

AGENDA REPORT

DATE February 19, 2008

ITEM Ordinance 3001 to Assign City Zoning to South Park Addition Phase II

INITIATED BY North Park Investments, Property Owner and Developer

ACTION REQUESTED Commission Accept Ordinance 3001 on First Reading and Set Hearing

PREPARED BY Charles Sheets, Planner I

APPROVED & PRESENTED BY Benjamin Rangel, Planning Director

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RECOMMENDATION:

The City Zoning Commission has recommended the City Commission assign a zoning classification of R-3 Single-family high density district to South Park Addition Phase II, upon annexation to the City.

MOTION:

“I move the City Commission accept Ordinance 3001 on first reading and set a public hearing for March 18, 2008, to consider adoption of Ordinance 3001.”

SYNOPSIS:

Ordinance 3001 assigns a zoning classification of R-3 Single-family high density district to South Park Addition Phase II, upon annexation of same to City.

BACKGROUND:

On November 6, 2007, the City Commission conditionally approved the Preliminary Plat of South Park Addition Phase II located between Grande Vista Park and Flood Road and consisting of 18 lots ranging in size from 9000 sq ft to 9557 sq ft.

Find attached a Vicinity/Zoning Map and reduced copy of the final plat of South Park Addition Phase II.

Lots in the subdivision will be accessed by Ferguson Drive from the east and Flood Road from the west. The developer will install standard City paving, curb and gutter in the east-west roadway (Dixie Lane) within the subdivision and in the abutting southern 265 foot portion of Ferguson Drive. The remaining 311 foot northern portion of Ferguson Drive, being dedicated on the subdivision plat, will remain unimproved and barricaded until the abutting property to the west is developed.

City water mains will be installed in Dixie Lane and that portion of Ferguson Drive being dedicated on the subdivision plat. A City sanitary sewer main will be installed in Dixie Lane within the subdivision. Previously a sanitary sewer main was installed in Ferguson Drive to the existing sewer main near the southerly end of Delmar Drive.

Surface drainage from the subdivision will flow northeasterly ultimately to the City storm sewer system at the intersection of Buena Drive and Ferguson Drive. The applicant has paid for his proportionate share of the cost of extending the storm sewer system to the west side of Grande Vista Park.

Flood Road abutting the development will be annexed simultaneously with the subdivision. In addition, the developer has paid into escrow sufficient funds to pay for 50% of the cost of a standard City minor roadway section. The applicant has paid sufficient funds to install an 8 inch water main in the abutting portion of Flood Road.

To fulfill the subdivision’s park obligation, the developer has paid a fee in lieu of dedicating land.

The final engineering documents relative to the final plat of South Park Addition Phase II have been reviewed by the Public Works Department.

Staff concludes that the basic conditions set forth in the conditional approval of the Preliminary Plat of South Park Addition Phase II are being met by the developer in the overall process of final plat, final engineering and Annexation Agreement preparation.

Subject property is presently zoned in the County as "R-2" Low Density Residential District and is proposed to be zoned R-3 Single-family high density 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 is a natural progression of the City's growth. It borders South Park Addition Phase I, which also is being developed as a single-family residential subdivision.

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 residential use of the property will be compatible with neighboring uses. Therefore, staff concludes the above-cited criteria are substantially met.

It is anticipated the City Commission, following the public hearing on March 18, 2008, will consider an annexation resolution, annexation agreement and final plat for South Park Addition Phase II, simultaneously with Ordinance 3001.

Attach: Vicinity/Zoning Map
Reduced Copy of Final Plat
Ordinance 3001

Cc: North Park Investments, 4701 North Star Blvd