

**TOWN OF STEVENSVILLE, MONTANA  
STAFF REPORT FOR THE  
BURNT FORK ESTATES MAJOR SUBDIVISION**

The following is a summary of comments and recommended Conditions of Approval from the Town of Stevensville staff including public works, police, fire, parks, buildings, and HDR for the Burnt Fork Estates Subdivision.

**Application Type:** Preliminary Plat Review – Burnt Fork Estates Major Subdivision

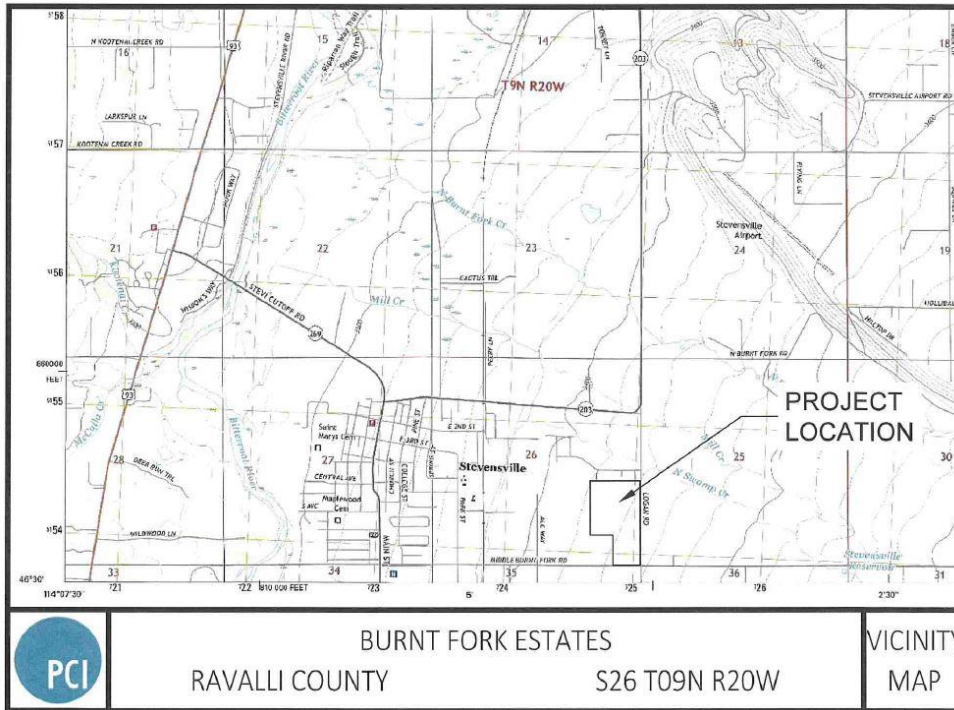
**Applicant:** Dwight Hooley/Ralph Hooley  
Burnt Fork Enterprise, LLC  
599 Popham Lane  
Corvallis, Montana 59828

**Technical Assistance:** John Kellogg/Andy Mefford  
Professional Consultants, Inc.  
PO Box 1750  
Missoula, Montana 59806

**Property Owner:** Dwight Hooley/Ralph Hooley  
Burnt Fork Enterprise, LLC  
599 Popham Lane  
Corvallis, Montana 59828

**Location/Description:** E1/2, SE1/4, Section 26, Township 9N, Range 20W, Town of Stevensville, Ravalli County, MT. The subject property is approximately 57.68 acres and is currently zoned R-1 and R-2. R-1 single family zoning runs from Phase 1 of Creekside Meadows south to the quarter section line in the middle of the property. The developer is proposing to leave this zoning intact. The remainder of the property running south to Middle Burnt Fork Road is R-2 zoning. The developer is also proposing to leave most of that zoning intact, but is requesting a change to light commercial zoning for the southerly 8+/- acres adjacent to Middle Burnt Fork Road. Physical access is provided directly off Middle Burnt Fork Road and Logan Lane.

**Vicinity Map:**



**Proposal:** The developer is proposing to develop the 57.68-acre tract of the former Ellison Cattle Company to create 78 single-family lots adjacent to Creekside Meadows and 43 multi-family lots further to the south. For the 8+/- acres adjacent to Middle Burnt Fork Road the developer is proposing to re-zone the property to allow 16 light commercial lots. The project is proposed to be developed in as many as 6 phases.



## **Review and Findings of Fact:**

The review and findings of fact presented hereinafter is a summary of information presented by the developer or the developer's representative that was used as the basis of the conditions of approval presented at the end of this staff report.

### Subdivision Design & Improvement Standards

*Floodplain:* A FEMA-generated map of local floodplain was provided as part of the application and indicates that the proposed project is located in an Area of Minimal Flood Hazard.

*Zoning Conformance:* All newly-created lots appear to conform to the Town of Stevensville's current zoning regulations. Portions of the south-end of the property are proposed to be commercial lots, however commercial zoning does not currently exist in this area. The applicant is proposing a zone change in conjunction with this subdivision application.

*Legal and Physical Access:* The proposed development will have existing legal and physical access to two dedicated County Roads: Middle Burnt Fork Road and Logan Lane.

*Parks and Trails:* Three parks, or common areas, accessible to all the residents via the proposed boulevard sidewalks have been proposed. The proposed parkland dedication for this project includes 4.5 acres which is approximately 13.1% of the area proposed for residential use. Specific improvements for each park or common area have been defined in a parks specific plan for the proposed subdivision.

*Municipal Utilities:* Water is proposed to be supplied to the proposed lots via water main extensions and service stubs, connected to the Town's water supply. Approximately 5,500 linear feet of water main will be installed throughout the six phases of this project. Each phase plans only for installation of water main necessary to serve the proposed lots in that phase.

There are three existing sewer main stubs that extend onto the property. The proposed lots in the subdivision will receive Town sewer service through extension of these mains. Proposed mains will be 8" in diameter and will direct sewage to existing sewer mains. Sewer mains will be installed as needed per the phasing layout. Sewer service stubs are proposed for every lot.

### Montana Subdivision & Platting Act [76-3-608(3) MCA]

*Effect on Agriculture:* For many years the land has been a grazing meadow for cattle. This land is entirely open grassland with flood irrigation water flowing in from the southeast corner of the property. That water is piped across the property, delivering it to the adjacent property to the west. That property was previously part of the larger ranch.

The properties to the west along Middle Burnt Fork Road include large residential and grazing land, along with the school bus barn and the Pantry Partners/Clothes Closet facility. The Stevensville School campus also occupies much of the land to the west, with newly improved soccer fields abutting the west boundary of the subdivision. The first phase of Creekside Meadows is located to the north.

When Ellison Cattle Company decided to subdivide the land in 2003, this 57.68 acres was included for the final three of the five original phases of the development. Ellison completed the first two phases of Creekside, but did not complete Phases 3, 4 and 5. As a result, the land remains undeveloped, although it has been annexed into the Town of Stevensville and zoned for residential use. Because of the amount

of time that has passed since the approval of the preliminary plat for Phases 3-5 of the Creekside development has passed, a new preliminary plat process is required for this project which impacts the same land.

The proposed subdivision is not anticipated to have an effect on agricultural production as the property has not been used for agricultural production since the original subdivision efforts in 2003.

*Effect on Agricultural Water User Facilities:* Ellison Cattle Company has transferred the irrigation water rights to Ralph and Dwight Hooley. It is the Hooleys' intention to in turn transfer the rights to the Town of Stevensville.

*Effect on Local Services (Water and Sewer):* The following is a summary of the effect of the proposed development on the existing water system and wastewater facility.

- i. Each proposed lot will be connected to the Town of Stevensville water and wastewater systems.
- ii. The existing water booster station located on Lot C-12 will need to be upgraded when the total number of proposed connections exceeds 120. The booster station was originally a Condition of Approval for portions of the Creekside Meadows Subdivision that were never platted.
- iii. The capacity of the water system and wastewater facility will be analyzed at the time of submittal for each future phase.
- iv. All future improvements to the Town's water system and wastewater facility shall be approved by the Town of Stevensville.

*Effect on Local Services (Storm Water):* The following is a summary of the effect of the proposed development on the existing storm water facility.

- i. All storm water will be collected, treated, and released at the pre-development rate as defined in the Site Evaluation Report included with the subdivision application. Based on the information presented, it appears that the storm water plan will be in compliance with Montana DEQ standards. Review of the final storm water design will occur during the review and approval of the construction drawings during the final plat phase by the Town of Stevensville and Montana DEQ.

*Effect on Local Services (Roads/Traffic):* The following is a summary of the effect of the proposed development on the existing roads and traffic.

- i. A Preliminary Traffic Impact Report prepared by Abelin Traffic Services (ATS) evaluated the traffic impacts of this proposed development. The project would produce up to 1,675 new daily vehicle trips in this area. As proposed, the Burnt Fork Estates development will increase traffic volumes on the surrounding road network. Traffic volumes on the road network will increase by 10 to 20 % but no intersection modification will be required to improve capacity. Traffic volumes on Middle Burnt Fork Road will increase by approximately 700 VPD, Logan Lane and East Side Highway will see increases of 300 to 600 VPD. Total future traffic volumes on these roads will range from 2,000 to 4,000 VPD.
- ii. Using the data collected for this project, ATS conducted a Level of Service (LOS) analysis at area intersections. This evaluation was conducted in accordance with the procedures outlined in the Transportation Research Board's Highway Capacity Manual (HCM) - Special Report 209 and the

Highway Capacity Software (HCS) version 7.8. Intersections are graded from A to F representing the average delay that a vehicle entering an intersection can expect. Typically, a LOS of C or better is considered acceptable for peak-hour conditions. The traffic report demonstrates that the existing LOS at the intersection of Eastside Highway and Logan Lane is operating with minimal delay given the current roadway configuration in this area. All study intersections are operating with reserve capacity under normal traffic conditions. It is expected that overall peak-hour intersection delay will increase by 1-2 seconds per vehicle with the construction of the Burnt Fork Estates. No roadway modifications are recommended to improve intersection capacity at these locations.

*Effect on Local Services (Police):* The following is a summary of the effect of the proposed development on the existing Police Department.

- i. The proposed subdivision will receive law enforcement services from the Stevensville Police Department.
- ii. The Stevensville Police Department has requested the following improvements:
  - a. Stop signs be installed at each intersection for the roads internal to the subdivision.
  - b. Installation of a visual detector at the intersections of Middle Burnt Fork Road and Logan Lane East Side Highway and Logan Lane that notifies drivers as someone approaches the intersection.

*Effect on Local Services (Fire):* The following is a summary of the effect of the proposed development on the existing Fire Department.

- i. The proposed subdivision will receive fire protection and emergency response services from the Stevensville Fire Department.
- ii. The developer has proposed to donate Lot C-12 to the Town of Stevensville for a future fire station.

*Effect on the Natural Environment:* The proposed subdivision is not anticipated to have any effect on the natural environment.

*Effect on Wildlife and Wildlife Habitat:* There are no known endangered species on or near the subject property. That said, the proposed subdivision is not anticipated to have any effect on wildlife and wildlife habitat.

*Effect on Public Health and Safety:* The subject property and surrounding area are not subject to potential natural hazards such as high winds, steep slopes, wildfire, flooding, nor potential manmade hazards such as high voltage power lines, high-pressure gas lines, or nearby industrial or mining activity. It should be noted that high groundwater exists in the area. As mentioned previously, the subject property is not located in a floodway of a 100-year flood event per FEMA's Flood Insurance Rate Map.

*Provision of Easements:* Provisions for utility easements or designated public rights-of-way are designated on the Preliminary Plat. Easement widths are adequate for the utilities that fall within the easement.

*Provision of Legal and Physical Access:* Physical access is provided directly off Middle Burnt Fork Road and Logan Lane.

Conformance to adopted Stevensville Growth Policy

The proposed subdivision conforms to the Town of Stevensville's current Growth Policy.

**Staff Recommendations:** After review of the preliminary plat application and additional information concerning this major subdivision, staff recommends that the Town Council adopt this staff report's findings of fact and approve Burnt Fork Estates subdivision preliminary plat, subject to the following conditions:

1. This preliminary plat approval for all phases is valid for 10 years for the proposed phasing plan from the date of approval by the Town Council. The preliminary approval may be extended by the Town Council for a mutually agreed upon period of time, if the applicant requests an extension of time prior to the expiration date.
2. If the applicant proposes to change the plat after preliminary plat approval but before the final plat approval, the applicant shall submit the proposed changes, all supporting documents, and required fee to the Town of Stevensville for review.
3. All water rights associated with the subject property shall be transferred to the Town of Stevensville before the issuance of final plat for Phase 1.
4. Each proposed lot shall be connected to the Town of Stevensville water and wastewater systems.
5. The existing water booster station located on Lot C-12 shall be upgraded before the issuance of final plat for Phase 4.
6. All future improvements to the Town's water system and wastewater facility shall be designed in accordance with local and Montana DEQ standards and approved by the Town of Stevensville and the Montana DEQ.
7. All utility easements shall be shown on the face of the final plat.
8. All storm water improvements will be designed in accordance with local and Montana DEQ standards and approved by the Town of Stevensville and the Montana DEQ.
9. The property owners shall be required to waive their right to protest the formation of a Special Improvement District (SID) related to any potential future improvements to Middle Burnt Fork Road and Logan Lane along the subdivision frontage or areas of benefit as required to bring these roads into compliance with the Town of Stevensville Development Code, Growth Policy and Streets Master Plan.
10. The developer has offered to pay the appropriate jurisdiction \$200/lot for payment of future off-site traffic related improvements as a result of the capacity being consumed by the proposed development. Payment shall be in conjunction with the filing of the final plat for each phase of the project.

11. Encroachment permits shall be obtained from the jurisdiction in charge of Logan Lane before the issuance of the final plat for Phase 2 and for Middle Burnt Fork Road before the issuance of final plat for Phase 7.
12. Internal subdivision roads shall be designed in accordance to the Town of Stevensville Streets Master Plan.
13. The internal subdivision roads shall be within a designated public right-of-way, but shall be maintained by the Burnt Fork Estates Homeowner's Association.
14. Stop signs shall be installed at each intersection for the roads internal to the subdivision as required by the Town of Stevensville Police Department.
15. A visual detector at the intersections of Middle Burnt Fork Road and Logan Lane and East Side Highway and Logan Lane that notifies drivers as a vehicle approaches the intersection shall be installed as required by the Town of Stevensville Police Department before the issuance of final plat for Phase 2.
16. Adequate access to parks and common shall be provided for fire protection or emergency response as approved by the Town of Stevensville Fire Department.
17. Fire hydrant spacing shall be approved by the Town of Stevensville Fire Department.
18. Lot C-12 shall be donated to the Town of Stevensville for a future fire station at the time of filing the final plat for Phase 7.
19. Parks and common area within the subdivision shall be privately owned and maintained and shall be handicap accessible.
20. Parks and common area within the subdivision shall be maintained by the Burnt Fork Estates Homeowner's Association.
21. Structures within the subdivision shall not have basements or a crawl space.
22. Architectural standards ensuring a common architectural theme within the C-1 zoning shall be established before the issuance of final plat for the commercial phase.
23. The Town of Stevensville reserves the right to revoke approvals, terminate or enjoin the use of the property, and order any structures removed if the applicants violate any conditions of preliminary plat approval.
24. After the Town Council has approved the final plat, the applicant shall provide the Town of Stevensville Planning Department with a copy of the recorded final plat within five working days of its recording (including an electronic version).