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Mountain View Meadows, LLC
Attn: Mark Runkle
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Helena, Montana 59601

RE: Craftsman Village 8, 9, and 10 Major Phased Subdivision
Preliminary Plat Findings, Conclusions, and Action

Mr. Runkle:

On Tuesday, February 21, 2023, the Helena and Lewis and Clark County Consolidated Planning Board held a public hearing on the preliminary plat for the Craftsman Village 8, 9, and 10 Major Phased Subdivision request to create 207 lots from approximately 32.268 acres.

Specifically, the proposed subdivision is legally described as “a portion of Tract A-1-A-1-A-1-A-1-A-1-A-1-A of the amended Plat Number 3386391, located within the South ½ of Section 26 and the North ½ and Southeast ¼ of Section 35, Township 10 North, Range 3 West, P.M.M, Lewis and Clark County” is located generally east of Craftsman Village Phase 7 of the Crossroads at Mountain View Meadows Subdivision.

In compliance with the requirements set in Helena City code §12-2-9, the Consolidated Planning Board recommended that the Helena City Commission conditionally approve the Craftsman Village 8, 9, and 10 Major Phased Subdivision Preliminary Plat including the requested exceptions to block length.

On Monday, April 10, 2023, the Helena City Commission held a public hearing to review the Craftsman Village 8, 9, and 10 Major Phased Subdivision Preliminary Plat. The City Commission considered written and verbal public testimony, the applicable staff report and related information, and the Planning Board’s recommendation. The City Commission evaluated the subdivision proposal and considered the subdivision review criteria set forth in § 76-3-608, Mont. Code Ann. and the City of Helena’s Subdivision Regulations in Title 12, Chapter 1, Helena City Code. This review also included consideration of documents and information submitted by the applicant in the respective application for preliminary plat approval, the proposed preliminary plat, Environmental Assessment (“EA”), Traffic Impact Study (“TIS”), and Preliminary Engineering Report (“PER”).

Based upon this review and after considering the applicant’s preferences for mitigating impacts from this major subdivision, the City Commission makes the following Findings and Conclusions:

1. Impacts to Agriculture

Findings:

Chapter 10 of the Helena 2012 Growth Policy, Subdivision Review states: *Agriculture is defined as the use of land for growing, raising, or marketing of plants or animals to produce food, feed, and fiber commodities. Examples of agricultural activities include, but are not limited to, cultivation and tillage of the soil; dairying; growing and harvesting of agricultural or horticultural commodities; and raising livestock, fur-bearing animals, or poultry. Agriculture does not include gardening for personal use, keeping house pets, kenneling, or landscaping for aesthetic purposes.*

A. According to the application “The proposed subdivision site consists of a vacant property that is currently

zoned Urban Residential Mixed Use in Lewis and Clark County. It is surrounded by residential zoning in the City of Helena and Rural Residential Mixed Use in Lewis and Clark County. There is no known history of any recent agricultural use on the property.”

- B. The subject property appears to not be located on or near any prime farmland. The site contains soils that may allow for minor, local gardening and landscaping; these make up approximately 68% of the site; this soil is classified as the Musselshell-Cargo complex. The area surrounding the proposed development extension is surrounded by more recent phases of the same development. There are no identified agriculture users in the immediate area.
- C. The property is located adjacent to the City of Helena surrounded by mostly residential. Traditionally, the subject property has been used as aggregate mining and production and open space.

- D. NRCS soil survey lists the following soils as present on the site:

Musselshell-Crago complex, 2 to 8 percent slopes, 67.8% of area, Crago-Musselshell gravelly loams, 4 to 35 percent slopes, 32.2% of area.

Information for the Musselshell-Crago Complex indicates slight limitations to development which would be overcome with proper design and excavation. Development would be above groundwater elevation. Foundations would be excavated to a depth providing necessary stability. Foundations may require the importation of course materials to place over properly compacted subgrade.

- E. Overall, the property has limited utility as an agriculture site due primarily to the grade changes and marginal soils that are not indicative of prime agricultural property.

Conclusion:

This proposed major phased subdivision will not impact agriculture production.

2. Impacts to Agricultural Water User Facilities

Findings:

Chapter 10 of the Helena 2019 Growth Policy, Subdivision Review states: *Agricultural water user facilities are defined as facilities that provide water for irrigation and stock watering for the production of agricultural goods. They include, but are not limited to, reservoirs, ponds, ditches, pipes, and other water conveying facilities.*

- A. The application’s Environmental Assessment (EA) indicates a lack of surface water, irrigation or stock water facilities, and no known history of any agricultural water use on the property.
- B. The proposed 207 lot subdivision will utilize city water and wastewater services. There are no agricultural users or water facilities on the property or adjacent to the subject development or in the immediate vicinity.

Conclusion:

This proposed major subdivision will not impact agricultural water user facilities.

3. Impact to Local Services

Findings:

Chapter 10 of the Helena 2019 Growth Policy, Subdivision Review, defines “Local Services” as *all services provided to the public by the City of Helena, other local governmental bodies, or public utilities, including, but not limited to, transportation systems and non-motorized facilities, law enforcement, fire protection, drainage structures, water supply, sanitary sewage disposal, solid waste collection and disposal, parks, and schools.*

A. This local services definition as stated in the 2019 City of Helena Growth Policy will be applied during subdivision review subject to the following evaluation guidelines:

1. Subdivision review should consider the recommendations of existing service and facility plans and compliance with other service needs assessments.
2. Subdivision review could include the impact of the development on the levels of service, proximity of services, response times, and the subdivider's responsibility in the extension of services.
3. The capacity and capability of local services is limited, and all developments should equitably participate in providing adequate services for, including replacement of consumed reserve capacity, to meet levels of service and facility design standards.
4. General design of local services within proposed subdivisions should be addressed during the preliminary plat review.
5. Lack of adequate service capacity and capability within local services is adequate grounds for denial of subdivision approval when impacts of proposed subdivisions are not mitigated.
6. Subdivision review shall include review of easements for the provision and maintenance of services.
7. Subdivision review may require a percentage of improvements or specific types of improvements necessary to protect public health and safety to be completed before allowing bonding or other reasonable security for purposes of filing a final plat. An evaluation of the timing of infrastructure installation should be included in the subdivision review.

B. Helena City Code §12-2-15 requires public improvements be installed in conformance with plans, specifications, and a construction schedule approved by the city. **(Condition #1)**

C. The applicant is proposing the following phasing schedule.

Phase 8: December 2023

Phase 9: December 2024

Phase 10: December 2025

D. The EA concludes that, overall, "Local services including water supply, wastewater treatment, streets, police, and fire will be provided by the City of Helena. Other local service providers are available for medical and utilities."

There is a concurrent annexation action request (as well as a pre-zoning) along with this preliminary plat consideration.

Transportation:

A. An updated Traffic Impact Study (TIS) was prepared for the project to analyze the impacts of the subdivision on the adjacent street network by Abelin Traffic Services (ATS). Traffic count data for this study was collected in July 2022 and November 2022. Historic data was also obtained from the Montana Department of Transportation for US 12 and MT Highway 282.

The TIS concludes that "The proposed subdivision is anticipated to add up to 2,169 trips per day at full-build-out of the subdivision. It is expected that 75% of the traffic from the proposed development site would use Jeannette Rankin Drive and Alpine View Drive to reach Alice Street and Highway 287 to the west into Helena, 15% would distribute to the south onto Runkle Parkway and Highway 282 to the south, and 10% would distribute north onto Highway 282 towards East Helena. All traffic, according to the engineer, directing towards Helena from Phases 8 and 9 would use Jeannette Rankin. This traffic will decrease significantly in Phase 10 with the direct connection of Alpine View Drive and Alice Street. "

The TIS data further indicates that "the construction of the Craftsman Village of the Crossroads Phases 8-10 will have little effect on the traffic conditions within the area. All area intersections will continue to function at LOS B or better at full build-out and no additional mitigation measures will be needed to improve intersection capacity. Both the intersections of Twilight Avenue and Alpine View Drive with Runkle Parkway have existing center left-turn lanes which will provide reserve operational capacity for these intersections well into the future. Based on the existing and projected traffic volumes along Alice Street, no additional turning lanes would be required at the intersections with Alpine View Drive or Jeannette Rankin Drive.

Total traffic volumes on Alice Street and Crossroads Parkway will increase by 1,600 VPD to a total of 3,700 VPD which is well within the capacity of a collector roadway. Traffic volume along the southern portion of Alpine View Drive will increase by approximately 500 VPD. The project will initially increase traffic volumes along Jeannette Rankin Drive (collector roadway) by approximately 1,000 VPD with Phases 8 & 9 which will increase the total traffic along Jeannette Rankin Drive to 1,500 VPD. With the connection of Alpine View Drive to Alice Street with Phase 10 of the project, traffic volumes along Jeannette Rankin Drive will decrease to approximately 800 VPD. It should be noted that Crossroads Parkway is currently constructed with an urban three lane cross-section which has the capacity to handle 18,000 VPD to 20,000 VPD. The road is currently carrying 2,000 VPD to 3,000 VPD, or 10-20% of the roadway's capacity.

Reviewing the traffic forecasts and relation to intersection LOS analysis, the intersections of Highway 12 and Crossroads Parkway, and the intersection of Highway 282 and Runkle Parkway can accommodate an excess amount of traffic from the total planned MVM projects, estimated at 1,055 housing units, while continuing to function within an acceptable LOS. ATS ran a LOS analysis for the intersections of Highway 12 and Crossroads Parkway and the intersection of Highway 282 and Runkle Parkway DOUBLING the currently anticipated traffic volumes at these intersections from the MVM. The analysis showed that both intersections would still function at LOS C or better with twice as much traffic as is currently projected at full buildout in 2025. The LOS analysis for this condition is included with this report. As MDT continually monitors the traffic signal operations at Highway 12 and Crossroads Parkway, signal timing adjustments for traffic flow optimization may be needed at full buildout of the properties in this area to accommodate the continued growth on the subject properties, but no geometric improvements would be necessary to support full buildout of the planned projects."

As proposed, Craftsman Village of the Crossroads would produce 2,169 new daily trips in the area at full build-out. Craftsman Village of the Crossroads Phases 8-10 will not affect roadway operations in the area. All nearby intersections will continue to function at acceptable levels of service with the proposed development. At this time, the developer's traffic engineer is not recommending any mitigating off-site improvements.

Non-motorized transportation will be provided with boulevard sidewalks on both sides of all streets. Alpine Drive is proposed to include a bike/pedestrian path on one side, consistent with the existing development and City development standards.

- B. Helena City Code § 12-4-2 states blocks may not exceed six hundred feet (600') in length except when a longer length is needed to meet grade limitations, the existing built environment, water bodies or railroad crossings, or industrial uses. Several of the proposed publicly dedicated streets will exceed the 600' maximum. The applicant has provided justifications for exceeding this length and is requesting this exception be granted.
- C. The proposed subdivision will be provided access from Adam Run Avenue, Travis Avenue, Jeannette Rankin Drive, Alexis Avenue, Stacia Avenue, and Alpine View Avenue.
- D. The 2014 Greater Helena Long Range Transportation Plan Update identifies Jeannette Rankin Drive and Alpine View Avenue as minor collectors, all other local streets are a local classification.
- E. In order to fully and more completely analyze the impact this project may have to the immediate area, Transportation Systems staff has indicated a need for additional level of service (LOS) and crash data be submitted at some point prior to infrastructure permitting. **(Condition #1)**

Non-Motorized:

- A. Non-motorized transportation will be provided with boulevard sidewalks on both sides of all streets.
- B. Alpine Drive is proposed to include a bike/pedestrian path on one side, consistent with the existing development and City development standards.
- C. Public bicycle and pedestrian facilities are included in the previous phases of Mountain View Meadows.
- D. The City of Helena requires new roads meet complete streets standards. These standards include curb, gutter and boulevard sidewalks for all classifications of roads.

Stormwater:

- A. Storm drainage for the proposed project has been analyzed in accordance with the City of Helena requirements. Storm runoff from developed areas is collected in curb and gutters and directed to a combination of curb inlets and storm sewers. These conveyance structures transport storm runoff to an existing runoff control basin, Detention Pond 2-2, located at the down gradient, northern edge of the subdivision. The basin will settle, store, and attenuate the release of storm water to existing drainage ways leaving the site. In accordance with City Standards, the entire runoff volume from the water quality event will be retained on-site for infiltration or evapotranspiration. No other specific water quality treatment measures are proposed since the runoff from this residential subdivision is not anticipated to contain any containments or harmful substances.
- B. According to the submitted PER, "Street curb and gutters will be designed to intercept stormwater runoff from the development, which primarily consists of streets, lawns and homes. The curb and gutters will be designed to convey the runoff to curb inlets and storm drains to an existing detention pond. Considerations to curb inlets placement include contributing drainage area, topography, hydraulic analysis of curb capacity, street spread width and to minimize impacts from nuisance water. Typical storm drainage structures have been designed to convey the stormwater generated by the 25-year design storm event."
- C. According to the City Public Works Department, all development should adhere to and follow guidance of the city's adopted master plans for stormwater and design reports will be required for planned stormwater infrastructure.

Water/Wastewater:

- A. Water will be supplied to the newest phases of Mountain View Meadows through a water distribution system that is connected to the City of Helena distribution system. The water will be supplied for domestic, commercial, and fire protection uses. The water distribution system will be designed to meet the City of Helena Design Standards. The distribution system will be designed to meet the needs of the entire proposed subdivision at full buildout.
- B. From the analysis performed by the applicant's engineering team in the City's hydraulic model, the proposed water distribution improvements for Mountain View Meadows will provide adequate pressure and fire flow. No off-site improvements for water and wastewater were identified in the PER.
- C. Water service will be provided by extending the existing 8" diameter water mains constructed in previous phases at Mountain View Meadows. The water mains will be extended in a typical grid pattern conforming to the streets and provided looped connections.
- D. The City's Public Works staff has identified the project as being in the Malben High, Malben Low, and Valley pressure zones which have approximately 1.3 mil to 1.4 mil gallons of available finished water storage. A water system design report is needed to fully evaluate and analyze the available storage and any additional storage required for these proposed phases of Mountain View Meadows, due to their overall size and potential impacts on the water distribution system. This system design report should identify the need for additional storage capacity. Any identified improvements to water storage capacity, required as a result of project development, will be the responsibility of the project developer to address. **(Condition #5)**
- E. The project developer provided updated calculations and data during the course of sufficiency review that indicated that there is adequate water storage to serve the project.
- F. The project engineer has indicated that Wastewater from each lot will be collected by new service connections to a network extension of 8" diameter gravity collection mains throughout the proposed development which connect to existing 24" and 30" diameter sections of sanitary sewer main located in Alpine View Drive. The existing sanitary sewer collection system in the immediate vicinity to the subject project is modern corresponding to recent development and is in very good condition, thus no problems are expected.

- G. The wastewater flow produced by the proposed project will be accommodated by the new 8" on-site gravity mains, designed in excess of minimum grades, and easily accommodated by the existing 24" and 30" sections of main with minimal impact on existing downgradient mains within the Mountain View Meadows subdivision project.
- H. Wastewater is conveyed from Mountain View Meadows through existing 30" and 24" diameter gravity sanitary sewer mains to the Airport Lift Station.

Other Services:

- A. St. Peter's Hospital Ambulance Service will serve the proposed subdivision. There are no indications that they cannot provide emergency services. The subdivision is located approximately 4 miles from St. Peter's Hospital. The response time for ambulance service depends on traffic loading at the time of the call.
- B. Police protection will be primarily provided by the City of Helena's Police Department. The main station on Breckenridge Street is approximately 6 miles away. For mutual aid assistance, the Lewis & Clark County Sheriff's Office, located at the Helena Regional Airport is located approximately 5 miles away and the City of East Helena Police Department is located approximately 3 miles away. Response times are expected to be less than 10 minutes.
- C. The project will be within the City of Helena's fire protection jurisdiction. The nearest station is Helena Fire Station #2, located at 650 N Hannaford Street, approximately 4 miles away from the proposed project. Response times are expected to be approximately five (5) minutes.
- D. The City of Helena will provide solid waste collection services for each lot within the subdivision. Each single-family lot will have a solid waste receptacle that will be collected weekly as part of the City's normal trash collection service.
- E. This proposed subdivision is within the East Helena School District. The East Helena School District has several different locations depending on the age of the student. According to enrollment data provided by the East Helena School District, Mountain View Meadows currently contributes 0.18 students per household. The current demographics at Mountain View Meadows is the prevalence of retiree residences, thus the limited occurrence of school aged children.
- F. Based on a factor of 0.18 students per household, the proposed project may contribute approximately 40 additional students. The East Helena School District has indicated available capacity to absorb additional students. The East Helena School District has been very proactive in addressing current issues of crowding and capacity within the school system with the very recent construction of Prickly Pear Elementary and East Helena High.
- G. Based on district wide needs, the possible need for an additional elementary school has been identified and will be subject to planning studies for functionality and siting considerations. Mountain View Meadows has previously dedicated lands to the East Helena School District, however the size of the land and location may not be suitable for the district wide needs in addition to the low student population that resides in Mountain View Meadows. As Mountain View Meadow continues in active development, additional taxpayers will be added to the tax base to offset the additional educational costs.

Parkland Dedication

- A. Parkland is required for major subdivisions per Helena City Code § 12-4-12 (C) and § 76-3-621 Mont. Code Ann.
- B. According to § 76-3-621(1)(a) Mont. Code Ann., the relevant park land dedication requirements are 11% of the area of the land proposed to be subdivided into parcels of one-half acre or smaller.
- C. For Phases 8, 9, and 10, the total area of the lots is approximately 23.2 acres which equates to a parkland dedication requirement of 2.6 acres.

- D. The project developer has proposed the nearby lot 1 of the Aspen Park, Block 9 subdivision be utilized to fulfill this requirement with an excess of 0.72 acres.
- E. Parks staff has recommended the dedication be accepted and this recommendation was presented to the Consolidated Parks Board on January 4th, 2023.
- F. The Parks Board at their January 4 meeting made a recommendation to the City Commission that the deduction proposed by the applicant be accepted.

Conclusion:

The project developer and engineering team have indicated that there will be no impacts to local services from the proposed development. Staff has identified impacts that will require mitigation conditions to address those identified impacts.

4. Impact to the Natural Environment

Findings:

Chapter 10 of the Helena 2019 Growth Policy, Subdivision Review, defines the “Natural Environment” as *the physical conditions that exist within a given area, including, but not limited to, land, topography, climate, air quality, surface and ground water, wetlands and riparian areas, floodplains, minerals, flora, fauna, noise, light, and objects of historic, cultural, and aesthetic significance.*

- A. The submitted EA concludes that “The proposed subdivision site consists of a vacant property that is currently used for aggregate mining and crushing operations. No water features (streams, ponds, wetlands, irrigation ditches) are present. When fully developed the site will contain paved streets, sidewalks, landscape features, and residential structures. There are no known historic, archaeological, or cultural sites that may be affected by the proposed subdivision.”
- B. The submitted EA states that “Wildlife in the area is limited to miscellaneous smaller mammals, usually in transition. This limitation is due to the present use of the property and the close proximity of urbanized development. The Montana Natural Heritage Program (MNHP) was contacted and identified ten (10) animal species of concern. The six (6) avian species include: Great Blue Heron (*Ardea herodias*), Veery (*Catharus fuscescens*), Brewer’s Sparrow (*Spizella breweri*), Lewis’s Woodpecker (*Melanerpes lewis*), Evening Grosbeak (*Coccothraustes vespertinus*), Green-tailed Towhee (*Pipilo chlorurus*); the three (3) mammal species include: Hoary Bat (*Lasiurus cinereus*), Spotted Bat (*Euderma maculatum*), Grizzly Bear (*Ursus arctos*). Any species occurrences at the proposed project site would be transitory due to the property’s present use, lack of habitat, and existing development.
- C. The applicant’s EA notes that there are no areas of historic or cultural significance associated with the subject property.
- D. The existing site is currently used for aggregate processing and crushing activities with the existing vegetation consisting of native grass where the site has not been stripped. Any noxious weeds are controlled by mowing our chemical spot treatment. Reviewing the US Fish and Wildlife Service National Wetlands Inventory, there are no wetlands present at the site.
- E. New site development will require the inclusion of additional landscaping in accordance with the City of Helena zoning regulations.
- F. The Montana Natural Heritage Program (MNHP) was contacted and identified four (4) plant species of concern. The species include; Wedge-leaf Saltbrush (*Atriplex truncata*), Lesser Rushy Milkvetch (*Astragalus convallarisu*), Small Yellow Lady’s-Slipper (*Cypridepium parviflorum*), and Pale-yellow Jewel-weed (*Impatiens aurella*).
- G. Due to the current use of the property and nearby urbanization, prime habitat does not exist to support these species and no impacts are expected.

- H. All areas disturbed during construction will be restored, topsoil replaced and reseeded to establish a protective vegetative cover. Any occurrences of noxious weeds that develop after construction will be spot treated using appropriate methods.
- I. This area is identified in the 2019 City of Helena Growth Policy as being within the Urban Standards Boundary (USB). Land within the USB are areas where growth is expected to occur and that can be served with city services, particularly water and wastewater. This area is shown as "Urban" on the future land use map indicating that it is appropriate to be developed to densities currently found within the City of Helena.
- J. The applicant has not proposed any specific preventative measures to safeguard any species of concern on the property.
- K. Soil disturbance during construction of the proposed subdivision will increase the potential for spread of noxious weeds on the property and the surrounding area, including City of Helena Open Lands. A plan for noxious and invasive species control on any land dedicated as city parkland and all open space lots will be submitted and approved by the city and implemented prior to final platting. **(Condition #2)**
- L. The applicant states in the project's EA that a review of well logs in the vicinity of the subdivision, obtained from the Montana Bureau of Mining and Geology Groundwater Information Center database, indicate that static water levels are greater than 32 feet below the ground surface. Groundwater has not been encountered during recent underground construction activities for infrastructure installations. All proposed water, wastewater, and storm water systems will be designed in accordance with City of Helena and Montana DEQ requirement for non-degradation of state waters.

Conclusion:

This proposed major subdivision will impact the natural environment, but those conditions can be mitigated with conditions as recommended by City staff.

5. Impacts to Wildlife and Wildlife Habitat

Findings:

Chapter 10 of the Helena 2019 Growth Policy, Subdivision Review, defines "Wildlife" as *animals that are not domesticated or tamed*. "Wildlife Habitat" is defined as *an area containing the environmental conditions essential to wildlife for feeding and forage, cover, migration, breeding, rearing, nesting, or buffers from those areas. It also includes areas essential to the conservation of species protected by the Endangered Species Act or of special interest or concern to the State of Montana*.

- A. The applicant's EA notes that the area is limited to smaller mammals, usually in transition. That this limitation is due to the present use of the property and the close proximity of a developing urbanized area.
- B. Request for comments were sent to Fish Wildlife and Parks. No comments were received prior to the drafting of this report.
- C. The 2019 City of Helena Growth Policy notes urban density development is not intended to meet habitat needs of larger wildlife such as deer, moose, or elk or predatory species such as bear, mountain lions, or coyotes and rural areas are more conducive to wildlife and wildlife habitat than urban areas such as the City of Helena.
- D. This property is located on the outskirts of the City adjacent to city limits and within the Urban Standards Boundary as identified by the 2019 City of Helena Growth Policy. Such areas are not intended to be prime wildlife habitat areas.
- E. Encouraging subdivisions within the City's urban growth area provides housing and development opportunities within an urban setting that can reduce development pressures on surrounding rural areas, which would in turn reduce development pressures on rural wildlife habitat.

- F. Utilization of city water and wastewater, which are regulated to minimize impacts to ground and surface water, should help to mitigate the subdivisions impact to wildlife habitat.

Conclusion:

There will not be significant impacts associated with this development to Wildlife or Wildlife Habitats.

6. Impacts to Public Health and Safety

Findings:

Chapter 10 of the Helena 2019 Growth Policy, Subdivision Review, defines "Public Health and Safety" as *a condition of wellbeing and security for individuals and the population as a whole within the community.*

- A. The Phases 8, 9, and 10 of Craftsman Village, like the rest of Mountain View Meadows, is proposed to be annexed into the City of Helena and provided with City water service. The subdivision's water system will be designed to meet the City of Helena Engineering Standards and MDEQ requirements. The system will be designed to provide adequate flows and pressures, as well as fire hydrants will be provided throughout the development. Per the City of Helena Growth Policy, the subdivision is located in an area of moderate wildland fire hazard. There is ample access from the subdivision into the development and the use of multiple adjacent streets to utilize in case of an evacuation. No specific fire mitigation plan was developed for this subdivision as it is located outside of a high fire hazard area.
- B. This area is identified in the 2019 City of Helena Growth Policy and by the USDA Forest Service as having a "moderate" wildland fire risk. Any identified risks will be mitigated by using appropriate building techniques, proper fuels mitigation and overall landscape maintenance.
- C. Safe water, wastewater treatment, and adequate storm water facilities are important components of public health and safety and will be provided with this subdivision. Proper installation is part of the infrastructure acceptance process and occurs prior to final plat approval. **(Condition #4)**
- D. The Helena Police and Fire Departments will serve the property and help protect the subdivision from fire, and other dangers.
- E. The ability of fire apparatus to respond to a location quickly and maneuver once on site is vital to fire department operations and is a critical lifesaving capability.
- F. The International Fire Code requires that all fire department access roads are not obstructed in any manner (International Fire Code §503.4).
- G. Subdivisions need adequate fire hydrants installed to provide fire protection to the property. While the applicant has indicated in the supplied materials that fire hydrant locations and flows are adequate to serve the project, the city, in reviewing fire protection final plans, will determine if the hydrant spacing and fire flows meet fire code requirements. Fire flow of at least 1750 gpm must be achieved throughout the subdivision. This will be ensured as part of the infrastructure review process. **(Condition #5)**
- H. Improvements listed in Helena City Code §12-2-15 will be installed, or a financial surety guarantee their installation, prior to final platting of each phase including streets, sidewalks or other non-motorized paths, curb & gutters on both sides of the street, boulevard trees including irrigation, stormwater facilities, all street signage, electrical facilities, water mains, fire hydrants, wastewater mains. **(Condition #5)**

Conclusion:

This development does not appear to have a profound impact on public health and safety. Any identified impacts will be mitigated with the completion of the proposal adhering to City code and standards.

7. Survey Requirements

Findings:

Compliance with survey requirements cannot be evaluated until the final plat is reviewed for approval.

Conclusion:

Survey requirements will be reviewed for completeness upon submission of the final plat for approval and a copy retained in digital format for City records.

8. Helena Subdivision Regulations

Findings:

Helena City Code §12-1-5, Helena Subdivision Ordinance, Relationship to Zoning Ordinance states *"Newly subdivided or replatted lands must conform to the requirements and provisions of the underlying zone as provided in the zoning ordinance, Title 11 of this code, as amended. This title shall apply to any and all areas under the jurisdiction of the city."*

- A. The proposed development will have to follow the City of Helena Zoning Ordinance, including all setbacks, lot coverage, parking, landscaping, and signage regulations.
- B. Helena City Code §12-4-2(C), Blocks may not exceed six hundred feet (600') in length except when a longer length is needed to meet grade limitations, the existing built environment, water bodies or railroad crossings, or industrial uses.

The applicant has provided the following justification for an exception:

"A block length of 650± feet is proposed for practical urban infrastructure design according to the existing built environment.

A new north-south street is planned to coincide with an existing manhole on the sanitary sewer main serving this project. The existing sanitary sewer main is a very large diameter, 30 inches and is installed with a deep bury, to provide gravity sewer conveyance for the greater project. The street is planned to coincide with the sanitary sewer manhole for utility routing in accordance with the City Engineering Standards.

As shown on the Block Length Exhibit, the efficient design location for the north-south street results in a block length of approximately 650' and is considered a very minor and non-significant increase in block length. Thus, a variance for block length is deemed in accordance with Helena City Code 12-4-2(C) to meet the conditions of the existing built environment and facilitate project phasing.

Additionally, non-motorized provisions are proposed, meeting the conditions of the existing built environment to provide mid-block non-motorized connectivity from Jeannette Rankin Drive to Stacia Street. The mid-block crossings are utilized to mitigate the areas where longer block lengths are practical to avoid unnecessary streets.

Further, provisions for non-motorized connectivity is proposed adjacent to the East Helena School District property to mitigate an exceedance of block length requirements and allow non-motorized access to the school property.

The 600-foot block length requirement is a condition of the current subdivision regulations. Prior project approvals were under a previous subdivision regulation that required block lengths to be greater than 400 feet. Thus, the entire project was planned in accordance with the previous subdivision regulations. Additionally, previous subdivision phases has incorporated provisions for non-motorized connectivity to mitigate longer block lengths."

Conclusion:

The applicant has provided a sound justification for a block length exception; to align road infrastructure and block lengths to the existing built environment adjacent to these new Phases of the development.

9. Local Subdivision Review Procedure

Findings:

A public hearing is required for major subdivisions. The Planning Board will review this application at 6:00 p.m. on Monday, February 21st, 2023, and the City Commission will review this application at the Commission meeting to be held at 6:00 p.m., Monday, March 13, 2023.

The subdivision review and approval process are consistent with the requirements of the Montana Subdivision and Platting Act.

10. Easements

Findings:

Per Helena City Code §6-6-17, §6-2-6, and §6-3-4, city infrastructure must be in right-of-way, city property, or in easements to the city. Therefore, easements to the city must be provided to accommodate access and maintenance of city-owned and maintained infrastructure.

- A. Helena City Code §12-4-7, Helena Subdivision Regulations, states *"Easements must be provided for utilities, drainage, and pedestrian access not located in public right of way."* All utilities or other infrastructure that will be maintained by the City of Helena are within a proposed street ROW or easements that will be transferred to the City of Helena. **(Condition #3)**

Conclusion:

The proposed subdivision complies with the provision of easements within the proposed subdivision for the location and installation of any planned utilities or infrastructure improvements.

11. Legal and Physical Access

Findings:

- A. § 76-3-608 (3) (d) Mont. Code Ann. states that a subdivision must be reviewed for *"the provision of legal and physical access to each parcel within the proposed subdivision and the required notation of that access on the applicable plat and any instrument of transfer concerning the parcel."*
- B. The internal streets constructed will provide legal and physical access to each proposed lot. Lots will be assigned addresses from the roads in which they access after final plat approval.
- C. The names of all internal streets have been reserved and approved as part of the internal review process for this subdivision.

Conclusion

The proposal provides legal and physical access to all proposed subdivision lots.

12. Post Preliminary Plat Approval

Findings:

Final plat approval may be granted if:

- A. The applicant develops the property in accordance with the preliminary plat application as previously approved.

- B. Satisfies the conditions of approval for each phase.
- C. In accordance with Sections § 76-3-507 Mont. Code Ann. and § 18-2-122 Mont. Code Ann. the plans for the public improvements must be complete and in compliance with standards of the City of Helena and the State of Montana, and bear the seal of a professional engineer for the engineering, a professional land surveyor for land surveying and a licensed architect for the architectural; and
- D. The improvements are either constructed to completion and accepted by the City, or, pursuant to §76-3-507 Mont. Code Ann. the applicant either:
 - (a) provides a bond or other reasonable security, in amount and with surety and conditions satisfactory to the City Commission, providing for and securing the construction and installation of the improvements within 18 months from the date of final plat approval. Reasonable time extension may be granted by the City Commission provided binding or other security is also extended. The amount of the bond or security may be reduced in accordance with the completion and final City acceptance of portions of the required improvements, or
 - (b) applies for and receives approval by the City Commission for an incremental payment or guarantee plan.

Conclusion

There is no indication that the proposed development would not follow the City's post preliminary plat processes.

Exceptions from the Subdivision Regulations (12-4-2(C), HCC-Subdivision Regulations

Exceptions from the City's block length requirements have been included into the design for the development and have been incorporated onto the preliminary plat.

The following block length exceptions have been incorporated:

A block length of 650± feet is proposed for practical urban infrastructure design according to the existing built environment.

Approval of the preliminary plat, as presented in the application will also be an approval of the requested exceptions.

Public Comment and Testimony

The City Commission considered many other public comments in rendering its preliminary plat conditional approval, both orally and in writing, and found that none of the comments provided would ultimately change the findings of fact or mitigating conditions.

Action

Based on these Findings and Conclusions, the Helena City Commission conditionally approved the Preliminary Plat for the Craftsman Village 8, 9, and 10 Major Phased Subdivision creating 207 lots from approximately 32.268 acres and adopted the Findings of Fact and the conditions contained therein for the property legally described as a portion of Tract A-1-A-1-A-1-A-1-A-1-A-1-A of the amended Plat Number 3386391, located within the South ½ of Section 26 and the North ½ and Southeast ¼ of Section 35, Township 10 North, Range 3 West, P.M.M, Lewis and Clark County.

The following conditions shall apply to the preliminary plat approval and must be satisfied before the final plat may be approved:

1. The project developer must submit, along with the required commencement notification for Phase 9, and 10, updated traffic data and supporting documentation for the study area, to include crash data and traffic volume forecasts incorporating the most recent phases of Mountain View Meadows. (**§ 76-3-102(3,4), § 76-3-501(1)(b, d, h, i), and § 608 (3)(a), Mont. Code Ann.**), (***Finding-Impact to Local Services/Transportation***)

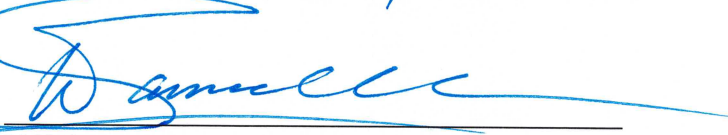
2. A plan for noxious and invasive species control on any land dedicated as city parkland and all lands uses to satisfy parkland dedication requirements of the City will be submitted and approved by the city and implemented prior to final platting. (**§ 76-3-102(5, 6), §76-3-501(1)(e, i), and § 76-3-608(3)(a), Mont. Code Ann.; § 12-4-12, HCC-Subdivision Regulations), (Finding-Impact to the Natural Environment)**)
3. Prior to final plat approval, any new storm drainage facilities must be within an easement granted to the City that allows for access and maintenance and restricts any encroachments. (**§ 76-3-102(4), § 76-3-501(1)(f, i), and § 76-3-608(3)(c), Mont. Code Ann.; § 12-2-15(E) and § 12-4-5, HCC-Subdivision Regulations), (Easements)**)
4. In accordance with city standards all sewer mains that are at or exceed 75% capacity will have to be upsized by the developer. (**§ 76-3-102(4), § 76-3-501(1)(g), and § 76-3-608(3)(a), Mont. Code Ann.; § 12-4-7(B), HCC-Subdivision Regulations), (Finding-Impact to Local Services/Water/Wastewater)**)
5. Prior to the commencement of Phases 8, 9 and 10, the project developer must provide the City a water system design report that fully evaluates and analyzes the available storage and any additional storage required for the proposed phases of the development. This report must be provided prior to infrastructure review for the initial phase of development. If the submitted water system design report indicates the need for additional storage, said storage must be available prior to final plat approval of the phase which triggered the additional storage requirement and prior to final plat approval of each subsequent phase of the development. (**§ 76-3-102(4), § 76-3-501(1)(f, i), and § 76-3-608(3)(a), Mont. Code Ann.; § 12-4-7(A), HCC-Subdivision Regulations), (Finding-Impact to Local Services, Finding-Impact to Public Health and Safety)**)

Preliminary Plat approval shall be in force for the time specified in the phasing schedule included in the Phased Subdivision application materials and considered by the City Commission when approving the preliminary plat, but all phases of the phased development must be submitted for review and approved, conditionally approved, or denied within 20 years of the date the overall phased development preliminary plat was approved.

This preliminary plat approval by itself does not constitute approval and acceptance of the designand plans for construction and installation of any public infrastructure for the subdivision. The City's approval and acceptance of public infrastructure is subject to future review and approval of the detailed design, plans, and final construction of that infrastructure in accordance with city standards.

A party, as defined by § 76-3-625 Mont. Code Ann., who is aggrieved by a decision of the governing body may, within thirty (30) days from the date of this written decision, appeal to the district court to challenge the decision.

Dated and Signed this 23 MAY 23 day of May, 2023


MAYOR