



**Item:** Public Hearing - Resolution 10017, Conditional Use Permit for a two-family residence to be established in the existing structure addressed as 624 3rd Avenue North.

**From:** Galen Amy, Planner I, Planning and Community Development

**Initiated By:** David Knudson, Property Owner

**Presented By:** Craig Raymond, Interim Director of Planning and Community Development

**Action Requested:** City Commission set public hearing for Resolution 10017.

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**Public Hearing:**

1. Mayor conducts public hearing, calling three times each for proponents and opponents.
2. Mayor closes public hearing and asks the will of the Commission.

**Suggested Motions:**

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10017.”

2. Mayor calls for a second, discussion, and calls for the vote.
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**Recommendation:** At the conclusion of a public hearing held March 26, 2013, the Zoning Commission passed a motion recommending to the City Commission that a Conditional Use Permit be **granted** to allow a two-family residence be established on the subject property addressed as 624 3rd Avenue North and legally described as the North 96’ Lot 7, Block 255, Great Falls Original Townsite, Section 12, Township 20 North, Range 3 East, PMM, Cascade County, Montana and subject to the conditions of approval stated within this agenda report.

Staff recommended the Zoning Commission approve the requested Conditional Use Permit. No citizens spoke as proponents or opponents to the project at the public hearing.

The City Commission accepted Resolution 10017 on April 16, 2013 and set the public hearing. Notice of the Public Hearing before the City Commission for the Conditional Use Permit was published in the *Great Falls Tribune* on April 21, 2013.

**Background**

The applicant/property owner of the subject property is requesting a Conditional Use Permit to renovate the existing single-family residence into a two-family residence. The residence was

constructed in 1907 as a two-family residence, and is currently listed as a contributing building in the Northside Residential Historic District. It is also listed in the National Register of Historic Places. The owner intends on taking measures to maintain the original integrity of the building's exterior as construction plans are developed (see attached Site Photographs). The City Historic Preservation Officer, Ellen Sievert, is familiar with the proposed project and is in support of the applicant's plans.

The building consists of three floors, 1,600 square feet each, with a full basement. Prior to 1978, the building was converted into a six-plex and served as a multi-family rental property for a period of time. City records show the previous owner applied to convert the six-plex into a single-family residence in 2009. Interior renovation of the residence, including removal of one staircase, was started by the previous owner. The renovations were not completed, so the residence has been unoccupied since.

### *Zoning Analysis*

The subject property is zoned R-9 Mixed residential, with predominately single-family residential land uses adjacent. The R-9 district contains a mix of housing types including single-family, two-family, and multi-family dwellings. The subject block abuts the C-5 Central business periphery immediately to the west and south. This district serves as a buffer between residential neighborhoods and the downtown area. There are also a number of churches, motels, businesses, and Whittier School in the area surrounding the subject property.

Higher density developments within the vicinity of the subject property do not appear to adversely affect the neighborhood. No inventory has been done of the number or frequency of single- or multi-family residences in the area, but by analyzing City address data in the surrounding neighborhood there are a number of multi-family residences in the area, though none are on the subject block.

### *Parking*

The off-street parking requirements for the proposed two-family dwelling is two spaces per dwelling unit. The property currently has two off-street spaces. There appears to be enough space at the back of the existing residence to meet the off-street parking requirement. The City is requiring the parking pad be paved. Consistent with Public Work's policy, Dave Dobbs, City Engineer, has approved a proposed 20-foot wide driveway curb cut. Construction of the parking area and driveway must be done in accordance with section 17.32.150 of the Municipal Code and appropriate construction standards.

### *Traffic Analysis*

The applicant has agreed to meet the off-street parking requirements as described above, and as this project is located in a developed, high density neighborhood. Any future tenant based traffic impacts would be minimal.

### *Streets & Utilities*

3rd Avenue North and 7th Street North are built to City standards. Any additional traffic generated by this application will be minimal, so the applicant will not be required to provide any roadway improvements. There are existing water and sewer service lines provided to the dwelling unit at the front of the property. The applicant will need to follow City permitting process to establish water and sewer in the second dwelling unit. If this unit is metered

separately, there will need to be an additional shut-off per the Utility Division.

#### *Stormwater Management*

The request is located in a residential neighborhood; therefore, the applicant is not required to provide a stormwater management plan in compliance with the City of Great Falls Storm Design Manual and City standards.

#### *2005 City of Great Falls Growth Policy*

The request is consistent with the 2005 Growth Policy Update; specifically, the land use portion of the plan which emphasizes the goal of neighborhood vitality. The renovation and investment in this house will help to diversify the housing stock available in this desirable neighborhood, close to downtown. A goal of the land use element is to preserve and enhance the character, quality and livability of existing neighborhoods, and to support and encourage efficient, sustainable development and redevelopment throughout the community. Infill, redevelopment and use of existing infrastructure is also strongly encouraged in the Updated Growth Policy.

Policies in the land use element further state, "Encourage livable, walkable, visually and functionally cohesive neighborhoods that incorporate traditional design concepts" and "encourage mixed land uses in new and redeveloping areas to achieve a high degree of self-containment, reduce auto dependence, and foster a strong live-work-play pattern of activity within neighborhoods." The project is located in a walkable, traditional style neighborhood, with adequate infrastructure, adjacent to and with easy access to downtown, its employers, shops and services.

#### *Neighborhood Council Input*

The subject property is located in Neighborhood Council #7. The applicant provided information in person to the Council on March 11, 2013, and Patty Cadwell, Neighborhood Council Coordinator, provided information to the Council via email on March 13, 2013. At the time this staff report was written, there have been general questions, but no comments from the neighbors regarding the application. The applicant has provided signatures from surrounding neighbors in support of the application.

#### **Conditional Use Permit Findings**

The basis for decision for a Conditional Use Permit is listed in Land Development Code section 17.16.36.040. The proposed project meets the intent of the code requirements. Conditional Use Permit Findings were provided to the Zoning Commission in an agenda report, which is accessible online at: <http://www.greatfallsmt.net/>

Staff concludes no significant negative impacts associated with Land Development Code review criteria should result from the approval of the Conditional Use Permit, provided the applicant is otherwise conducting business in compliance with City Code.

The Notice of Public Hearing was mailed to neighboring property owners on March 7, 2013, and was published in the *Great Falls Tribune* on March 10, 2013. A sign was also placed on the subject property.

Conditions of approval recommended by the Zoning Commission include:

1. The applicant shall ensure that all relevant permits for construction are obtained and kept in

good standing with the City of Great Fall Building Department, and that the applicant shall call for all required inspections throughout the construction process.

2. The applicant shall pave the parking pad and widen the curb cut to 20 feet. Construction must be done in accordance with section 17.32.150 of the Municipal Code and appropriate construction standards. The proposed driveway contractor should coordinate construction with the Engineering Division.
3. Applicant shall work with the City's addressing department to establish a new address for the second residence and provide facilities for adequate mail delivery to both residences as required by the Post Office.

**Concurrences:** Representatives from the City's Public Works, Park and Recreation, and Fire Departments have been involved throughout the review and approval process for this project.

**Fiscal Impact:** Approving the Conditional Use Permit will not require the City to provide additional services.

**Alternatives:** If there are justifiable reasons to do so, the City Commission could deny the requested action to the extent allowed in City Code and State Statute.

**Attachments/Exhibits:**

- Site Photographs
- Zoning Map
- Aerial Map
- Resolution 10017

Cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Patty Cadwell, Neighborhood & Youth Council Coordinator  
David Knudson, 325 10th Avenue South, Great Falls, MT 59405

## Site Photographs

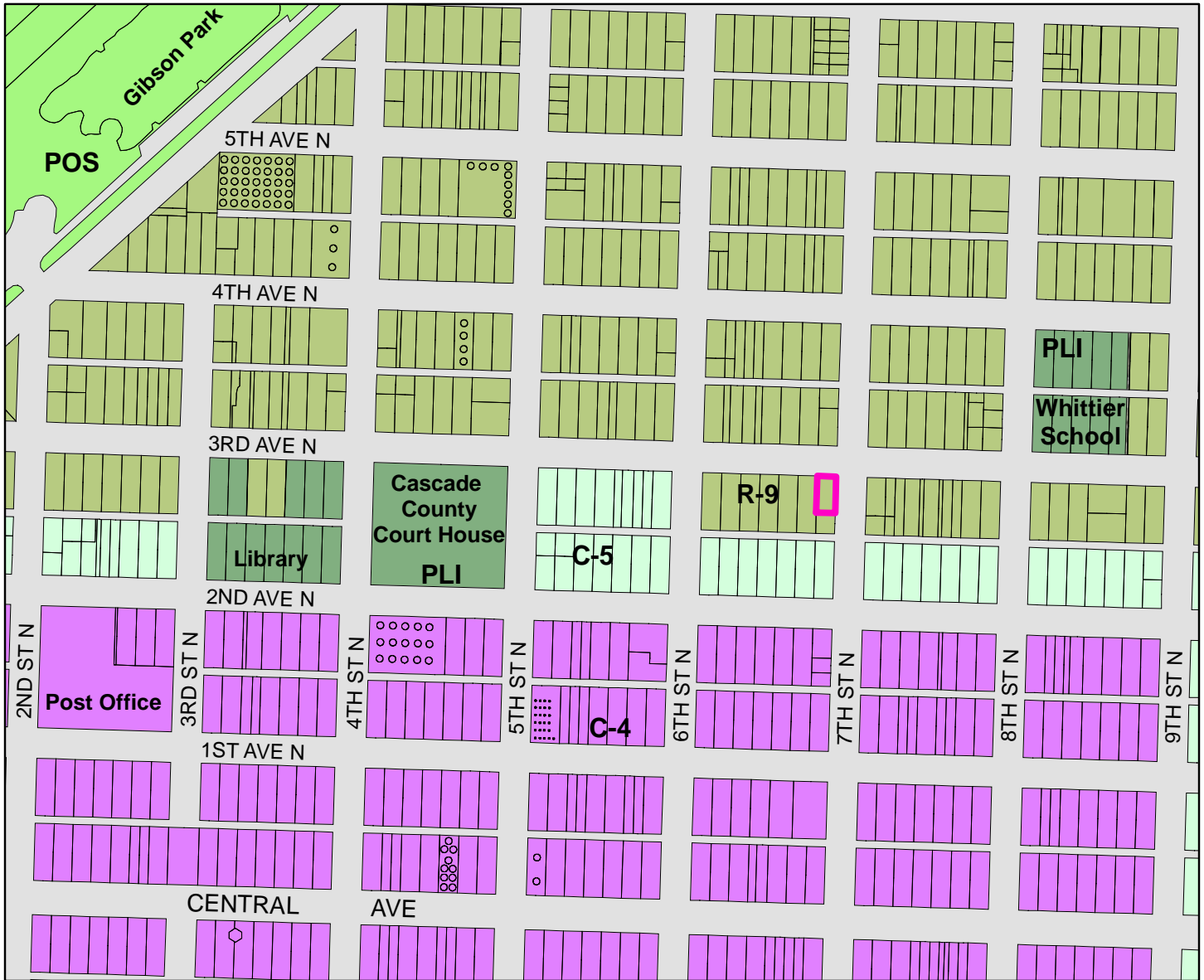


























View south, from 3rd Avenue North, towards the front of the historic residence.



View west, from 7th Street North, at existing off-street parking and back corner of residence.

# Zoning Map



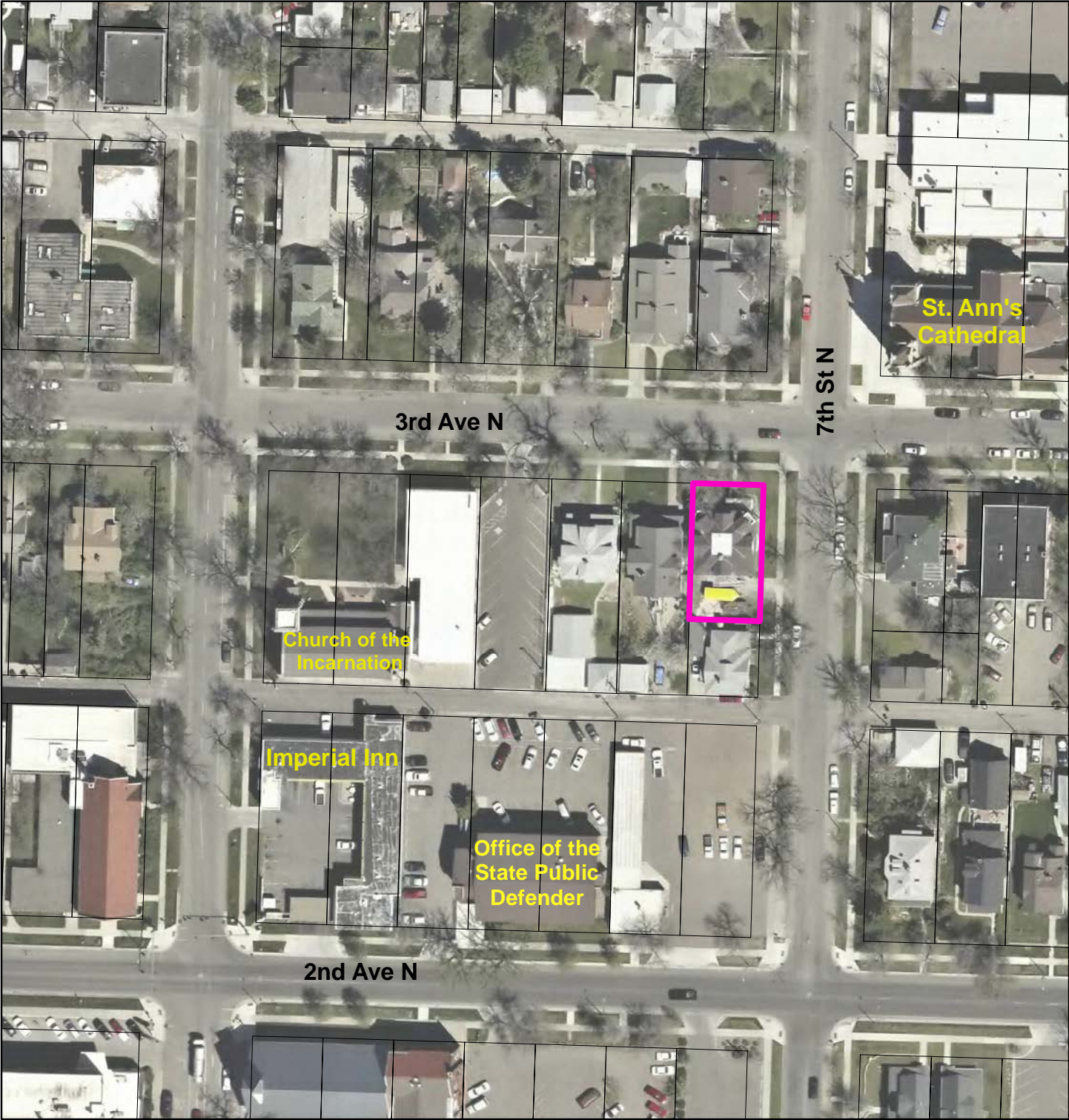
 624 3rd Avenue North	 C-5 Central business periphery	 R-1 Single-family suburban
 Tracts of Land	 I-1 Light industrial	 R-2 Single-family medium density
 Right-of-way	 I-2 Heavy industrial	 R-3 Single-family high density
<b>ZONING</b>	 M-1 Mixed-use district	 R-5 Multi-family medium density
 AI Airport Industrial	 M-2 Mixed-use transitional	 R-6 Multi-family high density
 C-1 Neighborhood commercial	 PLI Public lands institutional	 R-9 Mixed residential
 C-2 General commercial	 POS Park Open Space	 R-10 Mobile home park
 C-3 Highway commercial	 PUD Planned unit development	 Unincorporated Enclave
 C-4 Central business core		



240 120 0 240 Feet

CUP 624 3rd Ave N



# Aerial Map



-  624 3rd Avenue North
-  Tracts of Land



CUP 624 3rd Ave N

RESOLUTION 10017

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT FOR THE PROPERTY ADDRESSED AS 624 3RD AVENUE NORTH AND LEGALLY DESCRIBED AS NORTH 96' LOT 7, BLOCK 255, GREAT FALLS ORIGINAL TOWNSITE, SECTION 12, TOWNSHIP 20 NORTH, RANGE 3 EAST, PMM, CASCADE COUNTY, MONTANA, TO ALLOW A TWO-FAMILY RESIDENCE TO BE ESTABLISHED ON THE PROPERTY.

\* \* \* \* \*

WHEREAS, David Knudson is the owner of record of the property legally described as the North 96' Lot 7, Block 255, Great Falls Original Townsite, Section 12, Township 20 North, Range 3 East, PMM, Cascade County, Montana; and,

WHEREAS, said property is presently zoned R-9 Mixed residential district wherein a two-family residence is permitted upon processing and approval of a Conditional Use Permit; and,

WHEREAS, the owner has applied for a Conditional Use Permit to allow a two-family residence be established within the existing structure, addressed as 624 3rd Avenue North, subject to the following conditions:

1. The applicant shall ensure that all relevant permits for construction are obtained and kept in good standing with the City of Great Falls Building Department, and that the applicant shall call for all required inspections throughout the construction process.
2. The applicant shall pave the parking pad and widen the curb cut to 20 feet. Construction must be done in accordance with section 17.32.150 of the Municipal Code and appropriate construction standards. The proposed driveway contractor should coordinate construction with the Engineering Division.



3. Applicant shall work with the City's addressing department to establish a new address for the second residence and provide facilities for adequate mail delivery to both residences as required by the Post Office.

and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on March 26, 2013, to consider said Conditional Use Permit application, and at the conclusion of said hearing passed a motion recommending a Conditional Use Permit be granted to allow the establishment of a two-family residence on subject property.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

That a Conditional Use Permit be granted for the property addressed as 624 3rd Avenue North and legally described as the North 96' Lot 7, Block 255, Great Falls Original Townsite, Section 12, Township 20 North, Range 3 East, PMM, Cascade County, Montana, to allow a two-family residence, contingent on the owner complying with the said conditions; and,

BE IT FURTHER RESOLVED BY SAID CITY COMMISSION that this Resolution shall become effective immediately upon its passage and approval.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on May 7, 2013.

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Michael J. Winters, Mayor

ATTEST:

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Lucy Hallett, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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David L. Nielsen, Interim City Attorney