

RESOLUTION NO. 00-17602

A RESOLUTION EXTENDING THE BOUNDARIES OF THE URBAN PLANNING AREA TO INCLUDE LOTS 1, 2, 3, AND 5, BLOCK 6, RUSH SUBDIVISION, SECOND FILING; LOT 1, BLOCK 7, RUSH SUBDIVISION, THIRD FILING; TRACTS 1 AND 2, RUSH ACREAGE TRACTS SUBDIVISION; TRACT 1, C/S 2050; AND TRACT 1, C/S 2563.

WHEREAS, the Yellowstone County Board of Planning has been designated by Yellowstone County, Montana, as the agency to receive application for urban planning studies and to make recommendation to the Billings City Council on Urban Planning Studies; and

WHEREAS, on the 8th day of August an Urban Planning Study known as the "Rush Urban Planning Study" generally located on the west side of Shiloh Road between Colton Boulevard and Avenue D, was submitted to the Yellowstone County Board of Planning; and

WHEREAS, the study area is more specifically described as follows:

Lots 1, 2, 3 and 5, Block 6, Rush Subdivision, Second Filing
Lot 1, Block 7, rush Subdivision, Third Filing
Tracts 1 and 2, Rush Acreage Tracts Subdivision
Tract 1, Certificate of Survey 2050, and
Tract 1, Certificate of Survey 2563.

AND WHEREAS, the Yellowstone County Board of Planning has made a finding of facts for the "Rush Urban Planning Study" and hereby recommends to the Billings City Council that the "Rush Urban Planning Study" be approved on the following finding of facts: SEE EXHIBIT "A" ATTACHED.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

The Billings City Council in consideration of the above approves the extension of the boundaries of the Urban Planning Area to include the "Rush Urban Planning Study" area.

APPROVED AND PASSED this 11th day of September, 2000.

THE CITY OF BILLINGS:

BY: Charles F. Tooley
Charles F. Tooley, MAYOR



ATTEST:

BY: Marita Herold
Marita Herold, CMC/AAE CITY CLERK



ENGINEERING, INC.

Consulting Engineers and Land Surveyors

URBAN PLANNING STUDY UPDATE

FOR

**LOTS 1, 2, 3, AND 5, BLOCK 6, RUSH SUBDIVISION, SECOND FILING
LOT 1, BLOCK 7, RUSH SUBDIVISION, THIRD FILING
TRACTS 1 AND 2, RUSH ACREAGE TRACTS SUBDIVISION
TRACT 1, CERTIFICATE OF SURVEY NO. 2050
TRACT 1, CERTIFICATE OF SURVEY NO. 2563**

Prepared for:

**City of Billings
Public Works Department
510 N. Broadway, 4th Floor
Billings, MT 59101**

**August 8, 2000
96001.05**

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I. PREFACE

The definition of the Urban Planning Area is "That area established by the City of Billings for the purpose of planning for future growth of the City of Billings within approximately a ten year period. No City services will be provided outside of the Urban Planning Area." This study update is required because of an island created in the Urban Planning Area following the approval of the Poly-Colton Area Urban Planning Study in 1985 and the Goodman Subdivision Urban Planning Study in 1995.

The enclosed map designated Exhibit Map No. 1 shows the current Urban Planning Area for the City and the island area which is the subject of this current update. The study area encompasses 14.7 acres. It is already partially developed. The Shiloh Methodist Church occupies Certificates of Survey 2050 and 2563. Single family homes are located on Lots 5 and 6 of Rush Subdivision, Second Filing and Tract 1 of Rush Acreage Tracts Subdivision.

Substantial changes have occurred around the study area since the previous Urban Planning Area expansions and subsequent annexations were approved. This update will document those changes and provide the basis for the decisions necessary to include this island area within the Urban Planning Area, proceed with the annexation, and to allow the individual land owners to participate in the growth and development of this part of the community.

II. LAND CHARACTERISTICS

A. Geology, Topography, and Soils

The previous studies both had detailed descriptions of the soils. In general, the soils are loams underlain by silty clays and clay. The soils have presented no problems for typical building construction. The topography of the site is gently sloping along Shiloh Road from north to south.

B. Effects on Agriculture

Less than five acres of the study area are currently being farmed. The area being farmed is along the west edge of the study area and is part of the larger farming operation on the proposed Shiloh Point Subdivision to the west. As Shiloh Point is developed, any viable farming or agricultural use of the property will come to an end.

C. Historic Sites

No known historic events or development has been identified within the study area.

D. Wildlife

As stated in the Goodman report, there are no known critical wildlife habitat or endangered species existing in the study area.

III. PUBLIC SERVICE EVALUATION

A. Water Service

The previous studies outlined the process for annexation and inclusion in the City of Billings Water Service Area. Following inclusion, the study area properties will receive water service, at their expense, from services or extensions from the existing 24-inch water main in Shiloh Road.

B. Sanitary Sewer Service

At the time of the Goodman study, no sanitary sewer mains were in place to serve the study area. Since that time, a 27-inch sanitary sewer main has been installed on Grand Avenue out to 43rd Street West. This main was then extended up 43rd and west on Rangeview Boulevard. These mains are now serving extensive residential development in Rush Subdivision and Rimrock West Estates Subdivision.

Development in Circle Fifty Subdivision east of Shiloh Road has progressed rapidly since the extension of sanitary sewer in Grand Avenue. As part of SID 1332 in Circle Fifty Subdivision, a sanitary sewer lateral was extended to a manhole located on the west side of Shiloh Road at Avenue D, adjacent to the southeast corner of the study area. The study area will be served by the further extension of this lateral north in Shiloh Road adjacent the site.

The lateral extension will be partially completed by private contract as part of the Shiloh Point Subdivision development and the remaining portion will most likely be installed as part of the Shiloh Road reconstruction project scheduled for 2001.

C. Storm Drainage and Flood Control

A detailed description of the proposed implementation of the West End Storm Drainage Master Plan in this area is included in the Goodman study. Since 1995, the 72-inch storm drain has been installed in Shiloh Road. This study area will be served by direct connection to or lateral extension from this 72-inch trunk main. These connections or extensions will be by private contract as development occurs or at least partially completed under the Shiloh Road reconstruction project in 2001.

D. Solid Waste

Solid waste service will be by private hauler for the existing church and homes and by the City of Billings for the newly developed properties. Private service may continue for five years following annexation.

E. Parks and Recreation

Park dedication for the Rush properties was previously met with the park located at Poly Drive and Westfield Drive. This park will be developed in conjunction with Rush Subdivision, Sixth Filing. Also, the Big Ditch corridor has been designated as the bike path route which will connect Rimrock West Park and Poly Vista Park in this area. The north edge of this study area is adjacent to the Big Ditch and the proposed bike path route. The Shiloh Road reconstruction project will include a pedestrian and bike underpass beneath the road for access to Poly Vista Park and Arrowhead Elementary School.

F. Schools

No new schools have been constructed in west Billings since the previous studies were completed. Bussing is still the method being used to balance enrollment in the existing schools. Much planning is currently taking place to assess the growth that is occurring and to evaluate the impact to the school system. As part of that planning, voters recently approved the purchase of three parcels of land west of Shiloh Road for siting of new schools.

G. Public Safety

The study area is included in the Billings Urban Fire Service Area (BUFSA) and is served by the Billings Fire Department. Since the Goodman study was completed, BUFSA purchased Tract 1, Rush Acreage Tracts, for the purpose of the siting a new fire station there. There are no immediate plans for building the station.

The Billings Police Department continues to stretch its resources to serve the City which is growing in all directions. In the last five years since the Goodman study was done, substantial development has occurred east and northwest of this island study area. For continuity of service, it remains logical to bring these island properties into the City of Billings.

IV. TRANSPORTATION ANALYSIS

A. Background

As the Goodman Urban Planning Study was being reviewed, it became apparent that the traffic and transportation issues were more widespread than just one subdivision. As a result, a Technical Memorandum was done on the entire area between Grand Avenue and Rimrock Road and between Shiloh Road and 46th Street West by Bob Marvin of Marvin & Associates. The recommendations of this Technical Memorandum have been implemented as subdivisions have been reviewed and approved in the area.

B. Update

The most pertinent change in the immediate area of this study is the discontinuation of Colton Boulevard west of Shiloh Road. Rush Subdivision, Sixth Filing has a cul-de-sac serving its lots to the west and the name of the street has been changed to Rangeview Drive. Also, the planning for Shiloh Point Subdivision and Rush Subdivision, Seventh Filing switches the primary access to these properties to Parkhill Drive which provides the west leg of its intersection with Shiloh Road. In the Shiloh Road reconstruction plan, the Parkhill Drive intersection will be full service whereas the Colton Boulevard stub street west of Shiloh will be right-in, right-out only with a raised center median in Shiloh. Refer to Exhibit Map No. 2 for the layout of these streets and intersections.

V. DEVELOPMENT CONSIDERATIONS

A. Existing Zoning and Development

All of the property included in this study is zoned R-9600 for single family development. No zone change is contemplated at the time of this report. Existing development includes the Shiloh Methodist Church and three single family homes.

B. Potential Land Use

All of the property in the study area has previously been included in a certificate of survey or a subdivision. No further division of any individual parcel is anticipated at the time of this study. The Preliminary Plat of Rush Subdivision, Seventh Filing has been submitted for review and approval. This plat amends Lot 4, Block 6 of Rush Subdivision, Second Filing and Lot 1, Block 7 of Rush Subdivision, Third Filing to provide for the new Parkhill Drive street right-of-way. It also includes the vacation of a portion of the old Colton Boulevard right-way which will no longer be needed.

The private contract for improvements to serve Shiloh Point Subdivision will include Parkhill Drive out to Shiloh Road. This project will also provide access and services to Lot 1-A, Block 7 of Rush Subdivision, Seventh Filing which can then be developed for single family housing.

The other potential land use within this study area is the possible siting of a new fire station on Tract 1 of Rush Acreage Tracts Subdivision. A fire station is allowed in the R-9600 zone with a Special Review.

C. Development Time Table

- 06/15/00 - Submit Preliminary Plat of Rush Subdivision, Seventh Filing
- 06/23/00 - Submit Annexation Petition
- 07/01/00 - Submit Preliminary Plat of Shiloh Point Subdivision
- 08/08/00 - Submit Urban Planning Study
 - Department Head Review Meeting
 - Plat Review Committee Meeting
 - Planning Board Meeting
- 08/28/00 - City Council Hearing on Preliminary Plat for Shiloh Point Subdivision
 - City Council Hearing on Annexation Petition
 - Planning Board Hearing on Urban Planning Study and Rush Subdivision, Seventh Filing Minor Plat
 - City Council meeting on Urban Planning Study and Rush Subdivision, Seventh Filing Minor Plat
- Ongoing - Final Plats for Shiloh Point Subdivision and Rush Subdivision, Seventh Filing

D. Population

The study area includes 14.5 acres of developable land. The Shiloh Methodist Church occupies 6.3 acres and the fire station is proposed on 1.4 acres. Carving out Parkhill Drive will take almost another acre of the developable land. This leaves approximately 5.8 acres that could be developed into single family housing. Using the R-9600 zoning as a base, and taking into consideration the existing platting and access restraints, the maximum number of housing units that could be placed on the property would be between 19 and 22. At three persons per average household, the possible residential population of the study area would be between 57 and 66.

E. Effects of Urbanization on Existing Environment

As noted previously, this island area is surrounded by ongoing development. Major reconstruction of Shiloh Road over the next few years will result in a multi-lane arterial street carrying increasing traffic along the frontage of these properties. Development of the remaining 5 acres of this study area will not be perceptible in the overall neighborhood urban transition.

F. Proposed Capital Improvements

The major water, sanitary sewer, and storm infrastructure is in place to serve the study area. The properties can receive individual service through minor service or lateral extensions. The major capital improvement pending for this area is the reconstruction of Shiloh Road which is proposed to begin in 2001. This will be a project administered by the City of Billings Public Works Department. Interior capital improvements, required through the subdivision approval process, are proposed to be installed by the developer by private contract. Cost estimates for the interior improvements are included in the submittal packages for Shiloh Point Subdivision and Rush Subdivision, Seventh Filing.

G. Sources and Methods of Funding

Interior public improvements in Shiloh Point Subdivision and Rush Subdivision, Seventh Filing will be paid for by the developer through private contracts. It is anticipated that the Shiloh Road reconstruction project will be paid for through a combination of sources including City, State and Federal funds along with participation by adjacent properties through the creation of one or more Special Improvement Districts.

VI. SUMMARY AND CONCLUSIONS

Major annexations occurred in 1985 and 1995 following approval of the Poly-Colton Urban Planning Study and the Goodman Subdivision Urban Planning Study. This left the 14.5 acres included in this current study as an island which is now surrounded by extensive planning and development. Over the past 15 years considerable public and private investment has been made in surrounding properties bringing infrastructure into the area and developing commercial and residential projects.

More development is imminent in and adjacent to the study area including extension of water, sewer, and storm drain laterals; construction of Parkhill Drive through the property; and, reconstruction of Shiloh Road along the eastern frontage of the property. It is logical and timely for this study area to be included in the Urban Planning Area and annexed into the City of Billings. This property can then be served by City services and developed in an orderly manner consistent with the surrounding neighborhoods.

VII. SOURCES

A. Studies, Reports, Plans and Regulations

1. Poly-Colton Area Urban Planning Study; Christian, Spring, Sielbach and Associates, Billings, Montana, November 1985
2. Goodman Subdivision Urban Planning Study; Engineering, Inc., Billings, Montana, March 1995
3. 1999 Billings Transportation Plan
4. City of Billings West End Storm Drain Master Plan

B. Interviews and Contributors

1. Staff - Billings Solid Waste Department
2. Staff - Yellowstone City-County Planning Department
3. Staff - Billings Police and Fire Departments
4. Staff - Billings Public Utilities Department
5. Staff - Billings Public Works Department

WARNING

This map should be used only as an initial resource. To confirm the current zoning on a specific parcel of property, please call the Planning Department at 657-8246.

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This map was plotted in
Montana
NAD83
State Plane Coordinates
(54N feet)

LEGEND

- URBAN PLANNING AREA
- LIMITED PLANNING AREA

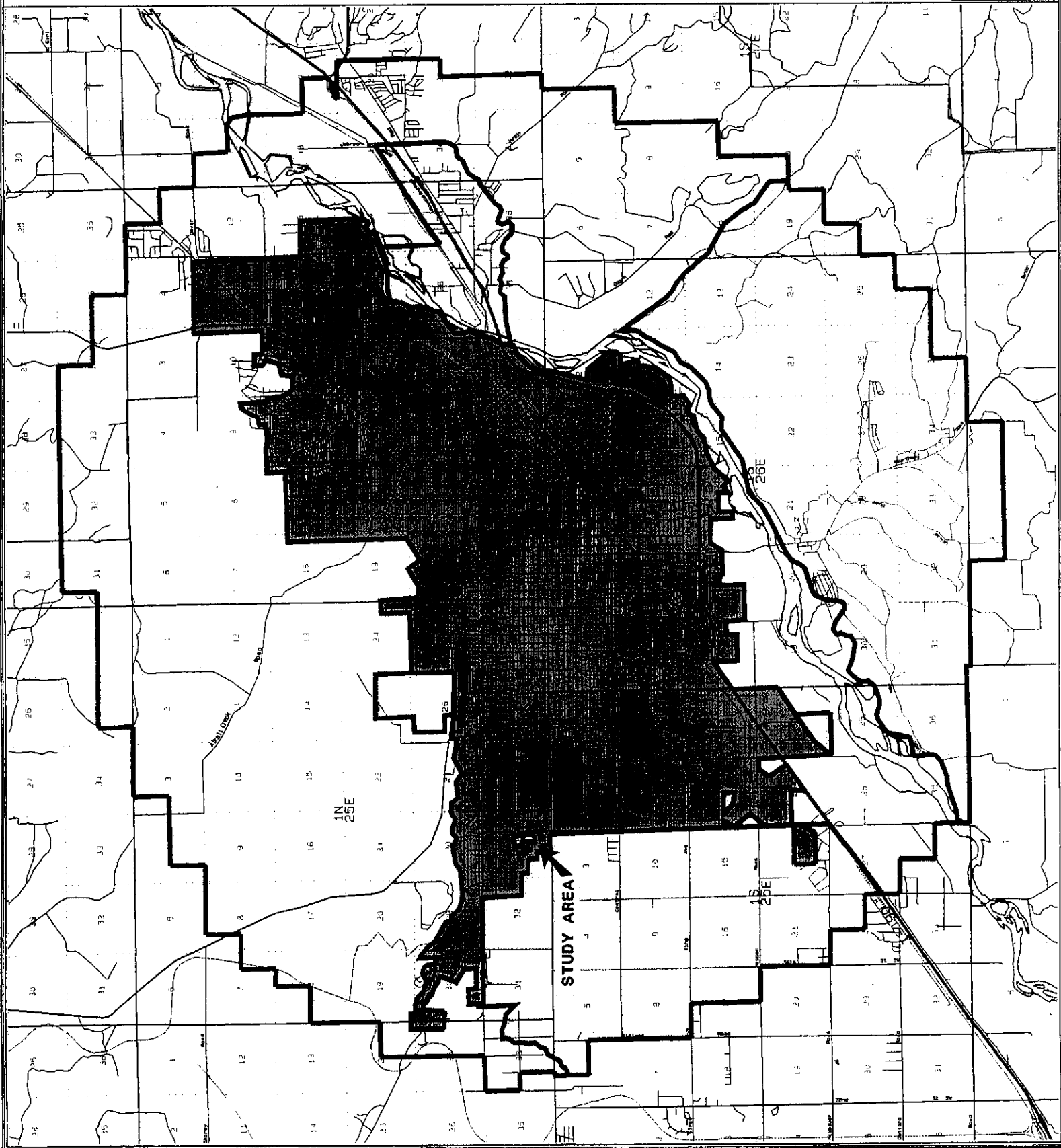
**EXHIBIT MAP
No. 1**

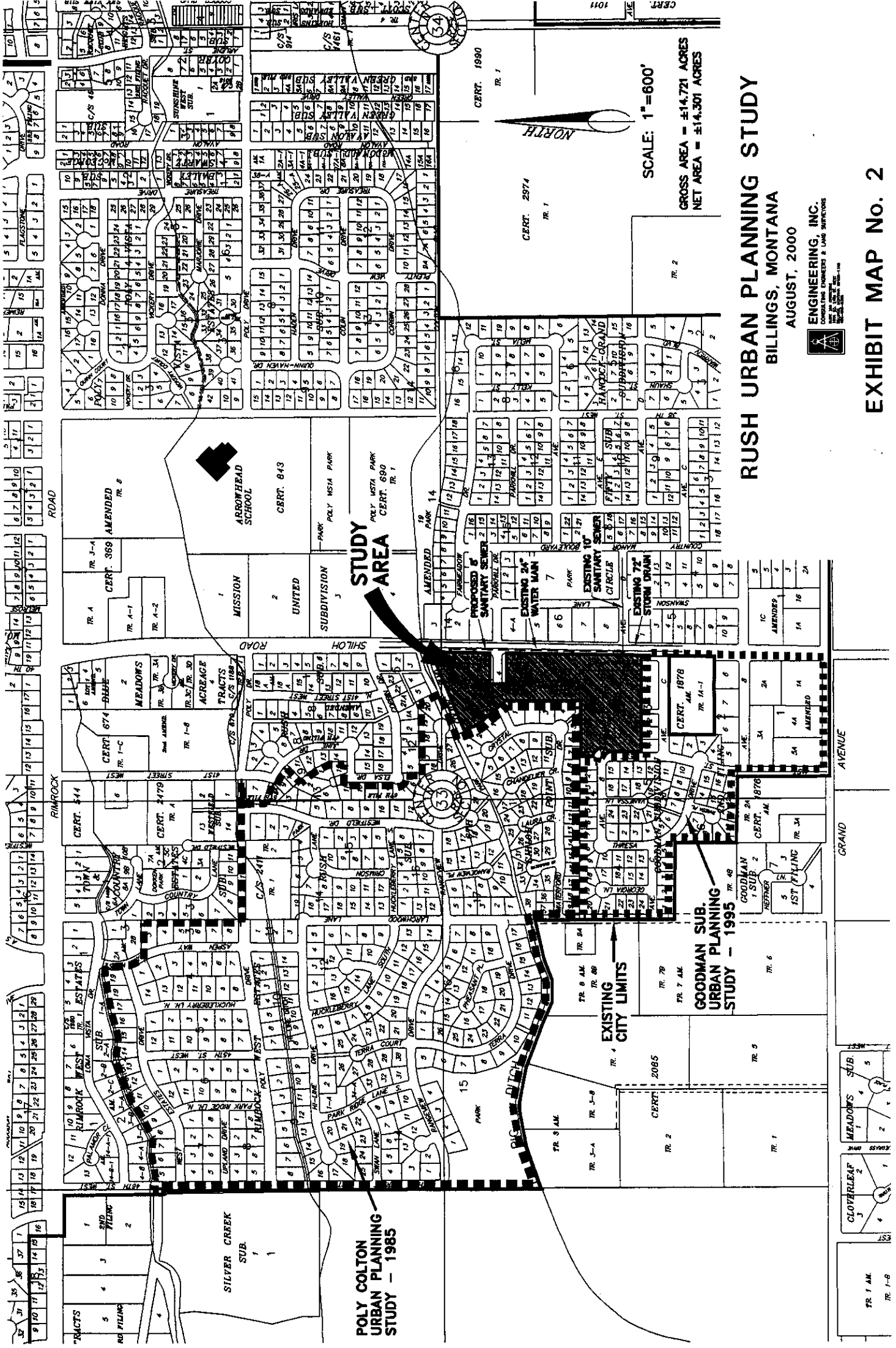


YELLOWSTONE COUNTY GIS
BILLINGS, MONTANA
YELLOWSTONE COUNTY BOARD OF PLANNING
URBAN PLANNING AREA

SCALE: 1" = 8000ft

DATE: 15 Feb 95 09:06:14 Wednesday
FILENAME: multiple sources





GROSS AREA = ±14,721 ACRES
 NET AREA = ±14,301 ACRES

SCALE: 1" = 600'

RUSH URBAN PLANNING STUDY

BILLINGS, MONTANA
 AUGUST, 2000



EXHIBIT MAP NO. 2

Planning Department
4th Floor, Parmly Library

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Billings City Council will hold a PUBLIC HEARING on Monday, September 11, 2000 at 7:30 p.m. in the City Council Chambers, 2nd Floor City Hall, Billings Montana to decide whether or not the following area should be included in the Urban Planning Area Boundary.

1. Lots 1, 2, 3, and 5, Block 6, Rush Subdivision Second Filing; Lot 1, Block 7, Rush Subdivision, Third Filing; Tracts 1 and 2, Rush Acreage Tracts Subdivision; Tract 1, Certificate of Survey 2050; Tract 1, Certificate of Survey 2050; Tract 1, Certificate of Survey 2563. Generally located on the west side of Shiloh Road between Colton Boulevard and Avenue D.

Dated: August 23, 2000
Charlie Hamwey, President

Please publish on August 27, 2000 and September 3, 2000
Return an Affidavit of Publication