



**Item:** Preliminary Plat of Eagle's Crossing Addition Phase IV

**From:** Charles Sheets, Planner 1

**Initiated By:** Eagle's Crossing Inc., Property Owner and Developer

**Presented By:** Benjamin Rangel, Planning Director

**Action Requested:** City Commission approve Preliminary Plat of Eagle's Crossing Addition Phase IV.

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**Suggested Motion:**

1. Commissioner moves:

"I move the City Commission approve the Preliminary Plat of Eagle's Crossing Addition Phase IV, and the accompanying Findings of Fact, subject to fulfillment of stipulated conditions."

2. Mayor calls for a second, discussion, inquiries from the public, and calls the vote.

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**Planning Board Recommendation:** At the conclusion of a public hearing held April 8, 2008, the Great Falls Planning Board passed a motion recommending the City Commission approve the Preliminary Plat of Eagle's Crossing Addition Phase IV, and the accompanying Findings of Fact, subject to fulfillment of stipulated conditions.

**Background:** Matt Rosendale, the owner and developer doing business as Eagle's Crossing, Inc., has submitted applications regarding the following:

- 1) Preliminary Plat of Eagle's Crossing Addition Phase IV, located in Section 25, Township 21 North, Range 3 East, Cascade County, Montana.
- 2) Annexation of Phase IV, consisting of 6.5 acres to the City of Great Falls.
- 3) Zoning the area requested to be annexed from the current County "R-2" Low Density Residential District to the City R-2 Single-family medium density district.

Eagle's Crossing Addition Phase IV is located along the west boundary of 9<sup>th</sup> Street Northeast and the north boundary of 49<sup>th</sup> Avenue Northeast and consists of 16 single-family lots.

Access to subject property will be provided by 9<sup>th</sup> Street Northeast and 49<sup>th</sup> Avenue Northeast. Both rights-of-way had been dedicated as a part of Eagle's Crossing Addition Phase III. The

stubbed rights-of-way within Phase IV will be improved with standard City paving, curb and gutter. As the applicant is also developing Eagle's Crossing Addition Phases II and III, no reimbursement will be required for the paving, curb and gutter, water main and sewer main being installed in 9<sup>th</sup> Street Northeast and 49<sup>th</sup> Avenue Northeast.

City water and sewer mains are proposed to continue in the stubbed streets to the west and north. The developer will provide easements within the subdivision for private utilities such as telephone, cable, power and gas.

Surface drainage from Phase IV generally flows to the south to a regional storm water retention facility, located ¼ mile to the southwest. The subdivision's proportionate share of the costs of the retention facility and the offsite storm piping system will be assessed.

The developer fulfilled the subdivision's park obligation by dedicating land in conjunction with Phase I of Eagle's Crossing Addition.

The Planning Board conducted a public hearing on the preliminary plat on April 8, 2008. 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 Eagle's Crossing Addition Phase IV and the accompanying Findings of Fact, subject to the following conditions being fulfilled by the applicant:

- 1) The final plat of Eagle's Crossing Addition Phase IV shall incorporate correction of any errors or omissions noted by staff including provision of a notification clause to lot purchasers regarding soil conditions.
- 2) The final engineering drawings and specifications for the required public improvements to serve Phase IV shall be submitted to the City Public Works Department for review and approval prior to consideration of the final plat.
- 3) An annexation agreement shall be prepared containing terms and conditions for annexation of Eagle's Crossing Addition Phase IV, including agreement by applicant:
  - a) to install, within two years of the date of annexation of the subdivision, the public improvements referenced in Condition 2) above;
  - b) to pay proportionate share of the costs for the regional storm water retention facility and offsite storm piping system; and,
  - c) to indemnify and hold City harmless for any damages that may be sustained as a result of adverse soil and/or groundwater conditions.
- 4) All applicable fees owed as a condition of plat or annexation approval shall be paid upon final platting and annexation, including:

a) Annexation Agreement Fee	\$ 200.00
b) Resolution of Annexation Fee	\$ 100.00
c) Final Plat Fee	\$ 200.00
d) Storm Sewer Fee (\$250/acre x 6.5 acres)	\$1625.00
e) Recording fees for Agreement, Resolution and Easements (\$11 per page x pages)	to be determined

The zoning for the subdivision will be addressed in conjunction with the final plat and annexation of the development.

**Concurrences:** Representatives from the City's Public Works, Community Development, Park and Recreation, and Fire Departments have been involved throughout the review and approval process for this project.

**Fiscal Impact:** Providing services to the single-family lots 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.

**Alternates:** The City Commission could either deny the preliminary plat; approve the preliminary plat without conditions; or approve the preliminary plat with modified or additional conditions to the extent allowed in City Code and State Statute.

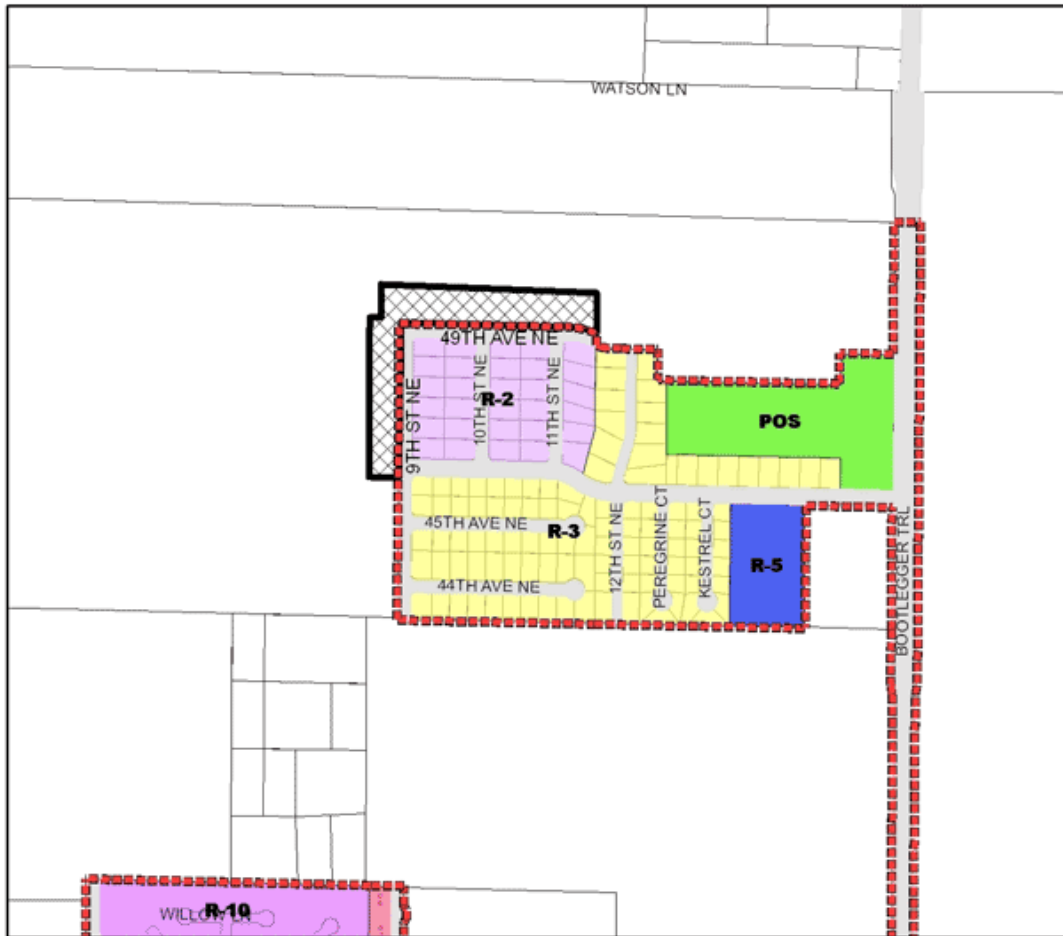
**Attachments/Exhibits:**

1. Vicinity/Zoning Map
2. Reduced copy of preliminary plat
3. Findings of Fact

Cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Matt Rosendale, 1954 Hwy 16, Glendive, MT, 59330  
HKM Engineering, P O Box 49, Great Falls, MT, 59403

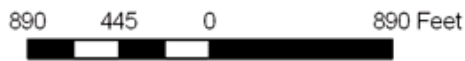
# EXHIBIT "A"

## VICINITY/ZONING MAP

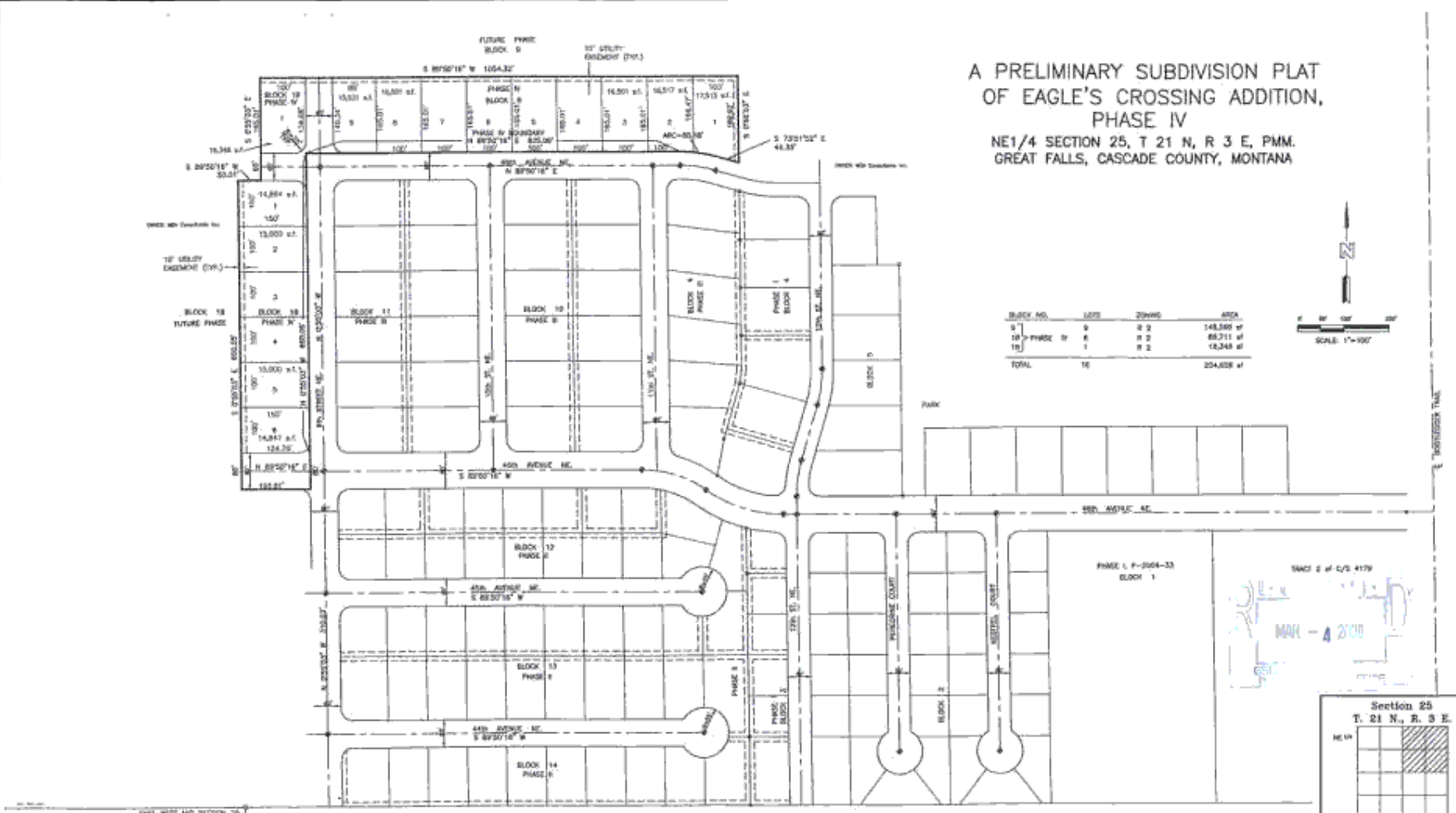


PROPOSED PRELIMINARY PLAT OF EAGLE'S CROSSING ADDITION PHASE IV TO BE ANNEXED TO THE CITY AND ASSIGNED A CITY ZONING CLASSIFICATION OF "R-2" SINGLE-FAMILY MEDIUM DENSITY DISTRICT

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



A PRELIMINARY SUBDIVISION PLAT  
OF EAGLE'S CROSSING ADDITION,  
PHASE IV  
NE1/4 SECTION 25, T 21 N, R 3 E, PMM.  
GREAT FALLS, CASCADE COUNTY, MONTANA



**LEGEND**

- PLAT BOUNDARY LINE
- CENTER OF ROAD
- UTILITY BOUNDARY LINE
- N. S. BOUNDARY
- E. BOUNDARY
- WEST OF BOUNDARY
- EAST OF BOUNDARY

**County Treasurer's Certification**  
I hereby certify that no real property taxes assessed and listed on the land being platted are delinquent.

\_\_\_\_\_  
Cascade County Treasurer

**Cascade County Clerk and Recorder**

\_\_\_\_\_  
Clerk and Recorder

**BASIS OF BEARING**  
Basis of bearings the South boundary of Section 25, Township 21 North, Range 3 East of the P.M.M.

Date Drawn: 06/10/2009    Drawn by: BJA    Checked by:    Project No.: 425-158-003

**HCM**  
**ENGINEERING**  
2701 16th Avenue NE  
PO Box 49  
Great Falls, MT 59403  
Phone: (406) 453-6025  
Fax: (406) 453-6288

COUNTY OF CASCADE  
**SUBDIVISION PLAT No.** \_\_\_\_\_  
S.M.L. Sec. 25, Township 21 North, Range 3 East of the P.M.M.

Prepared for:  
Eagle's Crossing, Inc.  
1954 Highway 16  
Glenview, MT

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**FINDINGS OF FACT  
FOR PRELIMINARY PLAT OF  
EAGLE'S CROSSING ADDITION, PHASE IV  
IN THE NE1/4 OF SECTION 25, T21N, R3E  
CASCADE COUNTY, MONTANA  
(PREPARED IN RESPONSE TO 76-3-608(3) MCA)**

**I. PRIMARY REVIEW CRITERIA**

**Effect on Agricultural**

In previous years, the subdivision site had been used for dry land 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 expenses. 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. The nearest fire station is four 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 16 single-family residential lots, the development is expected to pay in excess of \$140,000 to \$150,000 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 16 single-family residential lots ranging in area from 14,547 to 17,515 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 southwest 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**

Existing abutting dedicated road rights-of-way and off-site easements necessary to accommodate City water and sanitary sewer mains to serve the subdivision are in place. 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 46<sup>th</sup> Avenue NE, a dedicated, and paved, City maintained roadway connected to Bootlegger Trail, a paved roadway maintained by the Montana Department of Transportation. Public roadways abutting the subdivision, dedicated in a previous subdivision, and improved to municipal standards and maintained by the City will provide legal and physical access to each proposed lot.