



Item: Public Hearing - Resolution 9855 to Vacate 30th Street Northwest

From: Charles Sheets, Planner I

Initiated By: Paul F. Vanhorn, Owner of Abutting Private Property

Presented By: Bill Walters, Interim Planning Director

Action Requested: City Commission conduct Public Hearing and adopt Resolution 9855.

Public Hearing:

1. Mayor conducts public hearing, calling three times each for opponents and proponents.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 9855 subject to the applicant causing the appropriate amended plat to be prepared, executed and filed.”

2. Mayor calls for a second, discussion, and calls for the vote.
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Staff Recommendation: After meeting with the applicant on July 16, 2009, representatives of the Public Works, Community Development and Planning Departments concurred in recommending the City Commission approve the vacation of 30th Street Northwest, subject to the applicant having an Amended Plat prepared, including: a) incorporation of correction of any errors or omissions noted by staff; b) provision of a notification clause regarding soil conditions; and c) provision of easements as recommended by the City Engineer.

Background: The Planning Office is in receipt of an application from Paul F. Vanhorn, regarding the vacation of 30th Street Northwest abutting his property addressed as 2915 Central Avenue West, and legally described as the West 90 feet of Block 9, Sun River Park Addition.

The involved right-of-way of 30th Street Northwest was dedicated to the public as a part of the Sun River Park Addition filed with the County Clerk and Recorder on December 30th, 1915 and annexed to the City of Great Falls as a part of Resolution 4790, May 9, 1955. The west boundary of 30th Street Northwest is the city limits. The involved right-of-way is a dead end,

graveled, street. The applicant acquired the three parcels abutting 30th Street Northwest in the early 1990's and has been using the right-of-way as a driveway for his residence, two residential trailers and shop/storage buildings that he leases to others. Two of the three parcels are outside the City limits. The applicant will provide access and utility easements across the vacated right-of-way to serve the three abutting parcels. The applicant intends to fence and screen the properties to provide security.

For additional information, please refer to the attached Vicinity/Zoning Map and preliminary amended plat.

A water main exists in the abutting portion of Central Avenue West. The previous property owner extended water lines from 2915 Central Avenue West to the trailer units and shop/storage building. No sanitary sewer mains exist in the vicinity, so all the structures are served by septic tank/drain fields.

Concurrences: Representatives from the City's Public Works and Community Development Departments have been involved throughout the review and approval process for this request.

Fiscal Impact: Vacation of the dead end street relieves the City of any maintenance responsibility.

Alternatives: If there are justifiable reasons to do so, the City Commission could deny the requested action to the extent allowed in City Code and State Statute.

Attachments/Exhibits:

1. Vicinity/Zoning Map
2. Resolution 9855
3. Preliminary Amended Plat

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Paul Vanhorn, 2915 Central Avenue West, Great Falls MT 59404-4046