

# CITY/COUNTY PLANNING BOARD

## "Serving Billings, Broadview and Yellowstone County"

**Board Attendance Roster:** Please note: "E" stands for excused absence, "A" stands for un-excused absence, "1" stands for present. **BYLAWS, YELLOWSTONE COUNTY BOARD OF PLANNING, (Amended. May 25, 2004) Section 4. Absences and Removal A.** Each member shall inform the Planning Director at least one day before the meeting of his/her inability to attend a Board or Committee meeting. Such an absence shall be considered an excused absence. If any Board member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residence, or by announcement at a meeting attended by him/her, the President may call such absences to the attention of the Board which may then recommend to the appointing authority that such member be asked to resign and that another person be appointed to serve out the unexpired term. Schedule: (\*\* denotes a Wednesday meeting)

	Position	01/08/2019	01/22/2019	02/12/2019	02/26/2019	03/12/2019	03/26/2019	04/09/2019	04/23/2019	05/14/2019	** 05/29/2019	06/11/2019	06/25/2019	07/09/2019	07/23/2019	08/13/2019	08/27/2019	09/10/2019	09/29/2019	10/08/2019	10/22/2019	11/12/2019	11/26/2019	12/10/2019
<b>Dave Goodridge</b>	Mayor/Billings Ward I	E	1	1	1	E	E																	
Matt Macrow	Mayor/Billings Ward II	1	1	1	1	1	1																	
<b>Eric Wallace</b>	Mayor/Billings Ward III	1	1	1	E	E	E																	
<b>Darell Tunnickliff</b>	Mayor/Billings Ward IV	1	1	1	E	1	1																	
<b>Jon Thompson</b>	Mayor/Billings Ward V	1	E	1	E	1	1																	
<b>Troy Boucher</b>	YC District 1	1	E	E	1	1	1																	
<b>Dennis Cook</b>	YC District 2	1	1	1	1	1	1																	
<b>Vacant</b>	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Vacant</b>	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Woody Woods</b>	YC District 5	1	1	1	1		1																	
<b>Vacant</b>	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Jarett Hillius</b>	YC District 7	1	1	1	1	1	1																	
<b>Jerry Williams</b>	Y County Cons. District	1	1		1	1	1																	
<b>Scott Reiter</b>	<b>Ex-Officio SD2</b>	A	A	A	A	A	A																	

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**March 12, 2019**

*Draft- To be approved by a motion on March 26, 2019*

### **Call the Meeting to Order**

President Tunnicliff called the meeting to order at 6:00 p.m. on Tuesday, March 12, 2019 in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> 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:** Wyeth Friday, Director, Planning & Community Services Department; Monica Plecker, Planning Division Manager; Dave Green, Planner II, Tammy Deines, Planning Clerk

**In Attendance:** Gary Owen, Sanderson Stewart; Brad McCall, McCall Development

### **Approval of the March 12, 2019 Agenda**

#### **Motion:**

**Board member Woods made a motion and it was seconded by Board member Cook to approve the March 12, 2019 meeting agenda. The motion was approved with a unanimous voice vote.**

### **Approval of Minutes: February 26, 2019**

#### **Motion**

**Motion was made by Board member Woods and seconded by Board member Cook to approve the February 26, 2019 meeting minutes as submitted. The motion carried with a unanimous voice vote.**

**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 might 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 as no public comments.

**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.

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7. **OLD BUSINESS**-There is no Old Business.

## 8. NEW BUSINESS

**8a. Plat Review/Discussion. Annafeld Subdivision, 2<sup>nd</sup> Filing. City Major Subdivision, McCall Development, owner. Dave Green, Planner II.**

Dave Green introduced this agenda item and gave a brief presentation.

### INTRODUCTION

On February 1, 2019, Sanderson Stewart, agent for McCall Development, Inc., applied for preliminary major plat approval for Annafeld Subdivision, 2<sup>nd</sup> Filing. The proposed subdivision creates 98 new lots for development. The subject property is generally located south of Elysian Road and west of the Hogan Slough. The property is in the process of annexation and that process will be completed when 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 March 26, 2019.

### RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Annafeld Subdivision, 2<sup>nd</sup> Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

### VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

### PROPOSED CONDITIONS OF APPROVAL

Planning staff recommends the following conditions of approval:

1. 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.
2. To minimize impact of future road infrastructure and to ensure any impacts the subdivision may have on the existing roads, prior to final plat approval the applicant will determine dollars amounts of the required contributions to the existing roads. The applicant will also have all of the streets named in the subdivision.
3. To ensure the public park associated with this subdivision can be constructed and maintained correctly, prior to final plat approval the applicant will replace the second and third paragraph wording in the SIA under the heading VII. Parks/Open Space with wording provided by the City of Billings PRPL Division:

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In addition, the lots within Annafeld Subdivision, Second Filing (not already participating in the park SID 1404 from Annafeld Subdivision, First Filing) shall provide additional funding to complete the park improvements for the previously created public parkland by SID. The park improvements shall be in accordance with the Council approved Annafeld Parks Master Plan. The Subdivider shall prepare all SID documents necessary for creation, and coordinate with the City of Billings Parks and Recreation Department for review and approval. If all park improvements as defined in the Annafeld Parks Master Plan have been completed prior to the creation of this park SID, then this park SID will no longer be required.

The current park maintenance district (PMD 4041) for Annafeld Subdivision, First Filing shall be expanded to include lots within Annafeld Subdivision, Second Filing for the perpetual maintenance of the public parkland. The Subdivider shall prepare all park maintenance district documents necessary for its expansion and coordinate with the City of Billings Parks and Recreation Department for review and approval.

4. 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.
5. 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**

President Tunnickliff called for questions and discussion from the members of the Board. Board member Woods asked what determines the location of the turnarounds in the subdivision and Planner Green explained the code requirements for emergency access. Board member Wood stated he appreciates the inclusion of sidewalks in this development. He asked for clarification on the number of lots, and Dave Green stated the proposal is for 101 lots. Board member Thompson asked where the private parkland and trail connections are located on this parcel. Per the Board’s request, Mr. Green commented on the traffic study recommendations and commented that once the Harmony Meadows Subdivision is developed a connection to Story Road will be required. Board member Hillius asked if there are concerns with storm water. Dave Green replied the developer worked during the first filing of the subdivision to address the need not to overtop Hogan’s Slough.

President Tunnickliff called for presentation by the Applicant.

### **Gary Owen, PE, Sanderson Stewart, 1300 N. Transtech Way, Billings, Montana**

Mr. Owen represents owner/developer McCall Development. He pointed out the trail

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system located on the south side of Elysian Road running towards Mallowney Road. There will be a soft surface trail from the larger park area to East Lane and Elysian School. A four way stop will be located at the intersection of Elysian Road and Mallowney Road. The development will contribute to the signalization along with the other developments in this area. This development holds agreements with Hogan's Slough and they have obtained signed approval from Canyon Creek Ditch Company for storm water discharge.

### **Brad McCall, McCall Development, 1536 Mallowney Lane, Suite 100, Billings, Montana**

Mr. McCall referred to the posted plat map and pointed out the pocket parks and the designated private park in the 2<sup>nd</sup> Filing of this subdivision. He stated they are working with the City Parks Department to develop language in the SIA. He commented there are many logistics connected to bonding.

\*\*A public hearing for Annafeld Subdivision, 2<sup>nd</sup> Filing will be held during the Planning Board meeting on Tuesday, March 26, 2019.

### **8b. Plat Review/Discussion. Annafeld Subdivision, 3<sup>rd</sup> Filing. City Major Subdivision, McCall Development, owner. Dave Green, Planner II.**

Dave Green introduced this agenda item and gave a brief presentation. He commented that the intent of uses for the northern part of the subdivision is a mix for residential and some commercial development. All requirements must be met for streets, sewer, and storm water. The developer will coordinate with the Fire Department for hydrant placement.

### **INTRODUCTION**

On February 1, 2019, Sanderson Stewart, agent for McCall Development, Inc., applied for preliminary major plat approval for Annafeld Subdivision, 3<sup>rd</sup> Filing. The proposed subdivision creates 100 new lots for development. The subject property is generally located south of Elysian Road and west of the Hogan Slough. The property is currently proceeding through the annexation process. The annexation will be completed when 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 March 26, 2019.

### **RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Annafeld Subdivision, 3<sup>rd</sup> Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

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## **VARIANCES REQUESTED**

No variances from the City Subdivision Regulations have been requested.

## **PROPOSED CONDITIONS OF APPROVAL**

Planning staff recommends the following conditions of approval:

1. 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.
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3. To ensure the public park associated with this subdivision can be constructed and maintained correctly, prior to final plat approval the applicant will replace the second and third paragraph wording in the SIA under the heading VII. Parks/Open Space with wording provided by the City of Billings PRPL Division:

In addition, the lots within Annafeld Subdivision, Second Filing (not already participating in the park SID 1404 from Annafeld Subdivision, First Filing) shall provide additional funding to complete the park improvements for the previously created public parkland by SID. The park improvements shall be in accordance with the Council approved Annafeld Parks Master Plan. The Subdivider shall prepare all SID documents necessary for creation, and coordinate with the City of Billings Parks and Recreation Department for review and approval. If all park improvements as defined in the Annafeld Parks Master Plan have been completed prior to the creation of this park SID, then this park SID will no longer be required.

The current park maintenance district (PMD 4041) for Annafeld Subdivision, First Filing shall be expanded to include lots within Annafeld Subdivision, Second Filing for the perpetual maintenance of the public parkland. The Subdivider shall prepare all park maintenance district documents necessary for its expansion and coordinate with the City of Billings Parks and Recreation Department for review and approval.

4. 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.
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### **Discussion**

President Tunncliff called for questions and discussion from the members of the Board. There were no questions or discussion from the Board.

### **Brad McCall, McCall Development, 1536 Mallowney Lane, Suite 100, Billings, Montana**

Mr. McCall presented a rendering of the proposed Main Street style buildings to be constructed on the north end of the subdivision. The commercial undertakings may be a restaurant, a barbershop, or bakery. McCall Development intends to move this development forward for final review in 2020. The larger lots will be used for parking. In response to question by Board member Williams, Mr. McCall explained they are working through concepts for construction of live-work buildings or 3-story buildings with shops and apartments. Board member Woods complemented them on this concept and stated this type of development may work in Lockwood.

\*\*A public hearing for Annafeld Subdivision, 3rd Filing will be held during the Planning Board meeting on Tuesday, March 26, 2019.

## **9. OTHER BUSINESS**

- ➔ Director Friday said City Council approved the 2019-2020 priorities and Project ReCode is a high priority on the list. He will distribute copies to the Board at the next meeting.
- ➔ Project ReCode: A presentation was given at the City Council Work Session as an update. Updates include improved communications through an updated and postings on the front page of the City of Billings website; and more active outreach through the consultants.
- ➔ The next meeting will be held as legally advertised on Tuesday, March 26, 2019, 6:00 PM in the Miller Building 1<sup>st</sup> Floor Conference Room, 2825 3<sup>rd</sup> Ave. North.

ADJOURNMENT: 6:31 P.M.

## **FUTURE AGENDA ITEMS FOR TUESDAY, MARCH 26, 2019**

A. Public Hearing. Motion/Recommendation to City Council. Annafeld Subdivision, 2nd Filing. A City major 101-lot development. McCall Development, owner. Dave Green Presenting.

B. Public Hearing. Motion/Recommendation to City Council. Annafeld Subdivision, 3rd Filing. A City major 100-lot subdivision. McCall Development, owner. Dave Green, Planner II, presenting.

## **DRAFT. TO BE APPROVED BY A MOTION ON MARCH 26, 2019**

*Tamara L. Deines, Planning Clerk*

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Reviewed by Planning Staff