



Item: Preliminary Subdivision Plat of New Castle Addition (formerly known as New Castle Condominium Addition)

From: Charles Sheets, Planner I

Initiated By: Harold Poulsen, Property Owner and Developer

Presented By: Bill Walters, Interim Planning Director

Action Requested: City Commission approve Preliminary Subdivision Plat of New Castle Addition.

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (approve/deny) the Preliminary Subdivision Plat of New Castle Addition 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.

Planning Board Recommendation: At the conclusion of a public hearing held August 25, 2009, the Planning Board passed a motion recommending the City Commission approve the Preliminary Subdivision Plat of New Castle Addition and the accompanying Findings of Fact, subject to fulfillment of stipulated conditions.

Background: The Planning Office is in receipt of applications from Harold Poulsen, regarding the following:

- 1) Preliminary Subdivision Plat of New Castle Addition, located in Sections 18 and 19, Township 20 North, Range 4 East, Cascade County, Montana.
- 2) Modification of the existing site plan of the PUD Planned unit development district for the area within said plat.

Said subdivision is located at the southeast corner of the intersection of 13th Street South and 24th Avenue South. The involved property was approved as a 27 unit condo project, (New Castle Condominiums) but the applicant now intends to subdivide said property into 24 lots for single-family residential units and 3 common open-space lots to be owned and maintained by a homeowners association.

For additional information, please refer to the attached Vicinity/Zoning Map and reduced Preliminary Subdivision Plat of New Castle Addition.

Access to the subdivision would be via 24th Avenue South and its connection to Castle Pines Drive. An additional access would involve the westerly extension of 25th Avenue South. The developer will install standard City paving, curb and gutter for the roadways within the subdivision. Surface drainage flows within the proposed roadways to inlets along Castle Pines Drive.

City water and sanitary sewer mains will be installed in the public roadways. Easements are proposed around the perimeter of the subdivision for private utilities such as electric, gas, telephone and cable TV.

The Planning Board conducted a public hearing on the preliminary subdivision plat on August 25, 2009. No citizens spoke as proponents or opponents during the hearing. At the conclusion of the public hearing, the Planning Board unanimously passed a motion recommending the City Commission approve the Preliminary Subdivision Plat of New Castle Pines Addition and the accompanying Findings of Fact subject to the following conditions being fulfilled by the applicant:

- 1) The plat of New Castle Addition shall incorporate correction of any errors or omissions noted by staff including: 1) provision of a notification clause to lot purchasers regarding soil conditions; and 2) provision of easements as recommended by the City Engineer.
- 2) The final engineering drawings and specifications for the required public improvements to serve New Castle Addition shall be submitted to the City Public Works Department for review and approval prior to consideration of the final plat.
- 3) A development agreement shall be prepared containing terms and conditions for development of New Castle Addition, including agreement by applicant:
 - a) to agree to all the terms and conditions stipulated in the annexation agreement approve as a part of the annexation of the property within subject subdivision; and,
 - b) to create and file with the Cascade County Clerk and Records Office a Homeowners Association Declaration stating the terms and conditions of ownership within subdivision and maintenance of the open-space Lots.
- 4) All applicable fees owed as a condition of plat approval shall be paid upon final platting including recording fees for Development Agreement at \$11 per page.

The above stated conditions will be finalized and fulfilled by the owner/developer as the final plat is considered by the Planning Board and City Commission.

The modification of the existing site plan to the PUD Planned unit development district will be further addressed as the final plat is considered.

Concurrences: Representatives from the City's Public Works and Community Development 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.

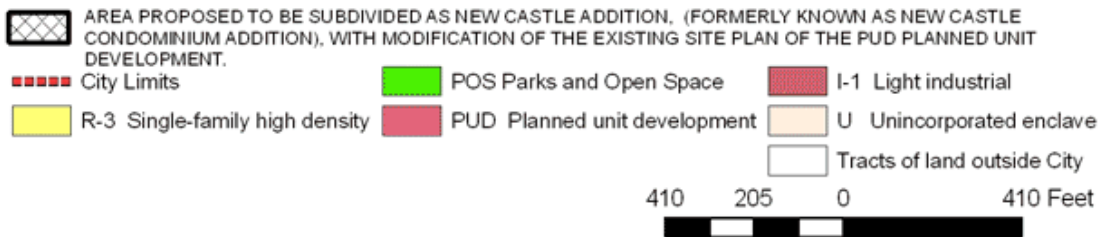
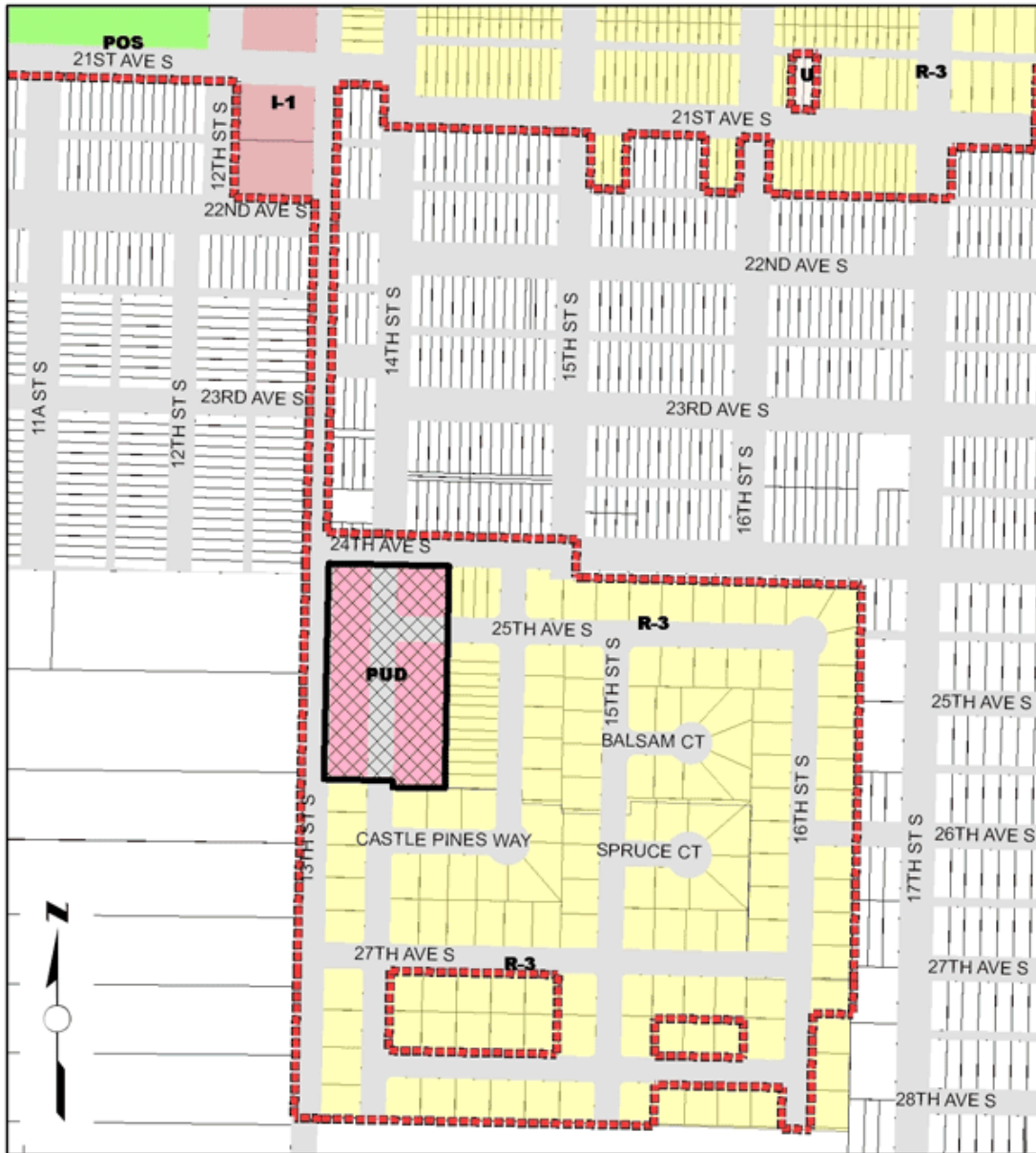
Alternatives: The City Commission could either, deny the preliminary subdivision plat; approve the preliminary subdivision plat without conditions; or approve the preliminary subdivision plat with modified or additional conditions to the extent allowed in City Code and State Statute.

Attachments/Exhibits:

1. Vicinity/Zoning Map
2. Preliminary Subdivision Plat
3. Findings of Fact

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Harold Poulsen, P.O. Box 1376, Great Falls, MT 59403
Woith Engineering, 1725 41st St S, Great Falls, MT 59405

VICINITY/ZONING MAP



**FINDINGS OF FACT
FOR NEW CASTLE ADDITION
IN SECTIONS 18 AND 19, T20N, R4E, CASCADE COUNTY, MONTANA
(PREPARED IN RESPONSE TO 76-3-608(3)MCA)**

I. PRIMARY REVIEW CRITERIA

Effect on Agricultural

The subdivision site is not used for agricultural purposes. 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 within the subdivision will be paid by the subdivider. The City should not experience an appreciable increase in maintenance and operating costs. The occupants of eventual single-family residences 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 three miles from the subdivision site. Providing these services to the single-family residences 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 single-family residences, 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.

Effect on the Natural Environment

The subdivision 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 to inlets within the subdivision which discharge into an existing storm water detention facility along the south side of 21st Avenue South and west of 13th Street South which is owned and maintained by the City.

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 will conform 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

Utilities will be accommodated in dedicated public road right-of-way and utility easements provided as part of the subdivision plat.

IV. LEGAL AND PHYSICAL ACCESS

Dedicated public roadways (Castle Pines Drive and 25th Avenue South) to be improved to municipal standards and maintained by the City will provide legal and physical access to the subdivision and to each proposed lot in the subdivision.