle’s Crossing Addition.

The applicant intends to fulfill the subdivision’s park obligation by escrowing the applicable park fee. As the remaining 90 acres to the north and east of Phases I and II are subdivided and developed by the applicant, a centrally located area is planned to be dedicated as park land to serve the overall project.

Traffic Analysis:

Daily Trip Generation Calculation (Phases 1 & 2)

- Proposed land use: Single Family Detached Housing (Land Use 210, ITE Trip Generation, 7th edition, 2003). This land use is defined as including “...all single-family detached homes on individual lots. A typical site surveyed is a suburban subdivision.”
- Average daily trip rate (weekday): 9.57 trips ends per dwelling unit (ITE Trip Generation, 7th edition, 2003)
- Daily trip generation calculation for Phases I & II: 51 Single Family dwelling units x 9.57 average daily trips ends/dwelling unit = 488 trips per day

Trip Distribution:

All traffic from this subdivision will initially enter from and exit to 36th Avenue Northeast using 9th Street Northeast. Future access to these lots/dwelling units, through subsequent phases, will also be provided via Bootlegger Trail to the east. One additional future access will also be through an extension of 12th Street Northeast, when access becomes available to 36th Avenue Northeast through development of lots adjoining the avenue. However, this is dependant upon development of the parcels immediately adjoining 36th Avenue NE, whereas the Bootlegger Trail access will be directly from the subdivider’s property.

Depending upon driver destinations, it is anticipated a majority of the trips to and from Phases I & II of the proposed subdivision would use 36th Avenue NE, east of its intersection with 9th Street NE and 9th/8th Streets NE south of its intersection with 36th Avenue NE, with a lesser number of trips using 36th Avenue NE to the west.

Nearby Average Daily Traffic Counts:

Count ID Number	Count Location Description	Daily Traffic	Year
109	Bootlegger Trail, just south of 36th Avenue NE	3,330	2004
268	36th Avenue NE, just west of Bootlegger Trail	2,981	2006
248	8 th Street NE, between 26 th and 27 th Avenues NE	4,075	2006

Functional Classification:

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

- 9th Street NE Collector
- 36th Avenue NE Collector
- Bootlegger Trail Collector
- 8th St NE Collector

Existing Traffic Control:

The intersection of 9th Street NE and 36th Avenue NE is controlled on the north and south legs by yield signs. The intersection of Bootlegger Trail and 36th Avenue NE is stop-controlled on the west leg (36th Avenue NE).

Conclusion/Recommendations:

Based on current and projected traffic volumes, adequate capacity exists on the area roadways to accommodate the projected additional traffic to be generated by Phases I & II of the proposed subdivision. However, the following recommendations could improve current and future vehicular safety and flow, and should be included as conditions of annexation approval:

1. Due to the classification of 9th Street NE as a collector, parking should be prohibited along the east side of those segments of 9th Street NE located within Phases I & II. This treatment would extend a similar parking restriction from the south.
2. As development of Phases I & II proceed, additional traffic control should be investigated by the City for the intersection of 9th Street NE and 36th Avenue NE, particularly for the north leg of the intersection.
3. As subsequent phases of the subdivision proceed, the developer should be required to secure direct access to Bootlegger Trail. At that time, the developer will be subject to the Systems Impact Action process of the Montana Department of Transportation, which includes preparation of a formal traffic impact study. When such a study is required, all pertinent study recommendations should be included as conditions of annexation approval for the subsequent phases.

The Planning Board conducted a public hearing on the preliminary plat on December 11, 2007. One citizen spoke, Mr. Paul Lloyd-Davies, 1216 1st Avenue South, who asked if the proposed park is in accordance with City standards and if sidewalks would be installed. The amount of park land to be dedicated would be in accordance with State statutes and sidewalks would be installed in public road right-of-way when the adjoining lot is developed. At the conclusion of the public hearing, the Planning Board unanimously passed a motion recommending the City Commission approve the preliminary plat of Bootlegger Addition, Phases I & II and the accompanying Findings of Fact subject to the following conditions being fulfilled by the applicant:

- 1) The final plat of each phase of Bootlegger Addition shall incorporate correction of any errors or omissions noted by staff.
- 2) The final engineering drawings and specifications for the required public improvements to serve Phases I & II shall be submitted to the City Public Works Department for review and approval prior to consideration of the final plat for each phase.
- 3) An annexation agreement shall be prepared containing terms and conditions for annexation of each phase including agreement by the applicant to install, within two years of the date of annexation of the involved phase, the public improvements

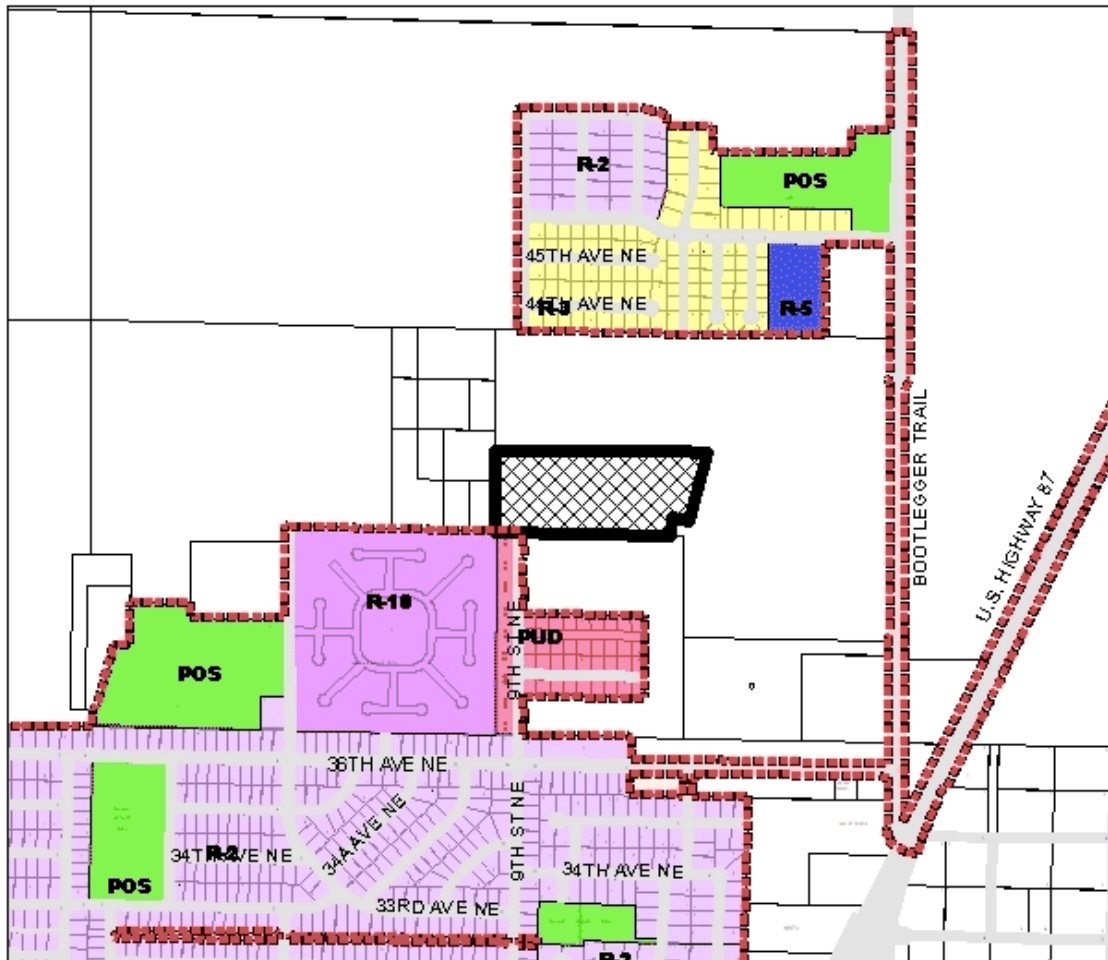
referenced in Condition 2) above. (As clarified during the Planning Board public hearing, the applicable traffic analysis recommendations presented in the staff Agenda Report shall also be included as conditions of annexation approval.)


- 4) All applicable fees owed as a condition of plat or annexation approval shall be paid upon final platting and annexation of each phase, including:
- | | | |
|----|--|------------------|
| a) | annexation resolution fee | \$100.00 |
| b) | annexation agreement fee | 200.00 |
| c) | final plat fee | 200.00 |
| d) | proportionate share of the cost of storm sewer main and detention facility serving subdivision | to be determined |
| e) | storm sewer fee (\$250/acre) | to be determined |
| f) | recording fees for annexation documents (\$11 per page) | to be determined |
- 5) Addressing the subdivision's park obligation by escrowing the applicable park fee with eventual dispensation to be mutually agreed upon by City and applicant.
- 6) Any additional off-site easement(s) to accommodate infrastructure necessary to serve subdivision shall be provided by applicant.










Attach: Vicinity/Zoning Map
Reduced Copy of Preliminary Plat
Memorandum from City Engineer dated December 4, 2007
Findings of Fact

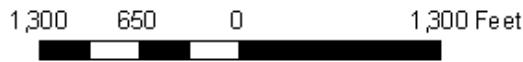
Cc w/o attach: McIntyre Enterprises, Inc., 719 3rd St W, Whitefish MT 59937
Murphy Real Estate LLC, P O Box 2972, G F 59403-2972
HKM Engineering, P O Box 49, G F 59403

VICINITY/ZONING MAP



 PRELIMINARY PLAT OF BOOTLEGGER ADDITION PHASES I AND II TO BE ANNEXED TO THE CITY AND ASSIGNED A CITY ZONING CLASSIFICATION OF "R-3" SINGLE-FAMILY HIGH DENSITY

- | | | |
|--|---|---|
|  City Limits |  R-5 Multi-family medium density |  PUD Planned unit development |
|  R-2 Single-family medium density |  R-10 Mobile home park |  U Unincorporated enclaves |
|  R-3 Single-family high density |  POS Parks and Open Space |  Tracts of land outside City |



BOOTLEGGER ADDITION SUBDIVISION
GREAT FALLS, MONTANA
PLAT

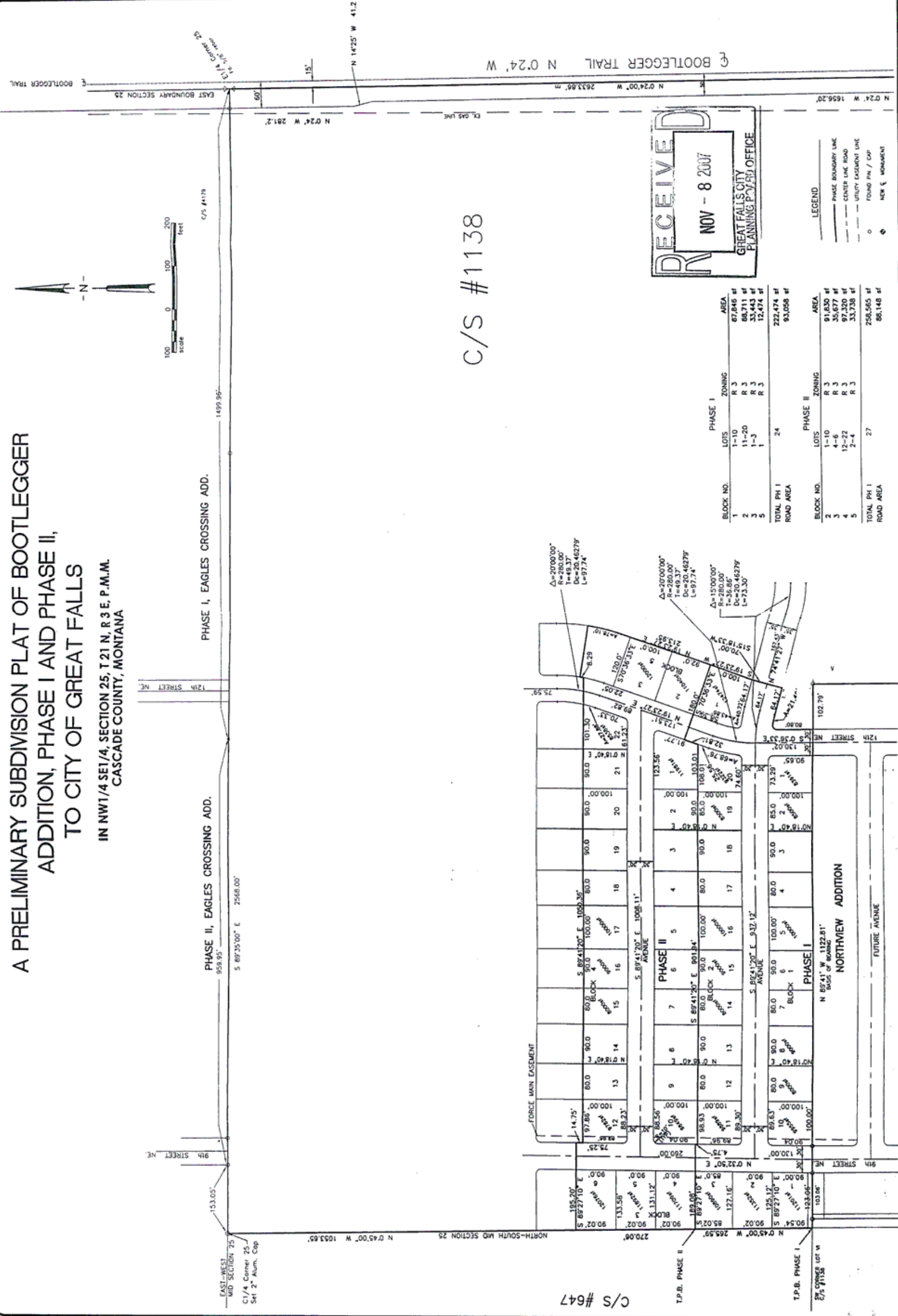
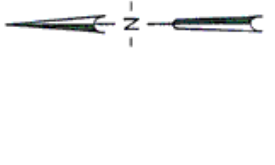
Project No. 625 166.101 • Date OCTOBER 2007

PRELIMINARY
NOT FOR CONSTRUCTION

HMM
ENGINEERING
P.O. Box 49
2701 16th Street NE
Great Falls, MT 59403
Phone: (406) 453-4288
Fax: (406) 453-4288

Sheet No. **1**
of 2

**A PRELIMINARY SUBDIVISION PLAT OF BOOTLEGGER
ADDITION, PHASE I AND PHASE II,
TO CITY OF GREAT FALLS**
IN NW1/4 SE1/4, SECTION 25, T21 N, R3 E, P.M.M.
CASCADE COUNTY, MONTANA



C/S #1138

RECEIVED
NOV - 8 2007
GREAT FALLS CITY
PLANNING DEPT/OFFICE

BLOCK NO.	LOTS	ZONING	AREA
1	1-10	R 3	67,846 sf
2	11-20	R 3	68,711 sf
3	1-3	R 3	33,443 sf
5	1	R 3	12,474 sf
TOTAL PH I	24		222,474 sf
ROAD AREA			93,058 sf

BLOCK NO.	LOTS	ZONING	AREA
2	1-10	R 3	91,830 sf
3	4-6	R 3	35,677 sf
5	12-22	R 3	97,320 sf
5	2-4	R 3	33,738 sf
TOTAL PH I	27		258,565 sf
ROAD AREA			86,148 sf

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C/S #647

**City of Great Falls
Public Works/Engineering**

INTER-OFFICE MEMORANDUM

December 4, 2007

TO: Bill Walters, Senior Planner

FROM: Dave Dobbs, City Engineer

SUBJECT: Public Works Department Comments – Bootlegger Phases I & II
Preliminary Plat, O. F. 1475

Public Works has reviewed the proposed subdivisions. A number of discussions have already taken place with the developers and their consultants. And some issues seem to have been worked out. Since this is a preliminary plat, the comments are rather general and limited at this time.

1. The North Great Falls Storm Drainage Master Plan is nearing completion. We are thus able to calculate costs that development in this basin will incur to cover needed storm drain improvements. The developers were notified of these costs and various related items in a letter from Jim Young dated December 3, 2007.
2. It is anticipated that the unpaved portion of 9th Street NE in the Northview Subdivision, immediately south of Bootlegger, will be completed in the spring of 2008. This will allow good access to the above proposed subdivisions for infrastructure construction and access.
3. As a point of information, a construction contract for the needed storm drain in this region of 9th Street NE will be awarded at this evenings Commission meeting. This has been the primary holdup to completing the building of the north end of 9th Street NE in Northview.

It is anticipated that more detailed comments will come when the final plats are submitted for review. Please feel free to contact me if any question arise.

**FINDINGS OF FACT
FOR
PRELIMINARY PLAT OF
BOOTLEGGER ADDITION, PHASES I & II
IN THE NW1/4SE1/4 OF SECTION 25, T21N, R3E
CASCADE COUNTY, MONTANA
(PREPARED IN RESPONSE TO 76-3-608(3) MCA)**

I. PRIMARY REVIEW CRITERIA

Effect on Agricultural

The subdivision site in previous years had been used for dryland crop production but that activity has diminished with the advent of urban development in the vicinity. The subdivision will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity.

Effect on Local Services

The subdivision will connect to City water and sewer systems. The cost of extending the utility systems will be paid by the subdivider with some participation by the City for over sizing expense. The City should not experience an appreciable increase in maintenance and operating costs. The occupants of eventual residential units within the subdivision will pay regular water and sewer charges.

The subdivision will receive law enforcement and fire protection services from the City of Great Falls. The nearest fire station is three miles from the subdivision site. Providing these services to development in the subdivision is expected to be a negligible cost to the City. Any increased costs likely will be covered by increased tax revenues from improved properties.

Public streets will be extended into the subdivision to serve the proposed residential lots, but the subdivision will have a negligible impact on cost of road maintenance. The subdivider will have responsibility to install curb, gutter and paving in the roadways within the subdivision.

The tract of land in which the proposed subdivision is located pays less than \$1000.00 annually in local property taxes. After full improvement of the subdivision including 51 single family residential lots, the development is expected to pay in excess of \$100,000 annually in local property taxes to the County, City, State, School District and other taxing entities at current mill levies.

Effect on the Natural Environment

The subdivision, which consists of 51 single family residential lots ranging in area from 8,000 to 12,000 sq ft, is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. The bulk of the surface runoff generated by the subdivision will be directed to the north to an existing detention facility.

Effect on Wildlife and Wildlife Habitat

The subdivision is in close proximity to urban development. The subdivision is not in an area of significant wildlife habitat and will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety

Based on available information, the subdivision is not subject to abnormal potential natural hazards such as flooding, snow or rockslides, wildfire, nor potential man-made hazards such as high voltage power lines, nearby industrial or mining activity, or high traffic volumes.

II. REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

III. EASEMENT FOR UTILITIES

An existing off site easement containing a sanitary sewer force main will be expanded to accommodate storm drainage improvements. Within the subdivision, the subdivider will provide the necessary utility easements as a part of the subdivision plat.

IV. LEGAL AND PHYSICAL ACCESS

The sole source of access to the subdivision, at least for the foreseeable future, is 9th Street NE, a dedicated roadway which is expected to be fully improved in 2008. Other eventual roadway connections include 12th Street NE, the Bootlegger Trail and streets in a developing subdivision to the north. Within the subdivision, dedicated public roadways improved to municipal standards and maintained by the City will provide legal and physical access to each proposed lot.