



**Item:** Preliminary Plat of Tyndall Addition Phase 1  
**From:** Charles Sheets, Planner I  
**Initiated By:** Kendall and Maxima Cox, Property Owner and Developer  
**Presented By:** Benjamin Rangel, Planning Director  
**Action Requested:** City Commission approve Preliminary Plat of Tyndall Addition Phase 1.

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**Suggested Motion:**

1. Commissioner moves:

“I move the City Commission (approve/deny) the Preliminary Plat of Tyndall Addition Phase 1, 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 July 22, 2008, the Planning Board passed a motion recommending the City Commission approve the Preliminary Plat of Tyndall Addition Phase 1, and the accompanying Findings of Fact, subject to fulfillment of stipulated conditions.

**Background:** Kendall and Maxima Cox have submitted applications regarding the following:

- 1) Preliminary Plat of Tyndall Addition Phase 1, located in the SESW Section 26, Township 21 North, Range 3 East, Cascade County, Montana.
- 2) Annexation of said Preliminary Plat, consisting of 2.824 acres, to the City of Great Falls.
- 3) Establishing a City zoning classification of R-3 Single-family high density district, upon annexation.

Tyndall Addition Phase 1 is located along 37<sup>th</sup> Avenue Northeast and consists of 10 single-family lots ranging in size from 9,472 sq. ft. to 10,240 sq. ft.

For additional information, please refer to the attached material.

- Vicinity/Zoning Map
- Reduced drawing portion of Preliminary Plat

Access to the subdivision would be via 37<sup>th</sup> Avenue Northeast through West Ridge Addition Phase V. The developer will install standard City paving, curb and gutter for the roadway within the subdivision.

City water mains and sanitary sewer mains are proposed to be installed in the public roadway. Easements will be provided at the rear of each lot in the subdivision for private utilities such as electric, gas, telephone and cable TV.

Surface drainage from the subdivision flows westerly to the unincorporated portion of the Owners property. A storm drainage plan is required and the developer's engineer will work with City staff to develop the plan.

The developer intends to fulfill the subdivision's park obligation by paying a fee in lieu of dedicating park land, which is acceptable to by the Park and Recreation Department.

The Planning Board conducted a public hearing on the preliminary plat on July 22, 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 Tyndall Addition Phase 1 and the accompanying Findings of Fact, subject to the following conditions being fulfilled by the applicant:

- 1) The final plat of Tyndall Addition Phase 1 shall incorporate correction of any errors or omissions noted by staff and include the following provisions: 1) a notification clause to lot purchasers regarding soil conditions; and 2) utility easements as recommended by the City Engineer.
- 2) The final engineering drawings and specifications for the required public improvements to serve Tyndall Addition Phase 1 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 Tyndall Addition Phase 1, 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;
  - c) to indemnify and hold City harmless for any damages that may be sustained as a result of adverse soil and/or groundwater conditions;
  - d) to notify lot purchasers and home builders that individual home booster pumps may be desirable to enhance water pressure; and,
  - e) to notify lot purchasers and home builders that individual grinder pumps may be required for sewers.
- 4) To obtain easements at the west side of the subdivision to accommodate storm drainage and/or vehicle turnaround.
- 5) 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 2.824 gross acres)	\$ 706.00
e) Park Fee in Lieu of Land Dedication (\$ to be determined/acre x 2.269 net acres x 11%)	to be determined
f) Recording fees for Agreement and Resolution (\$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.

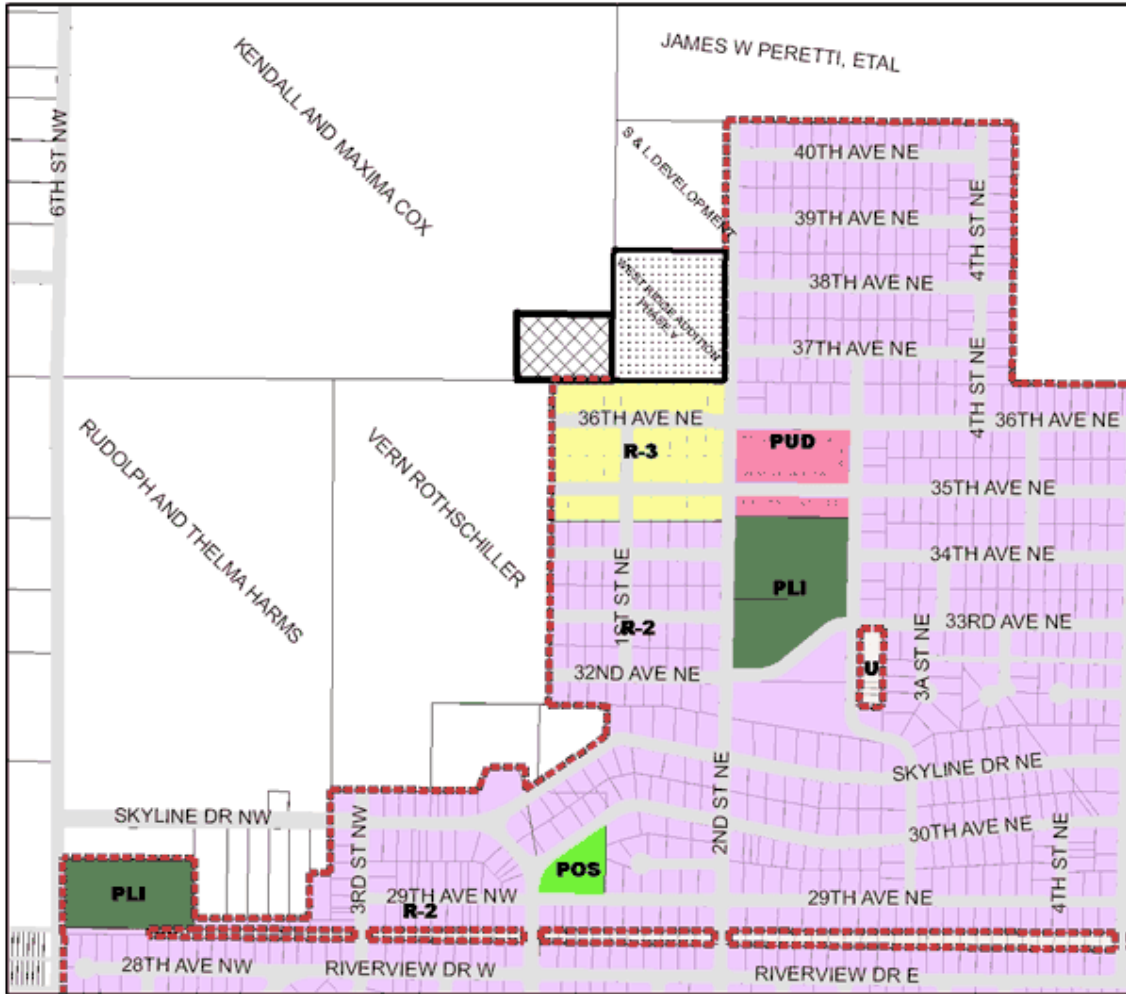
**Alternatives:** The City Commission could either, deny the preliminary plat; approve the preliminary plat without conditions; or approve the preliminary plat with modified or additional conditions to the extent allowed in City Code and State Statute.

**Attachments/Exhibits:**

1. Vicinity/Zoning Map
2. Reduced drawing portion of Preliminary Plat
3. Findings of Fact

Cc: Kendall and Maxima Cox, 3805 7<sup>th</sup> St NE, Great Falls, MT, 59404  
HKM Engineering, P O Box 49, Great Falls, MT, 59403

# VICINITY/ZONING MAP



PRELIMINARY PLAT OF TYNDALL ADDITION PHASE I PROPOSED TO BE ANNEXED TO THE CITY AND ASSIGNED A CITY ZONING CLASSIFICATION OF "R-3" SINGLE-FAMILY HIGH DENSITY DISTRICT UPON ANNEXATION TO THE CITY



WEST RIDGE ADDITION PHASE V BEING SUBDIVIDED AND ANNEXED BY S & L DEVELOPMENT

R-2 Single-family medium density

PLI Public Lands and Institutional

PUD Planned unit development

R-3 Single-family high density

POS Parks and Open Space

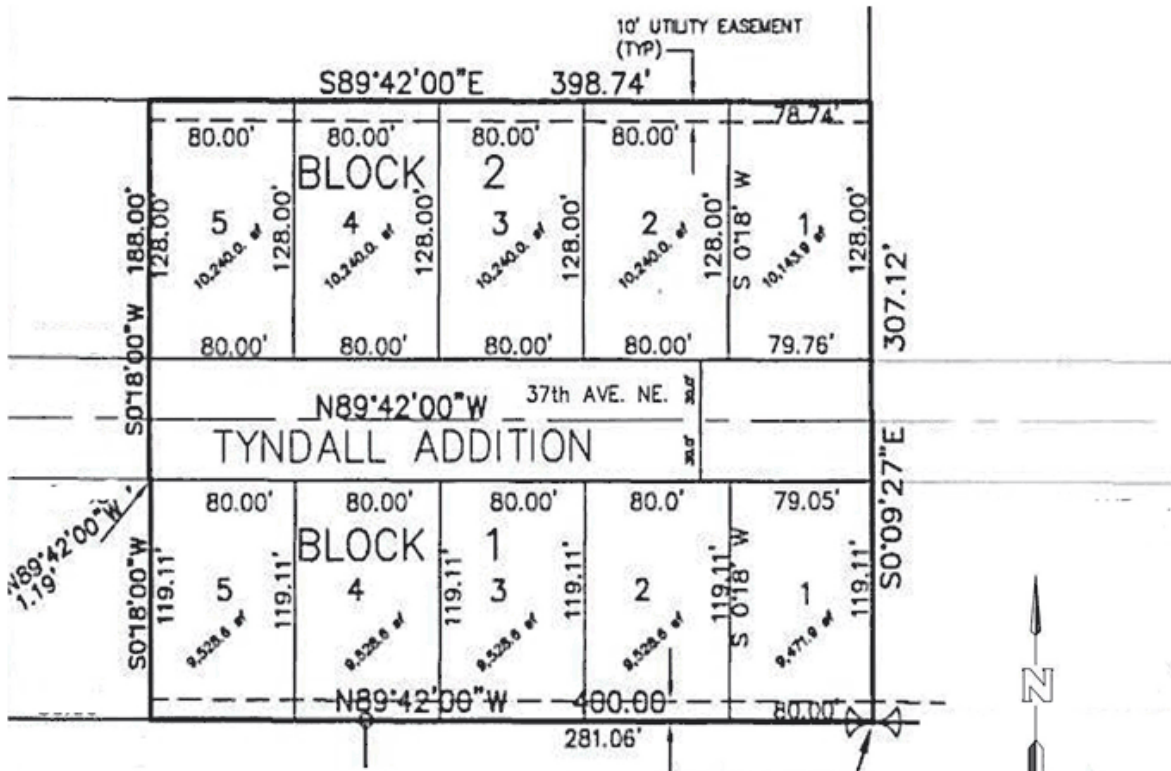
U Unincorporated enclave

Tracts of land outside City

920 460 0 920 Feet



PRELIMINARY SUBDIVISION PLAT OF  
 TYNDALL ADDITION TO GREAT FALLS PHASE I  
 IN THE SE1/4 SW1/4 SEC. 26, T 21 N, R 3 E, P.M.M.  
 CASCADE COUNTY, MONTANA



BLOCK NO.	LOTS	ZONING	AREA
1	1-5	R 3	47,586.3 sf
2	1-5	R 3	51,103.9 sf
TOTAL	10		122,649.1 sf
ROAD AREA			23,958.9 sf



**FINDINGS OF FACT FOR  
PRELIMINARY PLAT OF  
TYNDALL ADDITION PHASE I  
IN SECTION 26, T21N, R3E  
CASCADE COUNTY, MONTANA  
(PREPARED IN RESPONSE TO 76-3-608(3)MCA)**

I. PRIMARY REVIEW CRITERIA

**Effect on Agricultural**

Utilization of the subdivision site for dryland crop production has diminished due to its proximity to urban residential development. 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. The City should not experience an appreciable increase in maintenance and operating costs. The occupants of eventual homes 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 two and a half miles from the subdivision site. Providing these 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.

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 (total 2.824 acres) in which the proposed subdivision is located, pays less than \$ 50.00 annually in local property taxes. After full improvement of the subdivision, covering the 10 involved lots, each with a new single family residence, are expected to pay in excess of \$30,000 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 10 lots ranging in area from 9,472 to 10,240 sq ft, is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Surface drainage from the subdivision will be directed westerly toward property owned by the applicant.

**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 subdivisions regulations.

III. EASEMENT FOR UTILITIES

Necessary utilities exist at the boundary of the proposed subdivision. Within the subdivision, the subdivider will provide the necessary easements as a part of the subdivision plat.

IV. LEGAL AND PHYSICAL ACCESS

Dedicated public roadways improved to municipal standards and maintained by the City provide legal and physical access to the subdivision and to each proposed lot in the subdivision.