

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

April 12, 2016

Approved by a motion on April 26, 2016

1. Call the Meeting to Order

President Darell Tunnicliff called the meeting to order at 6:00 p.m. on Tuesday, April 26 2016, in the Miller Building 1st Floor conference room, 2825 3rd Avenue North, Billings, Montana.

Introduction of Planning Board Members and Planning Department Staff

President Tunnicliff called for introductions of the members of the Planning Board and staff. Attending Planning staff members were: Candi Millar, Director, Planning & Community Services Department; Dave Green, Planner II, Scott Walker, Transportation Coordinator

- 2. Approval of the Agenda:** It was the consensus of the Board to approve the April 12, 2-16 meeting agenda as submitted.
- 3. March, 2016 meeting minutes. Board member Saldivar requested a correction to note the motion by Board member Saldivar and a correction by Board member Forbes. The March 22 meeting minutes were approved as corrected with a unanimous voice vote.**
- 4. Public Comment:** President Tunnicliff asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public may be heard on any subject that is not on the agenda; the Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting agenda for discussion. There were no public comments.

5-6. Disclosure of Conflict of Interest – Board members and Planning Staff

Disclosure of Outside (Ex Parte) Communication– Board Members and Planning Staff. The Ex Parte Communication Binder is available at the Sign-In and Agenda station.

7. OLD BUSINESS: There was no Old Business.

8. NEW BUSINESS:

8a. PRESENTATION/DISCUSSION. 2015-2019 TIP AMENDMENT III

Scott Walker, Transportation Coordinator, presenting.

President Tunnicliff asked Scott Walker to open this agenda item.

INTRODUCTION

Federal regulations require that Metropolitan Planning Organizations (MPOs) review and update their Transportation Improvement Programs (TIP) periodically. Due to additional

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projects being added to the current 2015- 2019 TIP, the Billings MPO requires an amendment. This amendment will be called the 2015- 2019 TIP Amendment III. The projects that have been amended include a number of safety and overlay projects throughout our MPO area and the 1st Avenue North project. These projects are programmed into the MDT project funding and are not funded through local allocations.

Highlights of 2015-2019 TIP Amendment III

Listed below is an overview of the minor changes for the following projects:

- 4199 Billings Bypass – Five Mile Road
 - CN costs increased
- 6040: Zimmerman Trail
 - o RW moved from 2016 to 2017
 - o CN moved from 2017 to 2018
- 7972: I-90 Yellowstone River Billings
 - o PE increase
- 8036: Downtown State Signals
 - o RW added in 2016
 - o IC added in 2016
 - o CN decrease
- 8052: Roundabout King & 56th
 - o IC increase
- 8611: SF 129 – Roundabout Central & 56th
 - o PE increase
 - o IC moved from 2016 to 2017
 - o CN increase

New Projects:

- 9082: 1st Ave South – ADA (BLGS)
 - o All phase in 2016 for \$1,830,700
 - o Funded with Statewide CMAQ
 - o ADA Compliance funding bucket was reduced in 2016 since a project was nominated

2015-2019 TIP AMENDMENT II ADOPTION SCHEDULE

TAC	Presentation/Recommendation - Thursday, April 7 at 2:00 p.m. 6th Floor Conference Room, Miller Building, 2825 3rd Avenue North
Planning Board #1	Presentation of Item – Tuesday, April 12th at 6:00 p.m. 1st Floor Conference Room, Miller Building, 2825 3rd Avenue North
Planning Board #2	Public Hearing/Recommendation - Tuesday, April 26th - Publish 4/7 & 4/21 - Same location
Council Work Session <i>(due to budget, work session may not be feasible)</i>	April 18 th at 5:30 PM, City Council Chambers – info to Wynnette by week before

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Council Meeting	Action - Monday, May 9th at 6:30 p.m. - memo by Thursday 4/21 - Meeting held in the City Council Chambers, 2nd Floor City Hall
County Discussion	Discussion - Monday, May 2 nd or May 9 th at 2:00 p.m. Info to Vicki week before
Commissioner Meeting	Presentation/Action – Tuesday, May 3 rd or May 10 th - Both meetings held in the County Commissioners Board Room, 4th Floor, County Courthouse – Memo to Teri week before
PCC	Final Action – Tuesday, May 17 th at 12:00 p.m. - 4th Floor County Courthouse, Commissioner Board Room

Discussion

President Tunnickliff asked why a roundabout was decided to be constructed at the proposed intersection and not 62nd and Rimrock. Scott Walker replied that it was due to the number of accidents. He also said we are conducting a traffic study. The West End Study will be examining the intersection at 62nd Street West and Rimrock Road, and a public meeting will be held on Thursday, April 14, 2016 from 4:00 pm to 6:00 pm at the Billings Library. A draft report will be available at this meeting. Board member Boucher asked if there was a tentative schedule for the Billings Bypass project. Scott Walker stated MDT is currently looking at right-of-way. The first point of construction is projected for 2018 on the 5-mile Road section, followed with the larger piece in the timeframe of 2019-2020. The expectation is for this project to be completed in 2021.

Board member Klugman commented he doesn't see a signal improvement project at Wicks Lane and Governors – Scott Walker explained the City may deal with that intersection, as there may not be on a state funded list unless there is a serious accident.

Board member Klugman about the Zimmerman Trail project. Scott Walker said this project includes slightly widening sections of the road. Board member Klugman asked if there will be a right hand turn lane at Rimrock? Scott Walker stated this has been discussed. He will check on the intersection and report back to the Board at the next meeting.

****A public hearing will be held for the 2015-2019 TIP Amendment III on Tuesday, April 26, 2016.**

8b. PLAT REVIEW/DISCUSSION. HIGH SIERRA SUBDIVISION, 11TH FILING. Dave Green, Planner II, presenting..

President Tunnickliff asked Dave Green to open this agenda item. Dave Green opened this agenda item with a PowerPoint presentation.

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INTRODUCTION

On March 1, 2016, Sanderson Stewart, agent for High Sierra II, Inc., applicant, applied for preliminary major plat approval for High Sierra Subdivision, 11th Filing. The proposed subdivision creates 70 lots for single-family residences and one large lot for future development on a 16.8-acre parcel of land. This proposal is part of a larger approved master plan of High Sierra Subdivision which includes a total of approximately 1,375 lots platted from 400 acres in multiple filings. The subject property is generally located north of Benjamin Boulevard, west of High Sierra Boulevard in the northwest Billings Heights. The property is zoned Residential-7,000-Restricted (R-70-R). The Yellowstone County Board of Planning will hold a public hearing on this proposal on April 26, 2016.

RECOMMENDATION

Staff recommends the Planning Board recommend that the City Council conditionally approve the preliminary plat of High Sierra Subdivision, 11th Filing, and adopt the Findings of Fact as presented in the staff report. Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact:

1. To minimize effects on local services, prior to final plat approval utility easements shall be shown on the final plat as requested by the affected public and private utility companies.
2. To provide for the installation of utilities and mitigate impacts on local services, prior to final plat approval recordable easement documents shall be provided for the temporary storm water detention basins and swales.
3. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
4. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

Discussion

President Tunncliff called for questions and discussion from the members of the Board. There were no questions from the Planning Board to staff about the proposal. The applicant, Gary Oakland, stood to speak about the proposed subdivision. He stated that this is part of an overall master plan that includes 400 acres of land and will include about 1400 homes. He stated that this development is for workforce housing, the homes are not large but are a modest size. They are planning on starting to build in this filing in the fall of 2016.

There were no other comments from the applicant or agent and no further questions from the planning board.

****A public hearing for High Sierra Subdivision, 11th Filing is scheduled for Tuesday April 26, 2016.**

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8c. PLAT REVIEW/DISCUSSION. COPPER RIDGE SUBDIVISION, 6TH FILING. Dave Green, Planner II, presenting.

INTRODUCTION

On March 1, 2016, Sanderson Stewart, agent for owner Copper Ridge Development Corp., applied for preliminary major plat approval for Copper Ridge Subdivision, 6th Filing. The proposed subdivision creates 60 new lots for single-family residential development. The subject property is generally located on the north side of Rimrock Road, east of 70th Street West, west of the existing Copper Ridge Subdivision. The property is zoned Residential-7000-Restricted (R-70-R). The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on April 26, 2016.

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Copper Ridge Subdivision, 6th Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To minimize effects on local services and bring the road network into alignment with current utility and infrastructure plans, prior to final plat approval the street vacation of the section of Palladium Drive previously platted off of West Copper Ridge Loop shall be approved by the City Council.
2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
3. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

Discussion

President Tunnicliff called for discussion from the members of the Board. Board questioned the road vacation of Palladium Drive and how it affected the lots around it. Staff explained that the road had been dedicated with a previous plat but in a large lot that did not have smaller residential lots. The residential lots are going to be created with this plat. The removal of Palladium Drive and the creation of Copper Bluffs Circle to replace Palladium Drive had no effect on any lots. The lots have been configured around the new road with this filing. There were no additional questions from the planning board to staff about the proposed subdivision.

The applicant, Gary Oakland, 276 N 27th St, Billings, Montana, stood to speak about the proposed subdivision. He stated that this is the last filing of the subdivision. This project was begun in 2005 and when it is complete there will be 400 homes in the entire development. The last phase will also trigger the development of the Town Square.

They will be developing the park in the subdivision and then turning it over to the City of

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Billings Parks Department. Mr. Oakland thanked the Board for their support from the beginning of this project.

****A public hearing will be held for Copper Ridge 6th Filing on Tuesday, April 26, 2016.**

8d. PLAT REVIEW/DISCUSSION. JOSEPHINE LANDING SUBDIVISION, 1ST FILING. Dave Green, Planner II, presenting.

INTRODUCTION

On March 1, 2016, Sanderson Stewart, agent for McCall Development, Inc., applied for preliminary major plat approval for Josephine Landing Subdivision, 1st Filing. The proposed subdivision creates 136 new lots for residential and commercial development. The subject property is generally located south of Elysian Road, east of East Lane, and along the western edge of the Hogan Slough. The property is going through the annexation process and will be completed by the time this application is acted upon by City Council. The property is zoned Planned Development (PD) and the proposed lots will be developed in substantial compliance with the approved Planned Development Master Plan. The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on April 26, 2016.

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Josephine Landing Subdivision, 1st Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. To ensure that water lines are installed to meet City of Billings Engineering requirements, prior to final plat approval, the applicant will add a paragraph in the section **VI Utilities A. Water**, of the SIA addressing construction of the water main to the east property line in Story Road and that it must be completed with the construction of the Hogan Slough road crossing.
2. To minimize impacts on storm water detention facilities and ensure proper maintenance of the proposed system, prior to final plat approval, the applicant will provide an HOA Storm Water Facility Maintenance Agreement for review by City of Billings Engineering Division. This agreement shall outline the maintenance responsibilities of the storm water facilities.
3. To minimize potential flooding impacts to future property owners and to ensure future property owners are informed, prior to final plat approval language shall be added to section **V Storm Drainage** in the SIA that provides greater detail of how the 100-year storm will impact the subdivision and whether mitigation measures are required to address potential flooding in the subdivision from Hogan Slough. The applicant also will add a paragraph in the **Conditions That Run With The Land** section of the SIA informing property owners of any mitigation requirements for lots in the subdivision and identifying the possibility of the Hogan Slough overflowing during large storm events.
4. To minimize impacts on future property owners and to ensure future property owners are informed, before final plat approval a hydrogeological evaluation must be completed to determine if there will be any impacts to adjacent properties. If mitigation measures are required, these will be identified in section **V Storm Drainage** in the SIA and within the **Conditions That Run With**

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The Land section of the SIA to inform future property owners.

5. To minimize impact of future road infrastructure and to ensure any impacts the subdivision may have on the existing Story Road east of the subdivision, prior to final plat approval the applicant will add language to **Section III Transportation A. 4.** of the SIA that says, ‘At the time of the second filing of Josephine Landing, the applicant will provide a TIS update addressing the subdivision’s connection to Story Road to the east and the impacts Josephine Landing Subdivision will have on that road. Any cash contributions that may be required due to those impacts also must be identified in the updated TIS.’
6. To ensure the requirements of parkland dedication are met in this Planned Development subdivision per Section 23-709 (E) of the City Subdivision Regulations, prior to final plat approval the applicant will receive a letter from the City Parks Department stating it is in agreement with the park land proposal for the subdivision.
7. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
8. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

Discussion

President Tunncliff called for discussion from the members of the Board.

There were questions from Board member Reed and Board member Forbes regarding this proposed plat, the hydrogeological evaluation, and what information is it providing. Staff responded the applicant is proposing to have several ponds in the subdivision and they would like to have water running in them at all time. The plan as outlined by the applicant is to have water from Hogan Slough diverted through the ponds to have water in them at all times and during a storm event the ponds would be large enough to handle the additional water. Then the water would be directed back into Hogan Slough and out to the river. The study is needed to determine, if there is water in the ponds at all times, what effect would it have on the subsurface and if there is something that will be effected such as soil stability or geologic stability then that needs to be identified in the study and that information included in the SIA.

The applicant, Greg McCall, 1615 Front Street, Billings, Montana stood to speak about the subdivision. He stated that they are working with the property owners who have been farming this land for many years. They felt that they wanted the land to be used for a neighborhood and not for commercial only development. Some of the areas of Josephine Landing will be named after the farm families to include them in the development. This development will be similar to Josephine Crossing but will the opportunity for commercial uses that have not be possible in Josephine Crossing.

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Board member Reed asked if Harmony Meadows Subdivision is separate from Josephine Landing Subdivision. Greg McCall clarified and said it is separate from this subdivision. They worked with the developers to take some opportunities of meshing designs, particularly with road connections, traffic calming, and the trail connections. The developers of Harmony Meadows Subdivision agreed to put in the trail along Elysian as will the McCalls in the first phase of development.

There were no other questions from the Board and no comments from the applicant’s agent.

****A public hearing will be held for Josephine Landing Subdivision, 1st Filing, on Tuesday, April 26, 2016.**

8e. Presentation/Discussion. Lockwood Growth Policy. Candi Millar, Director, Planning & Community Services

President Tunncliff asked Ms. Millar to open this discussion item. Mr. Millar distributed copies of the Lockwood Growth Policy to the members of the Board and gave a brief presentation.

DRAFT Growth Policy Statement: “Lockwood is a community that will evolve with a Main Street-style TOWN CENTER surrounded by a range of housing options that support and sustain, both fiscally and socially, the community investments in schools, public water and sewer, transportation, recreation, and public safety while providing economic opportunities in general and light and heavy industry businesses in areas shown on the preferred land use map.”

Key points:

- The entire Community should be considered. This plan is a good starting point.
- Population Statistics: 8700 in the Lockwood School District; 6600 in the Lockwood Planning Area. Lockwood will grow and the boundary should change with future growth.
- Consistency is needed with plans and districts.
- The zoning needs to be updated.
- There is a proposed Targeted Economic Development District, (TEDD) on the north part of the planning area, which may be used to foster secondary, value adding economic development.

Discussion

Board member Boucher asked about future government in Lockwood. There is no possibility for annexation and Lockwood citizens would like to look into the options for self-government. President Tunncliff asked what is needed from the Planning Board. Ms. Millar stated the focus of this plan is land use. She asked Board members to forward their comments to the Planning office. Staff will bring this Draft Growth Plan forward to the Board with a public hearing during the May 26, 2016 Planning Board meeting. Planning Board will forward a recommendation to the Board of County Commissioners at that time.

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Bob Riehl, Lockwood Steering Committee, spoke of the need to do things in the interest of the Lockwood Community. The TEDD, and Bypass project is needed to promote the growth needed to have the ability to move forward.

President Tunnicliff commented on the need to protect the integrity of the river. Board member Boucher asked about mixed use zoning in the Town Center. Board member Reed explained the vision is for a walkable mix of businesses and residential areas.

9. OTHER BUSINESS

9a. Acknowledgement of Board member Donna Forbes’ Resignation letter. The recognized the letter from Board member Forbes and thanked her for her active and passionate commitment to the Planning Board. Board member Jared LeFevre has also submitted a letter of resignation due to conflict of interest. A recognition time for Board member Forbes, Board member LeFevre, and Board member Dean Clark, will be held during the next Planning Board meeting on Tuesday, April 26, 2016.

9b. Standing Item. Staff update. Long Range Strategic Issues and an overview of future City and County issues and projects. –

FUTURE AGENDA ITEMS FOR TUESDAY, APRIL 26, 2016

- a. MOTION/RECOMMENDATION TO PCC. 2015-2019 TIP AMENDMENT III, Scott Walker, Transportation Coordinator, Presenting.
- b. MOTION/RECOMMENDATION TO CITY COUNCIL. Josephine Landing Subdivision, 1st Filing, a 136-lot City major subdivision, generally located at Elysian Road, east of East Lane, Gary T. Owen, PE, Sanderson Stewart, agent. Dave Green, Planner II, presenting.
- c. MOTION/RECOMMENDATION TO CITY COUNCIL. High Sierra Subdivision, 11th Filing, a 71-lot City major subdivision generally located north of Topanga Avenue and west of Owen Street, Gary Oakland, owner. Gary T. Owen, PE, Sanderson Stewart, agent. Dave Green, Planner II, presenting.
- d. MOTION/RECOMMENDATION TO CITY COUNCIL Copper Ridge Subdivision, 6th filing, a 60-lot City major subdivision generally located north of West Copper Ridge Loop and west of Lucky Penny Lane, Gary Oakland, owner. Gary T. Owen, PE, Sanderson Stewart, agent. Dave Green, Planner II, presenting.
- e. PUBLIC HEARING. LOCKWOOD COUNTY GROWTH POLICY. Candi Millar, Director, Planning & Community Services Department

ADJOURNMENT: 8:02 p.m.

ATTEST: Approved by a motion as submitted on April 26, 2016

