



Item: Ordinance 3007 to Assign City Zoning to West Ridge Addition Phase V

From: Charles Sheets, Planner 1

Initiated By: S & L Development, LLC, Property Owner and Developer

Presented By: Benjamin Rangel, Planning Director

Action Requested: City Commission accept Ordinance 3007 on first reading and set a public hearing for June 17, 2008, to consider adoption of Ordinance 3007.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission accept Ordinance 3007 on first reading and set a public hearing for June 17, 2008.”

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

Zoning Commission Recommendation: At the conclusion of a public hearing held December 11, 2007, the Zoning Commission passed a motion recommending the City Commission assign a zoning classification of R-3 Single-family high density district to West Ridge Addition Phase V, upon annexation to the City.

Background: During a meeting held January 8, 2008, the City Commission conditionally approved the Preliminary Plat of West Ridge Addition Phases V – VI, as recommended by the Planning Board.

The developer now requests approval of the final plat and annexation of Phase V of the Preliminary Plat. The subdivision is located along the west boundary of 2nd Street Northeast and along 37th & 38th Avenues Northeast. The subdivision consists of 24 single-family lots ranging in size from 10,520 sq. ft. to 12,295 sq. ft.

For additional information, please refer to the attached Vicinity/Zoning Map and reduced copy of the Final Plat.

The public roadways contained therein will be improved with standard City paving, curb and gutter. Discussions between the developer and the adjoining property owner failed to come to an agreement on the construction of temporary, graveled cul-de-sacs at the west terminus of 37th

and 38th Avenues Northeast. The developer is now discussing alternatives with the City Engineer's Office. The developer has agreed to reimburse the City a proportionate share of paving, curb and gutter and water main previously installed in 2nd Street Northeast. An easement for the Montana Refinery Crude Oil Line passes through the subdivision. The developer has adjusted lot lines within the subdivision to provide buildable areas on the affected lots.

City water and sanitary sewer mains are proposed to be installed in the east-west roadways. A sanitary sewer main will also be installed along the west side of 2nd Street Northeast. The developer will provide easements within the subdivision for private utilities such as telephone, cable, power and gas.

Surface drainage from Phase V generally flows to the east and south. Storm drainage from a majority of the subdivision will be piped to the City's Northeast Regional Storm Water Retention Facility, located ½ mile to the east. The developer has agreed to pay the subdivision's proportionate share of the costs of the Retention Facility and the offsite storm piping system.

The developer has agreed to pay a fee in lieu of dedicating park land. The payment in lieu of dedication is acceptable to the City Park and Recreation Department.

Subject property borders West Ridge Addition Phase IV and Skyline Park Addition Phase 11, which are being developed as single-family residential subdivisions. It is anticipated the planned single-family residential use of the property will be compatible with neighboring uses.

Subject property is located on the fringe of the City, which has been attracting high quality single-family dwelling units. The subdivision is a natural projection of urban growth.

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

Subject property is presently zoned in the County as "A-1" Agricultural District and it is proposed Phase V 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

1) will encourage the most appropriate use of land throughout the municipality.

It is anticipated the planned single family use of the property will be compatible with neighboring uses. Therefore, staff concluded the twelve criteria stated above are substantially met.

At the conclusion of a public hearing held December 11, 2007, the Zoning Commission passed a motion recommending the City Commission assign a zoning classification of R-3 Single-family high density district to West Ridge Addition Phase V, upon annexation to the City. No citizens spoke as proponents or opponents during the hearing.

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 deny acceptance of Ordinance 3007 on first reading and not set the public hearing. However, such action would deny the applicants due process and consideration of a public hearing, as provided for in City Code and State Statute.

Attachments/Exhibits:

1. Ordinance 3007
2. Vicinity/Zoning Map
3. Reduced copy of final plat

Cc: S & L Development LLC, 221 30th Ave NE, Great Falls, MT 59404
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