

CITY/COUNTY PLANNING BOARD

“Serving Billings, Broadview and Yellowstone County”

May 24, 2016

To be approved by a motion on June 14, 2016

1. Call the Meeting to Order

Vice President Reed called the meeting to order at 6:00 p.m. on Tuesday, May 24, 2016, in the Miller Building 1st Floor conference room, 2825 3rd Avenue North, Billings, Montana.

Introduction of Planning Board Members and Planning Department Staff

Vice President Reed called for introductions of the members of the Planning Board and staff. Attending Planning staff members were: Candi Millar, Director, Planning & Community Services Department; Wyeth Friday, Planning Division Manager, Dave Green, Planner II, Scott Walker, Transportation Coordinator; Tammy Deines, Planning Clerk

Others in attendance: Quentin Eggart, EEC; Charles Fenton, Amy Darlinton; DJ Clark, Sanderson Stewart, Michael Sanderson, Sanderson Stewart

2. Approval of the May 24, 2016 Agenda: Vice President Reed called for approval of the agenda.

Motion

Board member Cook made a motion and Board member Goodrich seconded the motion to approve the May 24, 2016 agenda. The motion carried with a unanimous voice vote.

3. April 26, 2016 meeting minutes.

Motion

Board member Klugman made a motion and Board member Cook seconded to approve the April 26, 2016 meeting minutes were approved as submitted. The motion carried with a unanimous voice vote.

May 10, 2016 meeting minutes.

Motion

Board member Boucher made a motion and Board member Klugman seconded to approve the May 10, 2016 meeting minutes were approved as submitted. The motion carried with a unanimous voice vote.

4. Public Comment: Vice President Reed 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

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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. There were no disclosures of Conflict of Interest or Ex Parte Communications.

7. OLD BUSINESS:

7a1. PUBLIC HEARING/MOTION/RECOMMENDATION. EMMA JEAN HEIGHTS SUBDIVISION, 3RD FILING. Dave Green, Planner II, presenting.

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

INTRODUCTION

On April 1, 2016, Northern Engineering and Consulting Inc., agent for Felton Associates, Inc., applicant, applied for preliminary major plat approval for Emma Jean Heights Subdivision, 3rd Filing. The proposed subdivision creates 37 new lots to be completed in two phases for single-family residential development. This proposal is the third filing of a master planned subdivision that was originally reviewed in 2006. The subject property is generally located on the west side of Bitterroot Drive, south of Wicks Lane in the northeast Billings Heights. The property is zoned Residential-7000 (R-70). The Billings City Council will act on the proposal on June 27, 2016.

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Emma Jean Heights Subdivision, 3rd 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 the BBWA ditch company access to perform maintenance, prior to final plat approval the applicant will coordinate easement locations with the BBWA, show them on the final plat, and provide the applicable easement documents.
2. To minimize effects on the BBWA ditch company and to ensure legal use of water, prior to final plat approval the applicant will add to the paragraph in the SIA under **Conditions That Run With The Land, E.** ‘Residents of Emma Jean Height Subdivision are not allowed to pump water from the BBWA ditch without a permit from the BBWA’.
3. To minimize effects on local services and to ensure proper water distribution and pressure equalization within the subdivision, prior to final plat approval the applicant will provide construction drawings to the County Water District of Billings Heights (CWDBH) showing the connection of new water lines in Tania Circle to the new water lines in Jean Avenue to provide a looped water system going through Tania Circle and Jean Avenue.

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4. To minimize the effects on local services and to ensure proper water line installation and the ability to perform repairs or make connections in the future, prior to final plat approval the applicant will provide to the CWDBH ‘As Built’ drawings of the existing water lines installed in Emma Jean Heights Subdivision, 2nd Filing, both phases 1 and 2.
5. To minimize the effects on local services and ensure proper sewer line installation and the ability to perform repairs or make connections in the future, prior to final plat approval the applicant will provide to the City of Billings Engineering Division ‘As Built’ drawings of the existing sewer lines installed in Emma Jean Heights Subdivision, 2nd Filing, both phases 1 and 2.
6. To minimize the effects on public health and safety and meet the City of Billings Subdivision Regulations and City of Billings Fire Department Regulations that require two ways into and out of a major subdivision, prior to final plat approval the applicant will remove the gate and fencing that is across Columbine Drive between Emma Jean Heights Subdivision and the subdivision to the south, Shamrock Acreage Tracts, to allow full access between the two developments.
7. To mitigate the effects on local services and ensure park land is dedicated for public use per the Emma Jean Heights Master Plan updated with the 3rd Filing, prior to final plat approval language shall be added to **Section VI of the SIA** stating that: “Park land shown on the subdivision master plan for the 3rd Filing will be dedicated either in whole or in part as further filings of Emma Jean Heights Subdivision are platted until the total park land dedication of 4.5 acres that is shown on the master plan has been provided.”
8. 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.
9. 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.

Discussion

Vice President Reed called for discussion from the members of the Board. In response to a question by Board member Goodrich, Dave Green said there are no requirements for development of the County road. Board member Reed noted there are wholly surrounded parcels in this area. Board member Klugman asked about the onsite storm water detention ponds. Dave Green explained the ponds are located on lots which could be developed once the storm water system connection is made. Board member Boucher commented on Condition of Approval #2, and Dave Green stated the Ditch Company requested this condition. Board member Klugman asked about the trail surfacing. Dave Green replied hard surfacing will be used for the trail system.

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Public Hearing

At 6:20 p.m., Vice President Reed opened the public hearing and asked if there is anyone present wanting to speak in favor or against Emma Jean Heights Subdivision 3rd Filing. There was none. Vice President Reed closed the public hearing and called for a motion.

Motion

Board member Goodrich made a motion and Board member Cook seconded the motion to recommend conditional approval of the preliminary plat of Emma Jean Heights Subdivision, 3rd Filing to the City Council, and adopt the Findings of Fact as presented in the staff report. The motion carried with a unanimous voice vote.

7a2. PUBLIC HEARING. MOTION/RECOMMENDATION. WESTFIELD CONDOS , WEST KING COMMERCIAL PARK SUBDIVISION, LOTS 6-7. Dave Green, Planner II, presenting.

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

INTRODUCTION

On April 1, 2016, the Planning Division received an application for review and preliminary approval of a 26-unit condominium subdivision on Lots 6 and 7, Block 4, West King Commercial Park Subdivision. The property is located on the west side of Black Hawk Street north of King Avenue West, between South 64th Street West and South 72nd Street West. The property is not within the County zoning jurisdiction and condominium development was not originally contemplated with the subdivision, therefore, in accordance with Chapter 8 of the County Subdivision Regulations, this condominium development must be reviewed as a Major Subdivision. The Yellowstone County Board of County Commissioners will act on the proposal on June 14, 2016.

RECOMMENDATION

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of the Westfield Warehouses, Amended, and adopt the Findings of Fact as presented in the staff report.

VARIANCE REQUESTED

No variances were requested.

PROPOSED CONDITIONS OF APPROVAL

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 the effects on public health and safety, prior to final plat approval the subdivider shall receive approval from the MDEQ / RiverStone Health for the proposed cistern, septic system, and storm water management on the site.

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2. Minor changes may be made in the SIA and final documents, as requested by the Planning and/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 County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

Discussion

Vice President Reed called for discussion from the members of the Board. There was none.

Public Hearing

At 6:27 p.m., Vice President Reed opened the public hearing and asked if there is anyone present wanting to speak in favor or against Westfield Condos Subdivision. There was none. Vice President Reed closed the public hearing and called for a motion.

Motion

Board member Klugman made a motion and Board member Goodrich seconded the motion to recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of the Westfield Warehouses, Amended, and adopt the Findings of Fact as presented in the staff report. The motion carried with a unanimous voice vote.

7a3. PRESENTATION/DISCUSSION. WEST END MULTI-MODAL TRAFFIC MODELING STUDY. SCOTT WALKER, TRANSPORTATION COORDINATOR.

Vice President Reed asked Scott Walker to open this agenda item. Scott Walker gave the introduction below and introduced Consultant, DJ Clark, Associate Transportation Engineer, Sanderson Stewart, who gave the presentation below and offered his contact information: dclark@sandersonstewart.com This plan will be vetted through the City and County governing bodies with final action by PCC on Tuesday, July 19, 2016, 12:00 pm, 4th Floor Yellowstone County Courthouse, Commissioners’ Board Room.

Introduction

The West End Multi-Model Planning Study is the result of a collaborative effort between the Billings-Yellowstone County Metropolitan Planning Organization (MPO), the City of Billings, Yellowstone County and the consultant Project Team, (Sanderson Stewart and Fehr & Peers). In recent years, land development in the region of Billings that lies west of Shiloh Road has brought about an increase in traffic volumes that directly impacts safety, traffic operations and access. As more and more rooftops are constructed in this area, demand for pedestrian and bicycle facilities to support multi-modal transportation options is also rapidly increasing. The intent of this study is to provide the City of Billings and

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Yellowstone County with a tool for planning improvement projects to meet the demands of a vibrant and growing region of our great City. The Draft West End Multi-Modal Planning Study is now available for review here:

<http://sandersonstewart.com/projects/westend/>

The purpose statement for the study is as follows:

To evaluate the cumulative effect of ongoing and projected future land development and population growth on the multi-modal transportation system for the area of Billings west of Shiloh Road.

Study Area. The study area based on a pair of land development projection scenarios for the 20-year period leading up to the study Horizon Year of 2035.

Analysis Results: Future-Conditions-(2035)

Scenario 1

Under land use growth Scenario 1 (typical growth), most roadways in the study area continue to experience a Level of Service, (LOS), D or better. However, three of the primary east-west arterials (Rimrock Road, Grand Avenue, King Avenue West) are not

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projected to meet that standard.

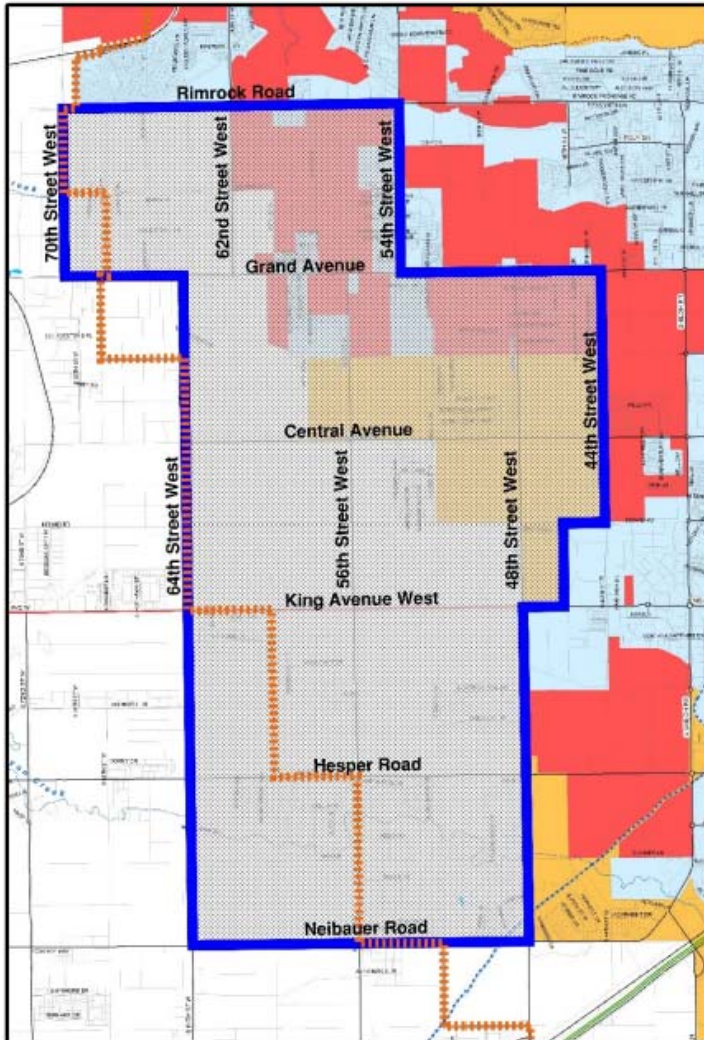


FIGURE ES1. STUDY AREA

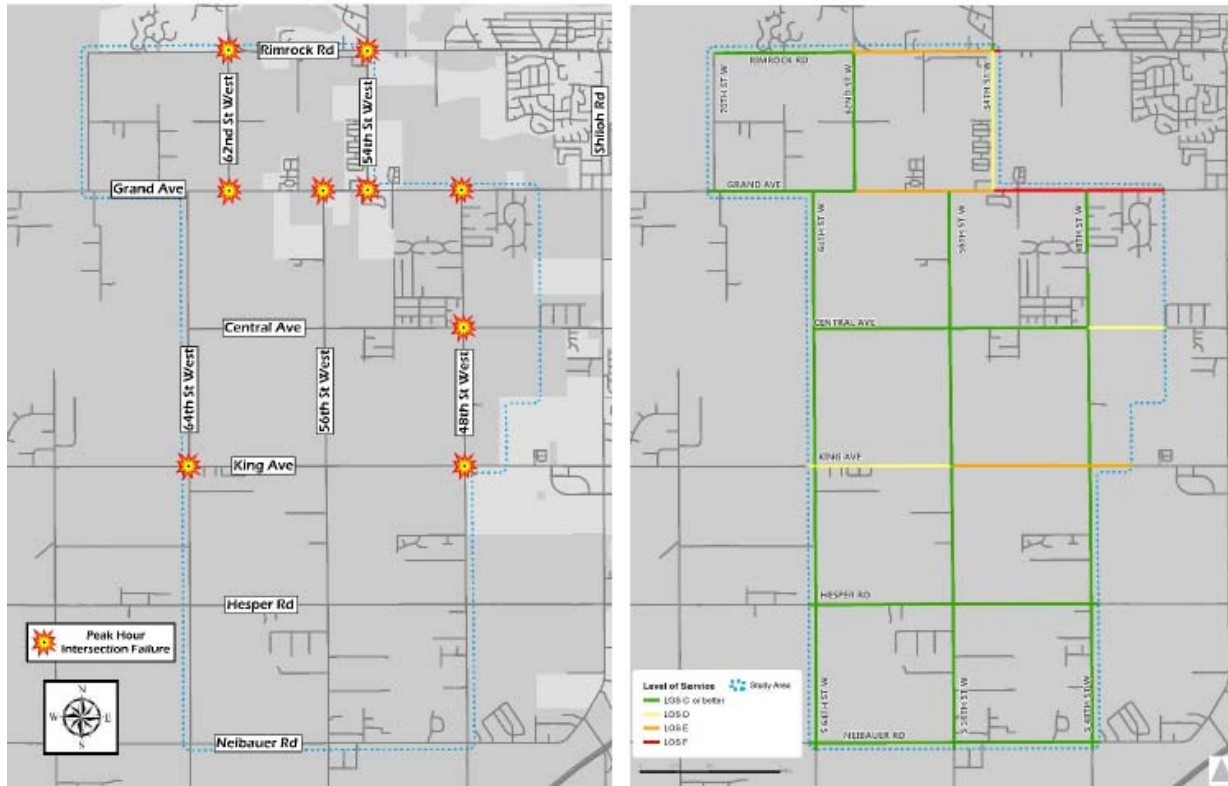


FIGURE ES2. SCENARIO 1 (2035) INTERSECTION AND CORRIDOR LOS ANALYSIS RESULTS

Scenario 2

Under the higher-growth Scenario 2 (aggressive growth), Central Avenue joins Rimrock Road, Grand Avenue and King Avenue West in having one or more segments exhibiting Level of Service, (LOS) E or worse conditions. For the north-south corridors, 62nd Street West, north of Rimrock Road degrades to LOS F, while 54th Street West is projected at LOS D north of Rimrock Road and LOS E south of Rimrock Road.

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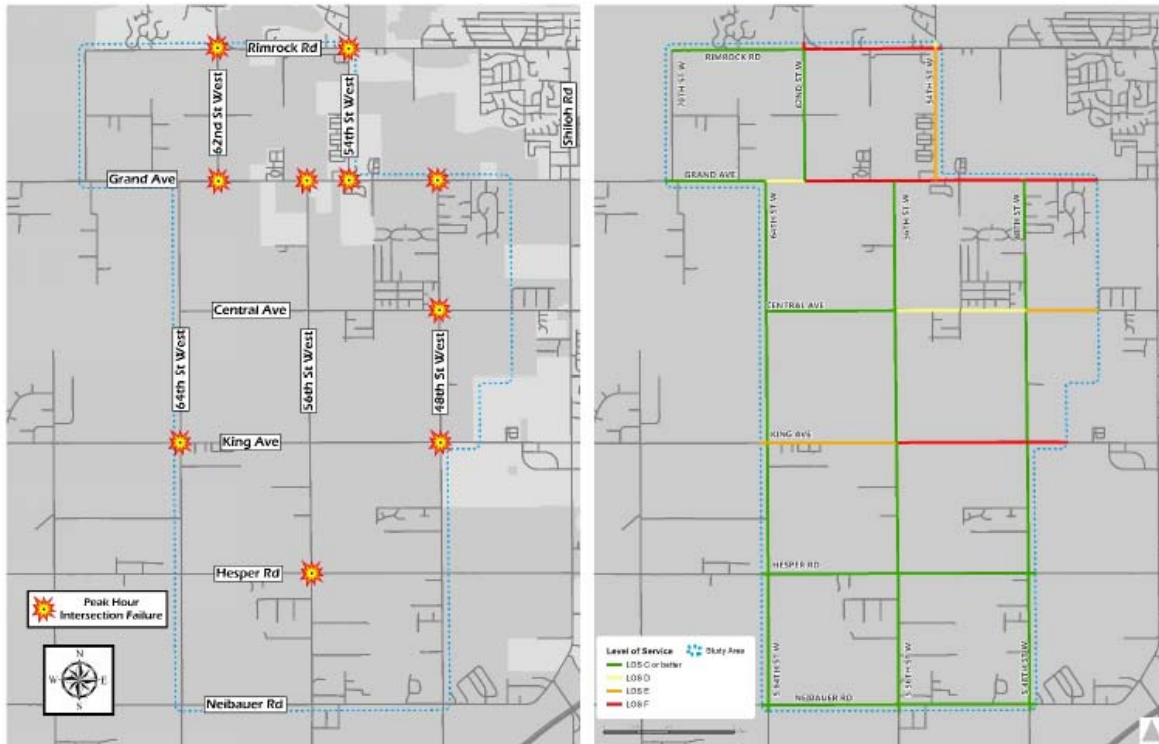


FIGURE ES3. SCENARIO 2 (2035) INTERSECTION AND CORRIDOR LOS ANALYSIS RESULTS

Mitigation

Short-term priority projects are those that could be necessary in order to maintain safe and efficient operations during the first half of the 20-year study period. Long-term priority projects are more likely to be needed during the second half of that period. However, it should be noted that there are many factors related to land development that could change the priority, location and cost considerations that are summarized in these recommendations. As such, the recommendations are to be utilized as a guideline for planning and not as a hard and fast committed projects list.

Discussion

Vice President Reed called for discussion from the members of the Board and asked for clarification on the definition of an “intersection failure”. DJ Clark said an intersection failure is determined by traffic congestion and average delay per vehicle at an intersection. The Level of Service, (LOS), is based on a letter grade system; and generally LOS "C" is an acceptable capacity level. Wyeth Friday commented there is further information in this study on feasibility options at intersections for roundabouts and signalization. DJ Clark expounded on this and explained the functionality differences and said the type of application will be determined at the time of design. Board member Cook commented the intersections in this study area all have a degree of danger as they are relatively "open" or have blind corners. He said he is glad to see the study focusing more attention on them. Board member Reed asked if right-of-way land acquisition is an issue. DJ Clark said it may be an issue with the current Grand Avenue project. Board member Goodrich asked how strong the study is when compared against potential development impacts. DJ Clark said the study’s prognosticated land

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development scenarios were developed with input from long term resident Bob Sanderson. Mr. Sanderson provided information on the likelihood of area property owners developing in the next 20 years. This study has a 20 year planning horizon. Candi Millar said this information should be re-evaluated every 5-10 years to see what changes have occurred. Scott Walker said this study will provide strong foundational information for the next 5-10 years, up to the 2018 Transportation Plan update. DJ Clark commented on the need for the City and County to be cohesive on how subdivisions are developed. Board member Cook asked about the correlation between development and infrastructure; and how soon services will go westward. Candi Millar said the Annexation Policy takes this into account and directs higher urban density growth towards the "red" area as infrastructure is available. She said Bob Sanderson's input for this study provided invaluable information as to the inclination of the area's property owners. Board member Cook suggested utilizing the 4.5 radius to work with the County on development. Wyeth Friday said the Urban Fringe Design Standards Subcommittee is holding these types of transitional discussions.

Public Hearing

At 7:08 Vice President Reed opened the public hearing and asked if there is anyone present wanting to speak in favor or against the West End Multi-Modal Traffic Study. There was none. Vice President Reed closed the public hearing and called for a motion.

Motion

Board member Cook made a motion and Board member Goodrich seconded the motion to recommend to PCC approval of the West End Multi-Modal Traffic Study as presented by staff. The motion carried with a unanimous voice vote.

7a-4. PRESENTATION/DISCUSSION. RIMS TO VALLEY BIKE/PED FEASIBILITY STUDY. Scott Walker, Transportation Coordinator, presenting.

Vice President Reed asked Scott Walker to open this agenda item. He introduced Michael Sanderson, President, Sanderson Stewart. Mr. Sanderson said Danielle Scharf, Associate and Senior Engineer and Bozeman Branch Manager, Sanderson Stewart is the primary consultant for this project, and they partnered with DesignWorkshop and Terracon.

Mr. Sanderson gave the presentation below. He reviewed the goals and expectations of this study and gave a brief overview of each alternative route. Final Action for this study will be taken during the Tuesday July 19, 2016 Policy Coordinating meeting.

Introduction

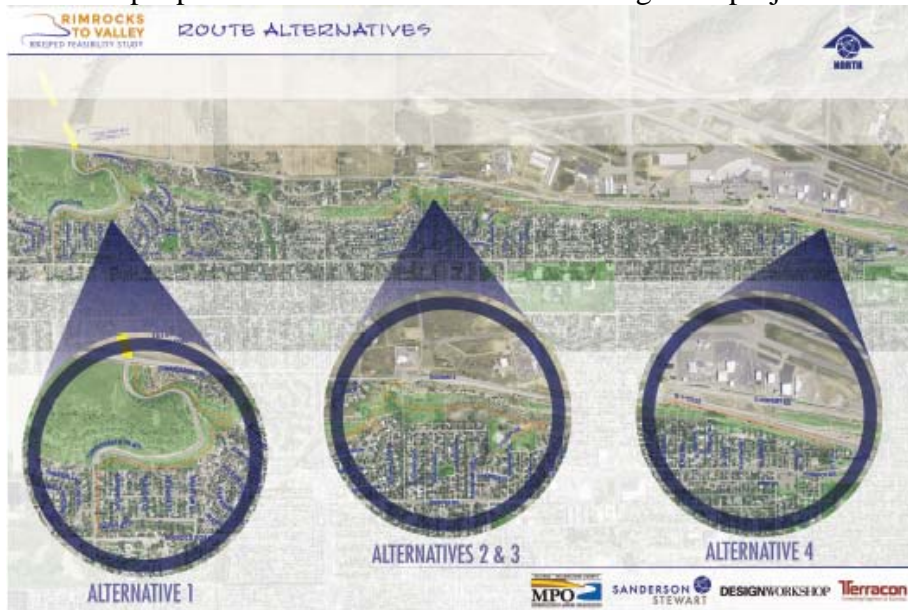
The Rimrocks to Valley Trail Feasibility Study will evaluate alternatives for the development of separated bicycle and pedestrian facilities from Highway 3 atop the Rimrocks to existing bicycle and pedestrian facilities below (Rimrock Road, etc.) from 27th Street to Zimmerman Trail. The Draft Rimrocks to Valley Bike/Pedestrian Feasibility Study is available here: <http://sandersonstewart.com/projects/rimstovalley/>

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Goals and Expectations

1. Identify routes that safely convey bicyclists and pedestrians addressing the needs of both recreational users and commuters.
2. Evaluate the feasibility of achieving ADA compliance.
3. Identify access points and place-making opportunities.
4. Consider the unique geology of the Rimrocks in the evaluation of alternatives.
5. Maintain consistency with existing community plans.
6. Identify and engage all relevant stakeholders, particularly the Rimrock neighborhoods.
7. Enhance recreational and aesthetic opportunities from atop the Rims.
8. Provide a key connection within the proposed 26-mile marathon loop trail around Billings.
9. Develop a prioritized list of short-term and long-term projects.



Alternative 1: Zimmerman Trail (Stagecoach Trail) Referred to as the Stagecoach Trail, the first route alternative is adjacent to Zimmerman Trail, a two lane roadway that traverses from the bottom to the top of the Rimrocks at the western boundary of the study area. This roadway is steep and narrow and does not provide a safe on-street facility for bikes and pedestrians. The Zimmerman Trail right-of-way is owned and maintained by the City of Billings. The City of Billings and MDT have a design project currently underway for reconstruction of Zimmerman Trail and a separate project for the design of a roundabout at the intersection of Zimmerman Trail and Highway 3. The proposed trail along this route would be located along the east side of the roadway and would be placed below the grade of the road along the roadside slope.

Alternatives 2-3: Myers Trail and Morledge Trail

The Myers Trail runs from the north end of Country Club Circle below the Rims and traverses up to the top of the Rims just east of Sky Ranch Condominiums. This trail was at one time a private driveway used to access the old Myers family home on top of the Rims. The terminus of the Myers Trail at the top of the Rims coincides well with one of the trailheads/parking areas recommended in the Highway 3 Corridor Study.

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This is an existing trail that is used often, but the current alignment crosses private property at the south end and it has some challenging sections that may be difficult for some users.

The Morledge Trail begins at the north end of 17th Street West and routes west through property owned by City of Billings Public Works. Just north of the large water tank on this property, the trail would transition onto private property owned by the Morledge family. The trail would be located toward the south side of their property and would route up and around a couple of coulees before transitioning back to public property. The trail would then need to cross a large coulee area, possibly with a boardwalk type of structure, as it ramps up toward the top of the Rims and ends in approximately the same location as the Myers Trail at the top. The Morledge property is undeveloped and is approximately 10 acres in size. The project team has had several conversations with the Morledge family through this process and they have stated their approval of the proposed trail location and their willingness to grant a trail easement.

The 27th Street Trail runs along North 27th Street. It would begin near the existing trail underpass at the intersection of North 27th Street/Highway 3/Airport Road and would continue to the southeast along North 27th Street. It would be located behind the existing guard rail on the south side of the roadway. Right-of-way is limited around the ramp that curves around to Rimrock Road, so the proposed trail would instead route through public property and connect to the north end of Yucca Street. There is enough existing right-of-way that an on street bike facility may be provided along with a separated pedestrian path behind the guardrail. This route has potential for a scenic overlook.

Public Involvement

Public Meeting 1- 95% of attendees felt a trail to the top would be beneficial and 90% said they would use it.

Public Meeting 2- 42 attendees. As to the results in terms of paved or natural surfaces, the preference is for pavement along 27th Street and a more natural surface for the other routes. Those attendees polled thought the 27th Street and Stage Coach Trail to be more "urgent" as they are currently being used without separate facilities.

Probable Cost was considered for each alternative with the 27th Street Trail being the least expensive and the Stagecoach trail is most expensive. The Stagecoach Trail is under consideration by MDT as part of the Zimmerman Trail Improvement project.

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Discussion

Vice President Reed called for discussion from the members of the Board. Board member Cook asked Michael Sanderson which route alternative would best close the gap in the Marathon Trail. Michael Sanderson said potentially any of the options could, with Zimmerman Trail providing a direct connection. Board member Cook noted the projected project cost estimates and asked if any of these could be done with funding as a private project. Board member Klugman asked about project implementation and the feasibility of constructing the Stagecoach Trail project. Transportation Coordinator Scott Walker commented on the coordination of the Zimmerman Trail construction project, and the Highway 3 intersection project. He said potentially if construction costs for these projects remain as projected, there would be about \$1.5 million in funds to bid an alternate project to construct a path and a culvert to make a connection to Zimmerman Park. Discussion followed on the Highway 3 Corridor Plan trail connections. Michael Sanderson commented the study identifies opportunities to obtain right-of-way and address what needs to be done for each of these route alternatives. Scott Walker stated this is a foundational document to be used by staff and governing boards to demonstrate feasibility.

Public Hearing

At 7:44 pm, Vice President Reed opened the public hearing and asked if there is anyone present wanting to speak in favor or against the Rimrocks to Valley Bike/Pedestrian Study. There was none. Vice President Reed closed the public hearing and called for a motion.

Motion

Board member Cook made a motion and Board member Klugman seconded the motion to recommend to PCC approval of the Rimrocks to Valley Bike/Pedestrian Study as presented by staff. The motion carried with a unanimous voice vote.

8. OTHER BUSINESS

8a. Standing Item. Staff update. Long Range Strategic Issues and an overview of future City and County issues and projects. –

- Director Millar announced the May 25, 2016 “BillingsBeyond” Growth Policy Open House and Public Meeting at the Billings Library. She provided the Board with 3 public statements and the guidelines for growth. The guidelines primarily will be used for staff and governing boards to determine if applications are consistent with or made in accordance with the policy. The policy is not prescriptive. Boards and Commissions are not required to follow this as a governing document. A “pre-presentation” will be held at the June 14, 2016 Planning Board meeting. Vice Chairman Reed commented that the strength of the policy is the public involvement.

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- Division Manager Friday, announced the closure of advertising for Ward II and Ward III Planning Board applications and asked Board members to encourage others in these wards to apply.

ADJOURNMENT: 8:00 p.m.

ATTEST: DRAFT. To be approved by a motion on June 14 2016