

FINDINGS OF FACT

The Planning Staff has prepared the Findings of Fact for the preliminary plat of Lake Hills Subdivision, 36th Filing. These findings are based on the preliminary plat application and supplemental documents and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(H), BMCC).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608(3)(a) and BMCC 23-302.H.2.]

1. Effect on agriculture and agricultural water user facilities

The subject property is located in the City limits and has been slated for residential development since it was originally platted in 1958. It should not have a negative effect on the agricultural industry.

The BBWA irrigation ditch is located approximately ½ mile northeast of the property. This subdivision does not contain any ditches or water shares, and therefore will not have an effect on agricultural water user facilities.

2. Effect on local services

- a. **Utilities** – Water service will be provided by the County Water District of Billings Heights (CWDBH). A 12-inch water main exist within Gleneagles at the northern edge of the proposed subdivision. There is also an existing 8-inch water main located in Lake Hills Drive that ends at the southeastern edge of the proposed subdivision. An SID exists that will extend the 12-inch water line from the north in Gleneagles. Another SID will extend the 8-inch water line from the southeast in Lake Hills Drive to connect to the 12-inch water main at the intersection of Gleneagles and Lake Hills Drive. Each lot will have a water stub extended to it for future connection by home owners. New water services installed in the streets and to all of the new lots will be subject to the review and approval of the water district prior to construction.

Sanitary sewer service will be provided by connecting to an 8-inch sewer main within Gleneagles at the northern edge of the proposed subdivision. An SID exists that will extend the 8-inch sewer main from the north in Gleneagles to the intersection of Lake Hills Drive and continue to the southeast and connect to an existing connection in Lake Hills Drive. Sewer connections will be stubbed to each lot for future home owners to connect. New sewer services will be subject to the review and approval of City of Billings Engineering prior to construction.

MDU will provide gas services, and Yellowstone Valley Electric Cooperative will provide electric services to the subdivision. Easements shall be shown on the face of the final plat that are acceptable to these utility providers (**Condition #1**).

- b. **Storm water** – The City commissioned a storm water management feasibility study approximately eight years ago in order to determine how to best manage the storm water in the greater Lake Hills area. The resultant plan that was adopted by City Council establishes a series of detention ponds on the golf course connected by channels which are eventually pumped down to a main pond at the southeastern area of the golf course. This main pond is then used for irrigation of the golf course. All drainage improvements shall satisfy the criteria set forth by the *City of Billings Stormwater Management Manual* and will be subject to review and approval by the Engineering Division.
- c. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City’s landfill has adequate capacity for this waste.
- d. **Streets** – The proposed subdivision fronts Gleneagles Boulevard which is identified on the 2014 Functional Class Map as a principal arterial which requires an 80-foot wide platted right of way. Lake Hills Drive is also classified as a principal arterial and also has an 80-foot wide platted right of way. Neither road is constructed at this time in this area of Lake Hills Subdivision. The subdivider will construct their portion of Gleneagles Boulevard going south and also build Lake Hills Drive through their proposed subdivision. Both streets will be constructed to meet current City standards with a minimum of 49-foot wide back-of-curb to back-of-curb paved street with standard curb and gutter, and boulevard-style sidewalks. The developer will construct a temporary gravel surface cul-de-sac end on the south end of Gleneagles Boulevard.
- e. **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The nearest fire station is located at 1601 St. Andrews Drive (Station #6). The subdivision is located within the ambulance service area of American Medical Response (AMR).
- f. **Schools** –School District #2 provides educational services to elementary through high school students. In the response from School District #2 they state that Sandstone Elementary School, Castle Rock Middle School, and Skyview High School will serve the children in this subdivision. School District #2 Administration indicated that Sandstone Elementary is over capacity with Castle Rock and Skyview able to accommodate more students.
- g. **Parks and Recreation** – Parkland dedication requirements for this subdivision were met when this subdivision was originally platted in 1958.
- h. **Mail Delivery** - The United States Postal Service will provide postal service to the subdivision and has requested central delivery site with boxes to serve the new houses. It is recommended as a condition of approval that the developer obtain a letter from the USPS approving the location of the new centralized mail box site(s) prior to final plat approval (**Condition #2**).

3. Effect on the natural environment

The subject property has been planned for urban development since its original platting in 1958. This land has not been used for active farming in recent past. The subject property is dryland grass and is not a significant habitat for wildlife. There is some antelope grazing that takes place but not a significant amount. During development, storm water pollution prevention best management practices are required to be used and monitored to prevent erosion on exposed ground. Overall, the effect on the natural environment should be minimal.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. There is a paragraph in the SIA that warns future lot owners of the presence of deer and antelope in the area, which may cause damage to their landscaping. This subdivision should have a minimal effect on wildlife and wildlife habitat, as it is in an urbanized area.

5. Effect on the public health, safety and welfare

There will be no impacts to public health, safety and welfare as a result of this subdivision. The subdivision is located in an area with no known natural hazards.

B. Was an Environmental Assessment required? [MCA 76-3-616 and BMCC 23-302.H.1.]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2014 Billings Urban Area Long Range Transportation Plan, and the Billings Area Bikeway and Trail Master Plan Update? [BMCC 23-302.H.4.]

1. City of Billings 2016 Growth Policy

The proposed subdivision is consistent with the following goals of the Growth Policy:

- a. **Essential Investments (relating public and private expenditures to public values):** Infill development and development near existing City infrastructure may be the most cost effective (p. 6).
- b. **Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods):** Neighborhoods that are safe and attractive and provide essential services are much desired (p.8).
- c. **Mobility and Access (transportation choices in places where goods and services are accessible to all):** Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings (p. 9).

2. 2014 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2014 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

3. Billings Area Bikeway and Trail Master Plan (BABTMP)

The proposed subdivision lies within the jurisdiction of the BABTMP. There is a bike lane identified to be provided on Gleneagles Boulevard. The developer will not be required to do more than build Gleneagles Boulevard, the bike lane would be stripped as part of the road surface improvements.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608(3)(b) and BMCC 23-302.H.3.a.]

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act 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 and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302.H.3.e.]

The subject property is located within the R-96 zoning district and shall comply with the standards set forth in Section 27-308, BMCC.

F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608(3)(c) and BMCC 23-302.H.3.b.]

Easements for utilities will be shown on the final plat as requested by all utility providers.

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608(3)(d) and BMCC 23-302.H.3.c.]

Legal and physical access is provided to the proposed lots from Gleneagles Boulevard and Lake Hills Drive.

CONCLUSIONS OF FINDING OF FACT

- The preliminary plat of Lake Hills Subdivision, 36th Filing does not create any adverse impacts that warrant denial of the subdivision.
- The proposed subdivision conforms to several goals and policies of the 2016 Growth Policy and does not conflict with the 2014 Transportation Map or BABTMP Plans.
- The proposed subdivision complies with state and local subdivision regulations, local zoning, and sanitary requirements and provides legal and physical access to each lot.

- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

RECOMMENDATION

The Planning Board recommend conditional approval of the preliminary plat of Lakehills Subdivision, 36th Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.