

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

DATE February 5, 2008

ITEM Ordinance 2999 to Assign City Zoning to Cottage Grove Addition Phase 3

INITIATED BY Discovery Meadows Inc., Property Owner and Developer

ACTION REQUESTED Commission Accept Ordinance 2999 on First Reading and Set Hearing

PREPARED BY Charles Sheets, Planner 1

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

- - - - -

RECOMMENDATION:

The City Zoning Commission has recommended the City Commission assign a zoning classification of PUD Planned unit development district to Cottage Grove Addition Phase 3, upon annexation to the City.

MOTION:

“I move the City Commission accept Ordinance 2999 on first reading and set a public hearing for March 4, 2008, to consider adoption of Ordinance 2999.”

SYNOPSIS:

Ordinance 2999 assigns a zoning classification of PUD Planned unit development district to Cottage Grove Addition Phase 3, upon annexation of same to City.

BACKGROUND:

On January 8, 2008, the City Commission conditionally approved the Preliminary Plat of Cottage Grove Addition Phase 3 located along the northerly extension of 50th Street North from 7th Avenue North and consisting of 28 single-family lots ranging in size from 4686 sq. ft. to 9742 sq. ft.

Find attached a Vicinity/Zoning Map and a reduced copy of the final plat of Cottage Grove Addition Phase 3.

Lots in the subdivision will be accessed by 7th Avenue North. The developer does intend to install standard City paving, curb and gutter in 50th Street North, 8th Avenue North and the north ½ of the abutting portion of 7th Avenue North. The south ½ of 7th Avenue North was improved as a part of the development of Portage Meadows Addition.

City water and sanitary sewer mains will be installed in 50th Street North, being dedicated on the subdivision plat.

Surface drainage from the subdivision will flow southerly to a low spot within the subdivision and piped to the existing City storm drain system in 7th Avenue North. The applicant agrees to pay for their proportionate share of the cost of extending the storm drain system to the east side of Phase 3 for future connections.

To fulfill the subdivision's park obligation, the developer proposes to pay a fee in lieu of dedicating land.

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

The final engineering documents relative to the final plat of Cottage Grove Addition Phase 3 have been prepared by the project engineer and submitted to the Public Works Department for review.

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 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.

The primary reason the applicant is requesting the PUD Planned unit development district zoning classification is to allow more flexibility in lot sizes in order to accommodate more affordable housing. The proposed lot sizes range from about 4686 to 9742 sq ft and the minimum setbacks are: front – 20ft; side – 6ft; and rear – 10ft. For comparison, the R-3 Single-family high density district has a minimum lot size of 7500 sq ft with minimum setbacks of: front – 20ft; side – 5ft; and rear – 10ft. Assuming equal building sizes, the main difference between the proposed PUD lots in Cottage Grove Addition Phase 3 and a conventional R-3 zoning district is less yard space. Also, for comparison purposes, the lots in the Portage Meadows PUD, located directly to the south of Cottage Grove, range in size from 3,000 to 6,000 sq ft.

It is anticipated the planned single-family residential use of the property will be compatible with neighboring Cottage Grove Addition Phases 1 and 2 which are being developed as single-family residential subdivisions and Portage Meadows Additions to the south. Therefore, staff concludes the criteria are substantially met.

It is anticipated the City Commission, following the public hearing on March 4, 2008, will consider an annexation resolution, annexation agreement and final plat for Cottage Grove Addition Phase 3, simultaneously with Ordinance 2999.

Attach: Vicinity/Zoning Map

Reduced Copy of Final Plat

Ord. 2999 with Exhibit "A" illustrating building envelopes, setbacks and heights

Cc: Discovery Meadows, Inc., 1725 41st St S