



Date: April 4, 2019

CITY OF GREAT FALLS

BOARD OF ADJUSTMENT/AGENDA REPORT

- Item:** Variance from height requirements for a principal building in a Light Industrial (I-1) zoning district for the property located at 920 21st Street North and legally described as a tract of land, Mark 7, located in the South ½ of Section 6, Township 20 N, Range 4 East, P.M.M., Cascade County, Montana.
- Applicant:** United Materials of Great Falls
- Representative:** Mitch Callas, United Materials
- Presented By:** Brad Eatherly, Planner I, Planning and Community Development
- Action Requested:** Consideration of a height variance from the standard contained in Title 17, Chapter 20, Article 4, Exhibit 20-4. *Development Standards for other zoning districts, Maximum building height of principal building*
-

Public Hearing:

1. Chairman call for Staff presentation and then Applicant presentation.
2. Chairman calls for questions and answers.
3. Chairman conducts public hearing, calling three times each for proponents and then opponents.
4. Chairman asks the applicant if he/she wishes to respond to any comments, submit additional information, or amend the application.
5. Chairman closes the public hearing and asks the will of the Board.

Suggested Motion:

1. Board Member moves:
 - I. “ I move that the Board of Adjustment, based on the findings for the Basis of Decision, (approve/deny) the application of United Materials of Great Falls for the requested variance from City Code Title 17, Chapter 20, Land Use, subject to the conditions of approval.”

2. Chairman call for a second, discussion, and calls for the vote.

Staff Recommendation:

Staff recommends that the Board approve the variance subject to the following conditions:

1. The applicant shall submit the required building permit application to the City of Great Falls for review and approval.

Summary:

The applicant, United Materials, has operated a construction service business in Great Falls for many decades. Because so much of United's work involves the construction of infrastructure (roads, utilities, etc.), the business has also operated their own concrete batch plant. The current plant is located south of the subject parcel and the Burlington Northern Santa Fe railroad. The batch plant is nearing the end of its useful life and must be replaced. Due to the nature of United's business, the company needs to keep the current plant operational while a new batch plant is being constructed. This has led United to propose construction of the batch plant on the property they currently use as a contractor yard. The parcel is 11.6 acres in size and zoned Light Industrial (I-1). Staff has identified that the following variance is needed to allow the construction of the new concrete batch plant.

REQUIRED VARIANCE:

Chapter 20- Land Use

17.20.4.010 Development standards for other zoning districts Exhibit 20-4

The maximum allowed height of a principal building in the Light Industrial district is 45 feet. The applicant proposes that the concrete batch plant will have an overall height of 82 feet 11 inches.

Background for Staff's recommendation:

City staff has concluded that the proposed height variance is appropriate for the following reasons:

1. The current batch plant, which has been in place for decades, is approximately the same size as the structure being proposed. That plant is located on the adjoining property to the south and is closer to the adjoining residential neighborhood than the proposed new batch plant.
2. The proposed batch plant structure is absolutely integral to the success of the company and must have a taller height in order to function properly. The location of the proposed structure between two railroad corridors is ideal in terms of minimizing the visual impact to residents.

Notice of the Board of Adjustment hearing was published in the Great Falls Tribune on March 17, 2019. Additionally, notices were sent to adjoining property owners per code requirements. Staff has not received any inquiries requesting information at the time of writing this report.

Findings for the Basis of Decision: The basis for decision for a variance request is listed in §17.16.32.040 of the Land Development Code. The decision of the Board of Adjustment shall consider the three Basis of Decision criteria. Staff provides the following Basis of Decision for consideration by the Board:

1. The variance is not contrary to the public interest.

The purpose of having height restrictions in the City's Land Development Code is to make sure adjoining property owners, particularly residential owners, don't suffer from restricted views, blockage of light, and other negative impacts. In this instance, the requested variance is not contrary to the public interest because the subject location is north of where United Materials already has a concrete batch plant in operation. Locating the new plant on the subject parcel will allow more room for the batch plant to be constructed. Allowing the variance will relocate the batch plant and establish a much greater distance between the taller structure and affected residential property owners. This is clearly in the public interest.

2. A literal enforcement would result in unnecessary hardship, owing to conditions unique to the property.

The concrete batch plant will be constructed on the parcel that is currently being used as a contractor yard. A literal enforcement of the height restriction for the light industrial district would restrict the batch plant to 45 feet in height. There is simply no way to feasibly construct an operational batch plant at this lower height limit. This creates clear hardship for the property owner. The unique condition supporting hardship is that the owner already has an established batch plant with a similar height on the adjoining parcel. This is an extremely unique situation that justifies granting of a variance to re-establish what the applicant already has in place.

3. The spirit of this Title would be observed and substantial justice done by granting the variance.

The spirit of this Title would be observed and substantial justice done by granting the variance. If the variance is not granted it would not allow United Materials to have the same operational capability as it currently does on the adjoining property.

Fiscal Impact: The requested variance will allow United Materials to construct a new concrete batch plant with no interruption in their current service. This will positively affect the business as well as provide important concrete material for current and future construction projects. This clearly has a positive fiscal impact for the community.

Alternatives:

The Board of Adjustment could choose to deny the variance request and strictly enforce the 45 foot height limit for the I-1 zoning district. For such action, the Board of Adjustment must provide separate Basis of Decision findings to support the denial.

Concurrences:

Representatives from the City's Public Works, Engineering, Fire, and Building Departments were consulted extensively on the variance request. The Fire Department has noted that a fire hydrant will need to be placed by the applicant on the Southwest corner of the project area.

Attachments/Exhibits:

Applicant's request

Aerial Map

Zoning Map

Site Plan

Elevation

Project Information

Project Name: United Materials Proposed Concrete Batch Plant

Developer & Landowner Name: United Materials of Great Falls, Inc. (Developer & Owner)

Preparation Date: February 20th, 2019

Name of Preparer: TD & H Engineering

Survey Information

North Arrow: Shown on Site Plan

Graphic Scale: Shown on Site Plan

Legal Description: S06, T20N, R04E, MK 7 6-20N-4E

Property Boundaries: Shown on Site Plan

Acreage of Subject Property: 11.6 Acres

Project Development Information

Easements/Right-Of-Ways: There are no known Easements/Right-Of-Ways

No Build/Alteration Zones: There are no known No Build/Alteration Zones

No Ingress/Egress Zones: There are no known No Ingress/Egress Zones

Setting

Property Boundaries within 150' of Parcel: Shown on Site Plan

Names of Property Owners within 150' of Parcel: See the attached list of property owners

Adjacent Land Uses within 150' of Parcel: See the attached list of land uses

Municipal Boundaries: There are no known municipal boundaries

Site Features

Wetlands: None known at this time.

Woodlands: None known at this time.

Wildlife Habitat: None known at this time.

Environmentally Sensitive Features: None known at this time.

Water Resources: None known at this time.

Flood Plains: None known at this time.

Irrigation Canals: None known at this time.

Other Hazards: None known at this time.

Transportation Facilities

Roads: There are no roads on the parcel

Driveways: The site is accessed from the south off 21st St. N

Buildings/Structures

Existing & Proposed Within Project: The proposed structure/building is shown on the site plan. Existing buildings are South of the RR tracks, and west of the fence on the site plan.

AERIAL MAP



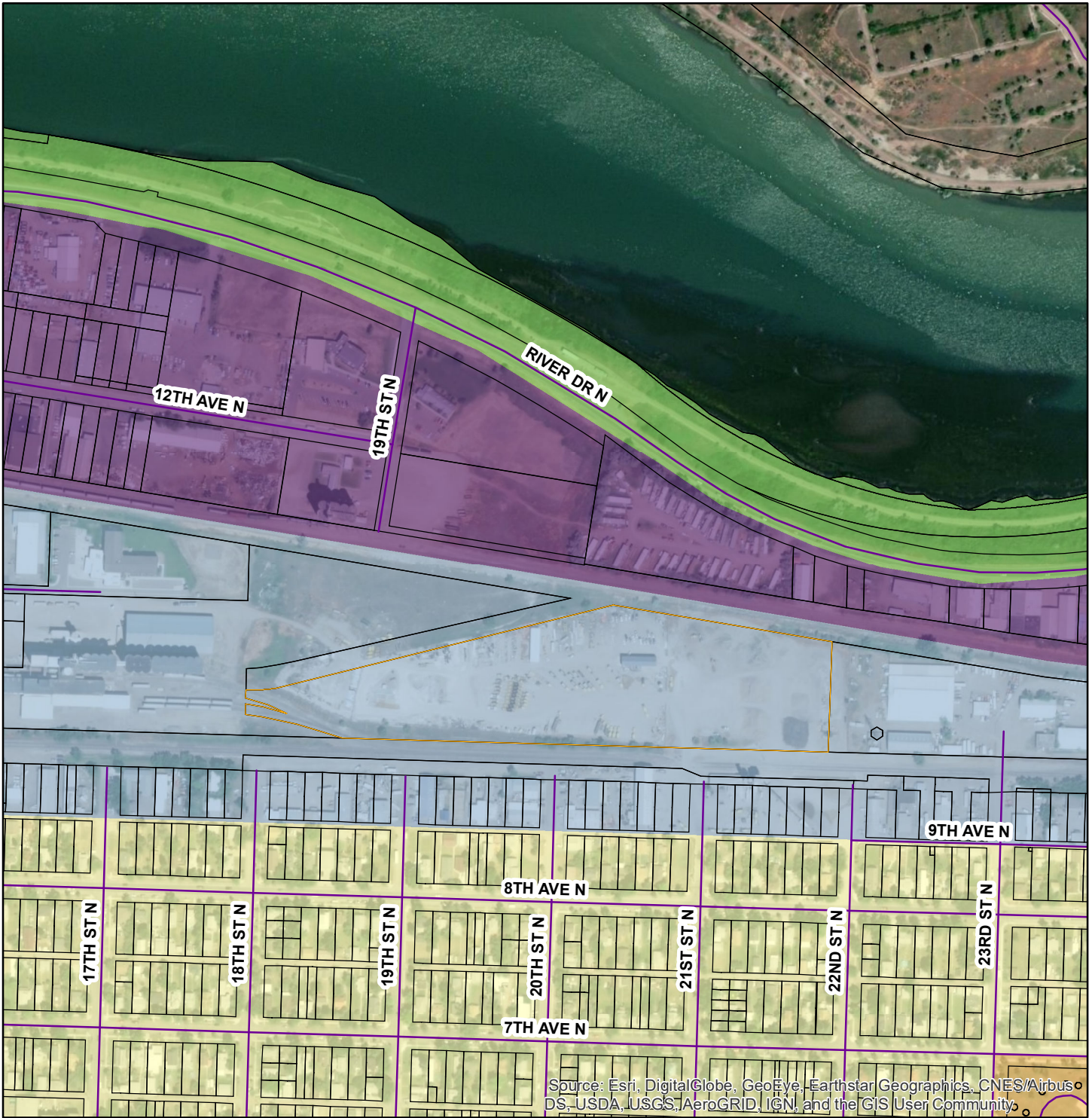
 Subject Property







 City Limits

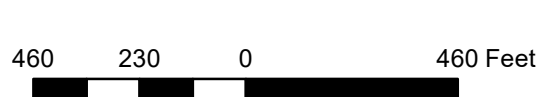
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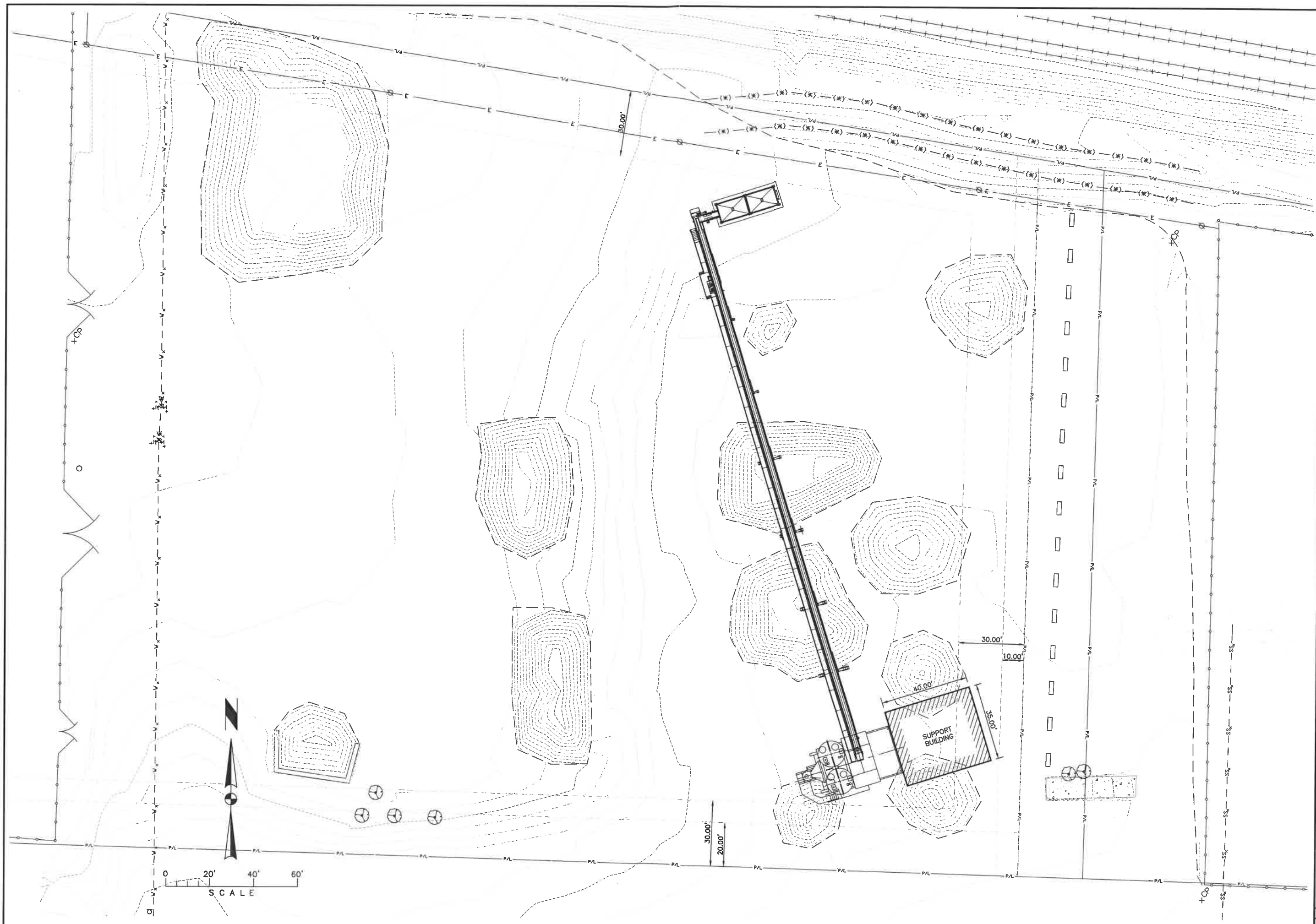
ZONING MAP



-  Parcels selection
-  R-3 Single-family High Density
-  R-5 Multi-family Medium Density
-  M-2 Mixed-use Transitional
-  I-1 Light Industrial
-  POS Parks and Open Space



J:\2018\18-242 United Materials Batch Plant\CADD\CIVIL\18-242 LAYOUT 3.dwg, 2/19/2019 9:09:09 AM, CDF



NOT FOR CONSTRUCTION

REV	DATE	REVISION



DRAWN BY: B.J.L.
 DESIGNED BY:
 QUALITY CHECK:
 DATE: 2-19-19
 JOB NO. 18-242
 FIELDBOOK

UNITED MATERIALS OF GREAT FALLS
GREAT FALLS, MONTANA
PROPOSED NEW BATCH PLANT
CONCEPTUAL LAYOUT 3

ERIE STRAYER

← APPROVED DRAWING →

Please complete & return the signed drawing.
If necessary, indicate required changes.

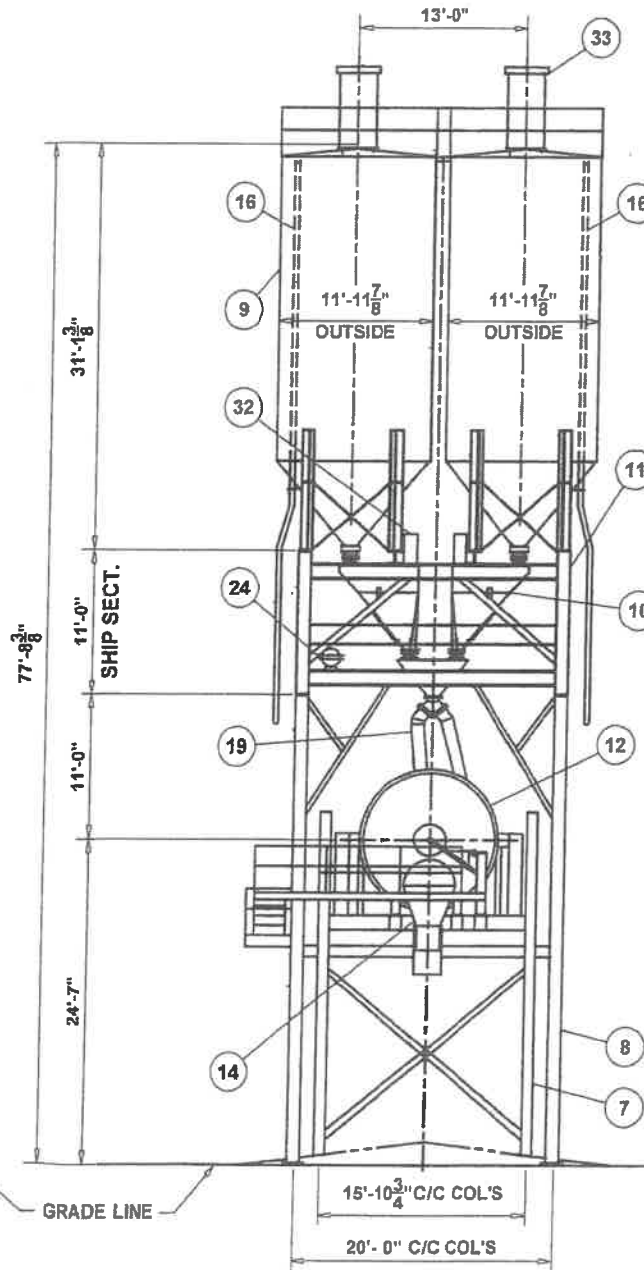
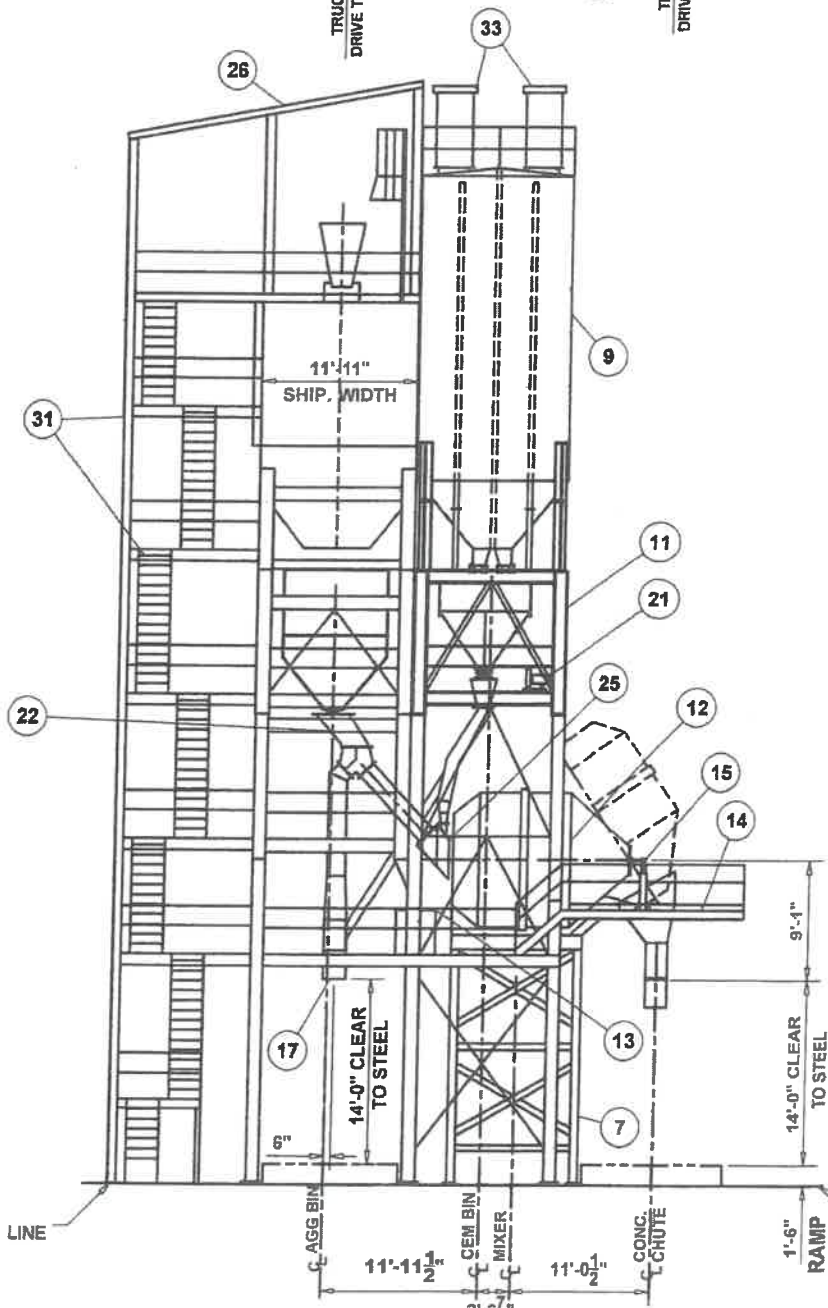
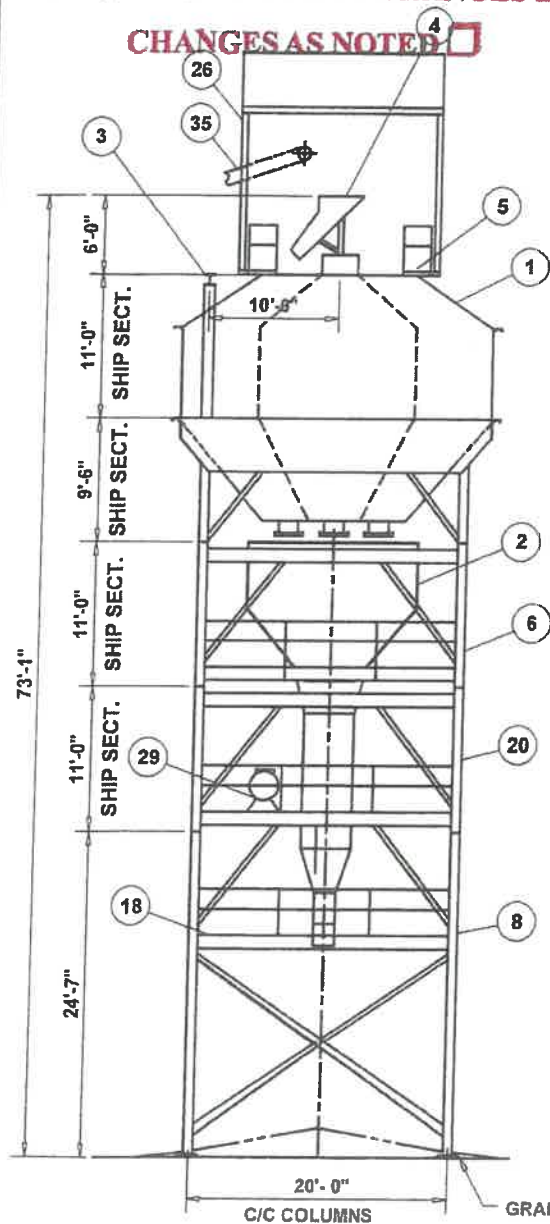
DATE: _____

PRINT NAME: _____

SIGNATURE: _____

APPROVED WITHOUT CHANGES

CHANGES AS NOTED



CEM SILO CAPACITIES
COMPT 1-C, 2-C 3-C & 4-C EACH
1430 CU. FT. AIR VOL
53 CU. YD.

BY ERIE STRAYER CO. TWIN T & C

- 1 P12-UPV3-140A AGG BIN (PATT. A-121)
4 COMPARTMENTS FOR AGG
 - 2 AB4B-12 CU. YD. AGG BATCHER
 - 3 CONVEYOR HEAD END SUPPORT
 - 4 ROTARY DISTRIBUTOR
 - 5 ROTARY DISTRIBUTOR SERVICE PLATFORM
 - 6 UNITIZED BATCHING SECTION (AGG)
 - 7 MIXER COLUMNS & BRACING
 - 8 LOWER COLUMNS & BRACING
 - 9 CS2-715 BBL TWO COMPARTMENT CEMENT SILO
SPLIT 1/2 - 1/2 W/ DOUBLE WALL DIVIDER
715 BBL. MAX. CAPACITY (2 REQ'D)
 - 10 12 CU YD CEM. BATCHER (2 REQ'D)
 - 11 UNITIZED BATCHING SECTION (CEM)
 - 12 12 CU. YD. ERIE TILT MIXER
 - 13 HYDRAULIC POWER UNIT
 - 14 CONCRETE DIRECTIONAL CHUTE W/ SERVICE PLATFORM & SUPPORT
 - 15 MIXER NOSE PLUG
 - 16 AIR LOADING PIPING 5" DIA (4 REQ'D) (1 IN EA. COMPT)
 - 17 DRY BATCH TRUCK CHARGING CHUTE
 - 18 SERVICE PLATFORM @ MIXER LEVEL
 - 19 CEMENT TWO-WAY CHUTING
 - 20 UNITIZED CHUTE SECTION
 - 21 7 HP AERATION BLOWER
 - 22 AGG TWO WAY CHUTING
 - 23 MOTOR CONTROL PANEL
 - 24 3" WATER METER
 - 25 MIXER CHARGING CHUTE
 - 26 ENCLOSURE FRAMEWORK OVER TOP OF AGG BIN, ROTARY
DISTRIBUTOR & HEAD END OF BIN CHARGING CONVEYOR
 - 27 GIRTS, CLIPS AND SAG RODS FOR THREE SIDES
OF AGGREGATE BIN
 - 28 GIRTS, CLIPS AND SAG RODS FOR ENCLOSING AGG BIN &
CEM SILO COLUMN STRUCTURES FROM BASE PLATES TO AGG BIN
HOPPER, & CEMENT SILO SHELLS. OPENING PROVIDED ON TWO SIDES
FOR DRY BATCH TRUCK TO DRIVE THRU
 - 29 25 HP AIR COMPRESSOR W/ 120 GAL. TANK
 - 30 STAIRWAY W/ HANDRAILS FROM MIXER LEVEL MAINTENANCE
PLATFORM TO CONCRETE DIRECTIONAL CHUTE SERVICE PLATFORM
 - 31 STAIRWAY W/ ENCLOSURE FRAMING FROM GRADE TO ROTARY
DISTRIBUTOR MAINTENANCE PLATFORM W/ ACCESS TO MIXER LEVEL,
CHUTE LEVEL, AND BATCH BATCH PLATFORM LEVEL
- BY OTHERS**
- 32 CEMENT BATCHER FILTER VENT (C & W CP-35) (2 REQ'D)
 - 33 CEMENT SILO FILTER VENT (C & W LPR) (4 REQ'D)
 - 34 CONTROL SYSTEM
 - 35 BIN CHARGING CONVEYOR

FOR PLANT ANCHOR BOLT PLAN SEE DWG 4A-262542

<p>GENERAL NOTES BELOW APPLY TO EQUIPMENT SHOWN ON THIS DRAWING.</p> <ul style="list-style-type: none"> - AGGREGATE BINS AND BIN COMPARTMENTS HEAPED CAPACITIES OF AGGREGATE BINS AND BIN COMPARTMENTS ARE AS SHOWN AND ARE BASED ON HEAVING TO AN ANGLE OF 40° FROM THE HORIZONTAL WITH MATERIAL WEIGHING 1100 PLY CU. FT. ON APPROXIMATELY ONE AND ONE HALF TONS PER CU. YD. - CEMENT BINS, BIN COMPARTMENTS AND BBL'S MINIMUM BARRING, BIN, BIN COMPARTMENT AND BBL CAPACITIES AS SHOWN ARE BASED ON BULKING OF 20% OR 0.8 CU. FT. PER BARREL. - ELECTRIC MOTORS UNLESS INDICATED OTHERWISE, ALL ELECTRIC MOTORS ARE WIRING FOR 230/440 VOLT, 3 PHASE, 60 CYCLE CURRENT. STARTING EQUIPMENT WILL BE FURNISHED TO OPERATE ON 480 VOLTS UNLESS OTHERWISE STATED. - POWER REQUIREMENT FOR CONTROLS VOLTAGE SHALL BE 120 VOLTS (+/- 5%) 60 CYCLE PER SECOND. - MODIFICATIONS OR ADDITIONS ALL FIELD CHANGES TO THE EQUIPMENT SHOWN HEREIN, OR ANY ENCLOSURE, WALKWAY, PLATFORM, HOUSING OR OTHER ADDITION TO THIS EQUIPMENT ARE THE RESPONSIBILITY OF THE BUYER WHO AGREES TO HOLD ERIE STRAYER COMPANY HARMLESS AGAINST LIABILITY FOR THE SAME. - NOT FOR CONSTRUCTION THE DIMENSIONS SHOWN HEREON ARE GENERAL AND OUTLINE DIMENSIONS ONLY AND ARE NOT INTENDED FOR USE AS DETAIL DIMENSIONS FOR MAKING MODIFICATIONS OR ADDITIONS, SUCH AS ENCLOSURES, WALKWAYS, PLATFORMS OR HOUSINGS TO THE EQUIPMENT SHOWN. 	<p>EQUIPMENT CONFORMS TO CPMB, PMMD, & CSMD STANDARDS</p>	<p>ERIE STRAYER CO. 1851 Rudolph Ave. Erie, PA 16502 Phone: (814) 456-7001 Fax: (814) 452-3422 Website: www.eriestrayer.com</p>	<p>PLANT POWER 460V - 3 PH - 60HZ</p> <p>CONTROL POWER 120V - 1PH - 60HZ</p>	<p>ERIE STRAYER CO. UNITIZED TWIN BIN TRANSIT & CENTRAL MIX PLANT GENERAL ARRANGEMENT UNITED MATERIALS</p> <p>CONTRACT NO. AS-9180</p> <p>SCALE ~</p> <p>DWG NO. 4A-262541</p>
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