



**Item:** Set a Public Hearing for the Final Plat of Great Bear Subdivision No. 2-Phase 1

**From:** Jana Cooper, RLA, Planner II, Planning and Community Development

**Initiated By:** Dali, LLC, Property Owner & Developer

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

**Action Requested:** City Commission set a public hearing for the Final Plat of Great Bear Subdivision No. 2-Phase 1 for September 3, 2013.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission set a public hearing for the Final Plat of Great Bear Subdivision No. 2-Phase 1 for September 3, 2013.”

2. Mayor calls for a second, discussion, public comment, and calls the vote.

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**Recommendation:** At the conclusion of a public hearing held on March 26, 2013, the Planning Advisory Board recommended the City Commission approve the Preliminary Plat of Great Bear Subdivision No. 2-Phase 1. During a meeting held June 4, 2013, the City Commission conditionally approved the Preliminary Plat of Great Bear Subdivision No. 2-Phase 1, subject to fulfillment of the following Conditions of Approval:

1. The Final Plat of Great Bear Subdivision No. 2-Phase 1 shall incorporate correction of any errors or omissions noted by staff.
2. The Final Plat of Great Bear Subdivision No. 2-Phase 1 shall dedicate the southerly 100-feet of Lot 4 of the International Malting Company, LLC Addition, which currently exists as an access and utility easement, as public right-of way to the City of Great Falls. Additionally, if TIF funding is not approved, the developer shall be responsible for construction of a standard City street which shall be approved by the Public Works department per a previous annexation agreement related to said Lot.
3. The Final Plat of Great Bear Subdivision No. 2-Phase 1 shall show the dedication of a drainage easement, which shall traverse said plat to accommodate an existing drainage channel. This easement shall be sized and designed as required by Public Works.
4. The final engineering drawings and specifications for the required public improvements to serve the subdivision shall be submitted to the City Public Works Department for review and approval prior to consideration of the Final Plat by the City Commission.

5. The final engineering drawings and specifications for storm drain improvements to serve the subdivision shall be submitted to the City Public Works Department for review and approval prior to consideration of the Final Plat by the City Commission.
6. As a condition for Final Plat approval the applicant shall:
  - A) install or provide a bond or other reasonable security for the installation of the public improvements referenced in Condition 2) above;
  - B) adhere to all provisions emanating from the resolution of Condition 4) above;
  - C) by separate agreement indemnify and hold City harmless for any damages that may be sustained as a result of adverse soil and/or groundwater conditions;
  - D) pay all applicable fees owed as a condition of development;
  - E) provide reasonable security for any transfer to another person or entity of the obligation for installing and paying for all remaining public infrastructure in future phases of Great Bear Subdivision No. 2; and,
  - F) dedicate to the City all necessary easements for public improvements necessary to install and maintain improvements, including sanitary sewer mains, water mains and storm drainage facilities to serve lots in the subdivision and show these easements on the Final Plat.

Please note the applicant has shown on the Final Plat of Great Bear Subdivision No. 2-Phase 1 the dedication of the southerly 100 feet of Lot 4 as public right-of-way. Additionally, the City Commission on July 2, 2013 approved funding for improvements to said right-of-way to be financed from existing CMATP TIFID funds. Therefore, Condition 2 above has been substantially met subject to the above dedication being finalized and said improvements being funded and installed.

**Background:** The ±60.088 (Lots 4 & 5) acre subject property is located east of U.S. Highway 87 in the northern portion of the City of Great Falls. The applicant is requesting approval of the Final Plat of Great Bear No. 2 Subdivision-Phase 1. The proposed subdivision consists of 8 heavy industrial zoned lots. The property is legally described as Great Bear Subdivision No. 2-Phase 1, Being Lots 4 & 5, Block 1, of the International Malting Company, LLC, Addition, located in Section 30, Township 21 North, Range 4 East, P.M.M., Cascade County, Montana, herein referred to as subject property.

Lot 5 of subject property, consisting of 54.863 acres, was annexed in 2007 by Montana Megawatts I LLC (Montgomery Energy). The site was proposed to be a natural gas fired electric generator site. This project was never initiated and ultimately the land was purchased by the applicant.

Lot 4 of the subject property, consisting of 5.225 acres, was annexed in 2005 for the International Malting Company, LLC (now Malteurop). Malteurop, which is located on Lot 2 of the International Malting Company LLC Addition, is a barley malting plant. Lot 4 is the access easement to the lots within the International Malting Company, LLC Addition.

The subject property is located in the Central Montana Agriculture and Technology Park (CMATP) Tax Increment Financing Industrial District (TIFID). An expansion of this TIFID was approved on May 7, 2013 to incorporate the property south of the subject property for the proposed ADF International project. All of the property owners in the TIFID understand that

funds in the TIFID are limited and must be spent on public infrastructure improvements. The expenditure of any TIFID funds are at the discretion of the City Commission.

### Final Plat Request

The applicant is requesting approval of the Final Plat of the subject property which would subdivide Lot 5 into 8 heavy industrial zoned lots. The applicant submitted a Final Plat (Exhibit D), which shows the layout for the industrial lots. Lot 8, the remainder, is expected to be further subdivided in future phases. In the Preliminary Plat phase of the project, Planning Staff noted to the applicant a concern for the size of the proposed industrial lots on the west side of the proposed Innovation Street. The proposed lots meet the standards for I-2 Heavy industrial zoning, but development will be limited due to other code requirements and concerns, such as parking, service areas, setbacks, an existing 40-foot gas easement, etc. Staff has advised the applicant to consider how these lots will function. The applicant has stated that if the lots are not big enough to suit an end user, he could file boundary line adjustments or combine lots if necessary.

Public Works, during the Preliminary Plat phase of the project, raised the concern that there is not an overall master plan for the project. In order to efficiently design for public improvements including water, sewer and storm drain, it is helpful to have an understanding of the overall plan for an area. The applicant has provided various general plans for future phases of the subdivision, but has not provided an overall master plan; therefore, Public Works will have to make some assumptions on future needs for the development. This may cause additional cost to the applicant due to over- or under-sizing of improvements.

The basis for decision to approve, conditionally approve or deny a proposed subdivision is whether the subdivision application, preliminary plat, applicable environmental assessment, public hearing, planning board recommendations, or additional information demonstrate that development of the proposed subdivision meets the requirements of 76-3-608 MCA. The governing body shall issue written finding of fact that weigh the criteria in of 76-3-608 (3) MCA (attached).

### Improvements

Access to the proposed subdivision is from U.S. Highway 87, a controlled access highway, which is maintained by the State of Montana. Currently, there is an existing gravel access and utility easement off of U.S. Highway 87 (Lot 4), which will be utilized to access the lots in the proposed subdivision. The southerly 100 feet of Lot 4 (Great Bear Ave) is being dedicated as public right-of-way as a part of the Final Plat. It should be noted that the City Commission approved expenditures of TIFID dollars for roadway improvements to Great Bear Avenue at their July 2, 2013 meeting. If these improvements are not installed by the City the applicant shall be responsible for improvements to the roadway.

The internal roadways within the subdivision are proposed to be dedicated as public right-of-way and maintained by the City. Public Works is requiring paving, curb and gutter on the internal roadways. Additionally, due to potential of large truck traffic, Public Works is requiring a 100-foot diameter temporary graveled cul-de-sac at the north terminus of Innovation Street.

There is an existing 16-inch water transmission main located on the north edge of Lot 4. The applicant's engineer has prepared a preliminary overall site plan showing a water distribution

main layout for the proposed subdivision. The City Public Works Department has reviewed the water system design reports and plans for compliance with design requirements and regulations. Consideration of adjacent service areas and future main extensions was part of the review. Because the City does not have an overall plan for the entire property, the City may require the applicant to extend additional water mains within the development.

There is an existing sanitary sewer force main and sewage lift station located on the east side of the Malteurop property east of the subject property and adjacent to Black Eagle Road. A sewer main will be extended from this lift station along the north side of the Malteurop property to the southeast portion of the property. A portion of this extension is a requirement in Malteurop's annexation agreement. The City Commission approved funding for the sewer extension from existing funds in the CMATP TIFID on July 2, 2013. It is anticipated that these improvements will be completed this year.

The applicant is responsible for the extension of the on-site sewer main for the subject property. The applicant's engineer has prepared construction plans for the sanitary sewer main installation. The City Public Works Department has reviewed the preliminary sewer system design reports and plans for compliance with design requirements and regulations. Consideration of adjacent service areas and future main extensions was a part of the review. Because the City does not have an overall plan for the entire property, the City may require the applicant to extend additional sanitary sewer mains within the development.

The applicant is working with the Public Works Department regarding requirements for stormwater discharge, storage, conveyances, and on-and off-site improvements. The applicant's engineer has prepared a preliminary overall site plan showing storm drainage system layout for Phase 1. The City Public Works Department has reviewed the preliminary storm drainage system design plans. Consideration of upstream and downstream properties and future storm drain extensions was a part of the review. The applicant has provided a 30-foot drainage easement on the Final Plat for stormwater conveyance across the property in an existing drainage channel. Because the City does not have an overall plan for the entire property, the City may require the applicant to construct additional drainage improvements within the development.

Park land dedication is not required for the proposed subdivision per MCA 76-3-621 (3)(b); a park dedication may not be required for a subdivision into parcels that are all nonresidential.

#### 2005 City of Great Falls Growth Policy

The Great Bear Subdivision No. 2-Phase 1 application is part of what is envisioned as a planned comprehensive industrial development center for residents and businesses in the City and the County. This project is a step toward the creation of a much desired primary job and employment center for the City of Great Falls. Recent surveys have found that the City's residents recognize the need for, and strongly support, actions toward the creation of new and diverse forms of employment in Great Falls.

Although infrastructure is limited at this time, the City of Great Falls has formed a Tax Increment Finance Industrial District (TIFID) to assist in making the road, water, sewer, utility, stormwater and general infrastructure improvements necessary toward the creation of a long-term industrial park and employment center. These improvements will help attract and develop new and expanded value added industries to the area.

This project is consistent with the 2005 Growth Policy. Specifically, the Economic element of the 2005 policy calls for: 1) the diversification of the local economy, 2) steps to enhance and strengthen the City's economic base, and 3) attracting new businesses and supporting the expansion of existing businesses that tend to raise the median income level. It further states that large industrial areas and employment centers should be planned and located based on site requirements, ease of access, environmental impacts, long-term relationships to residential areas and the potential for generating growth. This location, although on the City's periphery, is advantageous for industrial development in that it is separate, but reasonably accessible, from residential areas.

The Growth Policy also makes allowable actions to proactively direct development through public investment in infrastructure and to encourage businesses and industries that will utilize existing (and planned for) infrastructure. This application is consistent with the implementation of these policies.

#### Neighborhood Council Input

The subject property is located in Neighborhood Council #3. A representative for the applicant attended the Council meeting on March 7, 2013. The Council asked questions about a proposed rail spur from Malteurop's property and if Montana Specialty Mills would be relocating to the Great Bear Industrial Park. The applicant's representative did not have information on timing of the rail spur or if Montana Specialty Mills would be relocating. The Neighborhood Council did not vote on the proposed project.

**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. The Fire Department has submitted a memo voicing concerns about emergency response times related to this development.

**Fiscal Impact:** Providing services is expected to be an additional cost to the City. Increased costs may be covered by increased tax revenues from improved properties.

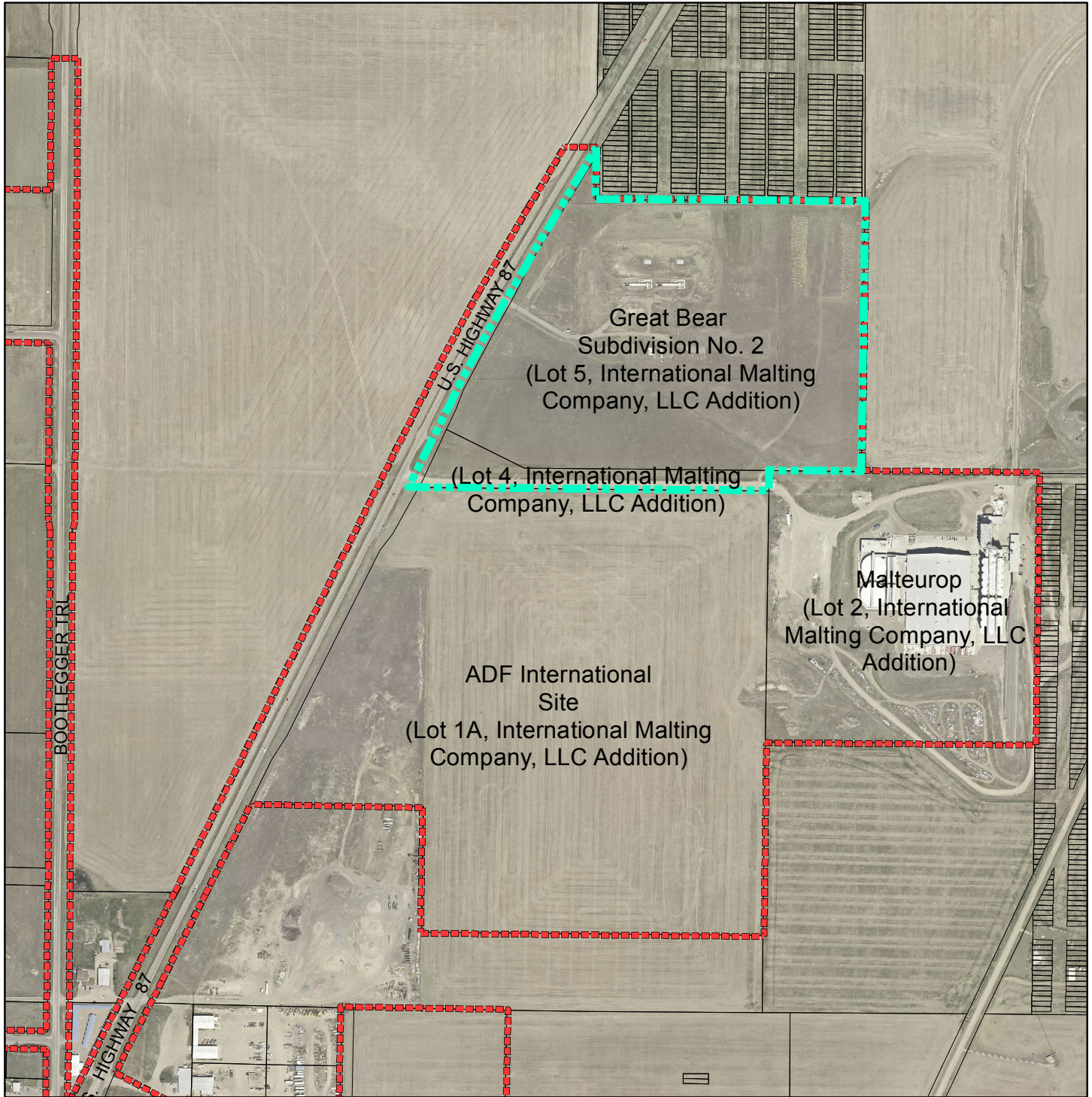
**Alternatives:** The City Commission could not set the public hearing. However, such action would deny the applicant due process and consideration of a public hearing, as provided for in City Code and State Statute.


#### **Attachments/Exhibits:**

- Aerial Photo
- Zoning Map
- Final Plat
- Findings of Fact
- Fire Chief Memo

Cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Patty Cadwell, Neighborhood Council Coordinator  
Joe Stanek, joestanek@westernamericanretail.com  
John Juras, TD&H, John.Juras@tdhengineering.com

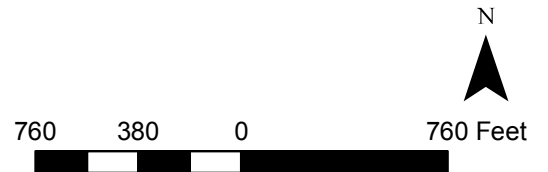
# Aerial Photo



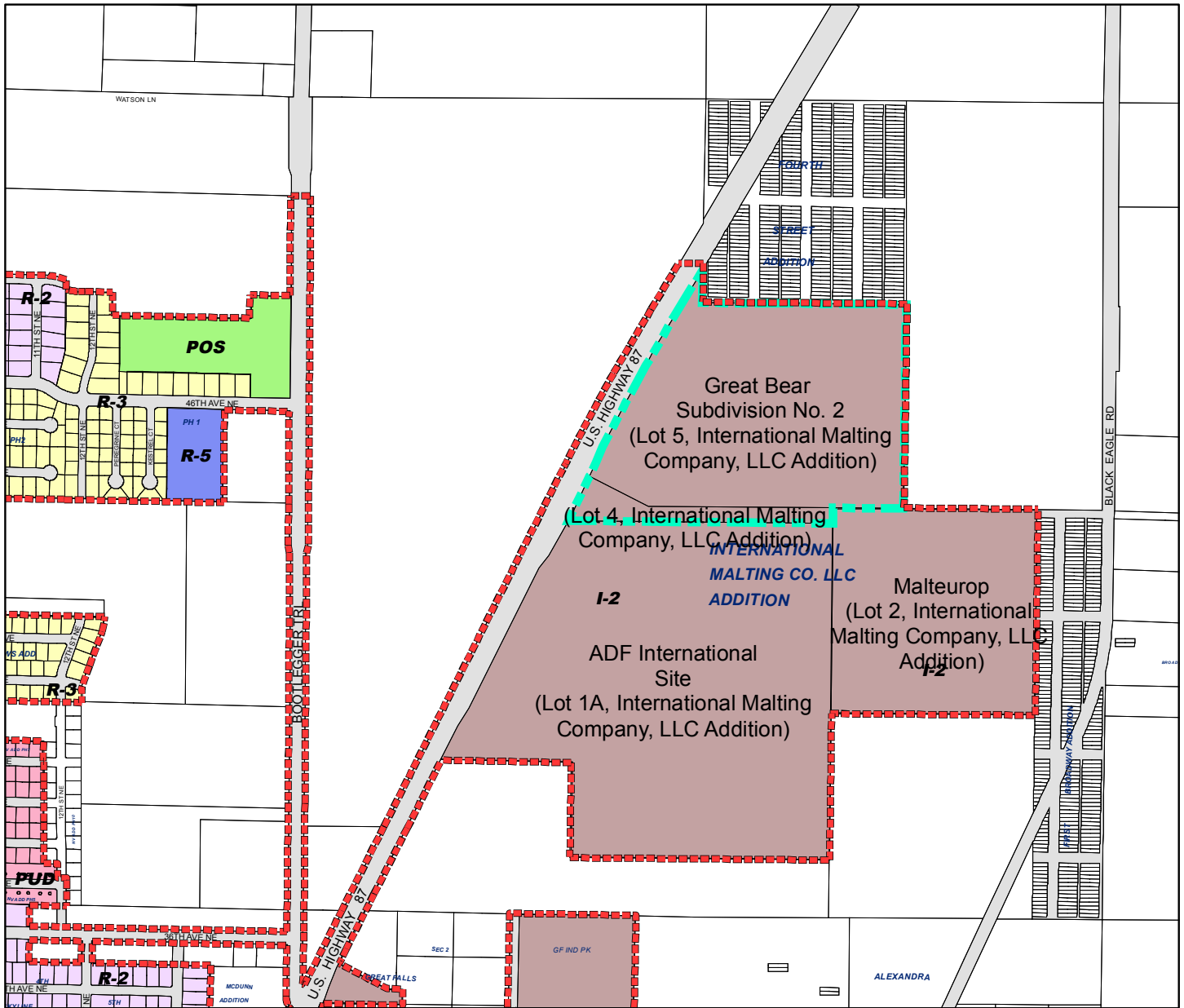
 Great Bear Subdivision No 2

 City Limits

 Tracts of Land



# Zoning Map



## Legend

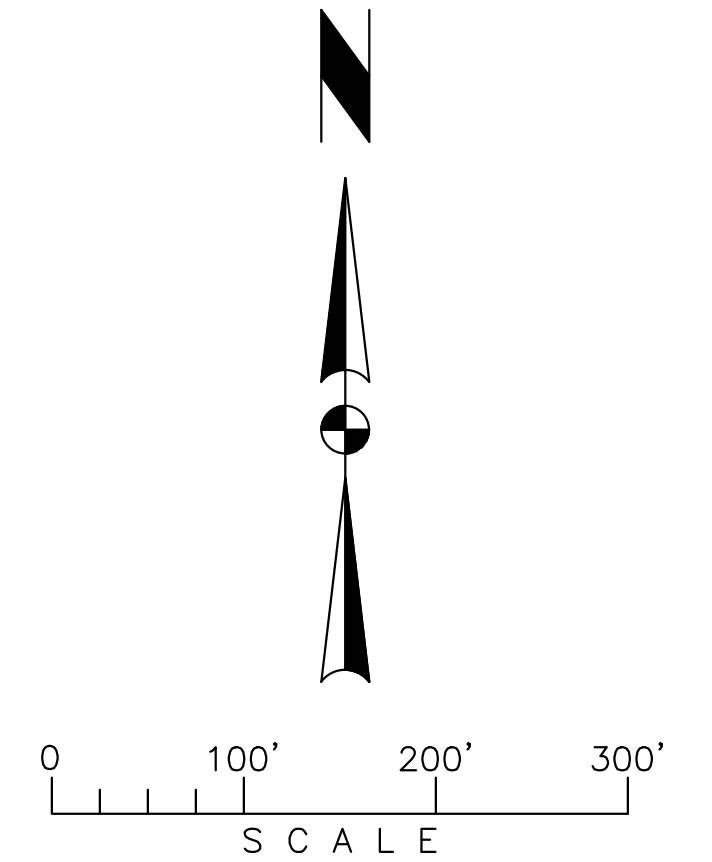
	City Limits		C-4 Central business core		R-1 Single-family suburban
	Parcels		C-5 Central business periphery		R-2 Single-family medium density
	Great Bear Subdivision No 2		I-1 Light industrial		R-3 Single-family high density
	RofW		I-2 Heavy industrial		R-5 Multi-family medium density
<b>ZONING</b>			M-1 Mixed-use district		R-6 Multi-family high density
	A1 Airport Industrial		M-2 Mixed-use transitional		R-9 Mixed residential
	C-1 Neighborhood commercial		PLI Public lands institutional		R-10 Mobile home park
	C-2 General commercial		POS Park Open Space		Unincorporated
	C-3 Highway commercial		PUD Planned unit development		



# GREAT BEAR NO. 2 SUBDIVISION - PHASE I

## BEING LOTS 4 & 5 (LESS HIGHWAY R/W), BLOCK 1, OF THE INTERNATIONAL MALTING COMPANY, LLC ADDITION LOCATED IN SECTION 30, T21N, R4E, P.M.M., CASCADE COUNTY, MONTANA

LAND OWNER: DALI LLC



CENTERLINE HIGHWAY, PROJECT FAP 149-D(3), 1941  
BASIS OF WESTERLY R/W BOUNDARY LINE  
ESTABLISHED FROM FOUND MONUMENTATION,  
MDOT RIGHT-OF-WAY PLANS, & C.O.S. #4468  
(RETRACEMENT OF HWY R/W, 2007)

CENTERLINE HIGHWAY (ADDITIONAL R/W ACQUISITION)  
BASIS OF EASTERLY R/W BOUNDARY LINE  
MT 10-1(25)13, PROJECT 6049000-025, 2009  
NO MONUMENTATION SET, CALCULATED FROM MDOT  
RIGHT-OF-WAY PLANS WITH REFERENCES TO  
ORIGINAL R/W AND EXISTING MONUMENTS.

CENTERLINE HIGHWAY  
MT 10-1(25)13, 2009  
R=11468.23'  
Δ=04°12'03"  
L=940.83'  
CB=S28°43'49"W  
CL=840.64'

CENTERLINE HIGHWAY  
FAP 149-D(3), 1941  
R=11465.48'  
Δ=04°16'48"  
L=856.47'  
CB=S28°44'21"W  
CL=856.27'

EAST R/W LINE  
R=11382.86'  
Δ=02°37'28"  
L=521.39'  
CB=N28°29'11"E  
CL=521.35'

FND 5/8" REBAR WITH Y.P.C.  
S21°52'03"W, 1.73' FROM  
RETRACED CORNER POSITION

FND MDOT 2" ALUM CAP  
HWY STA. 68+43.2 (1961)  
C.O.S. #4468

PURPOSE OF SURVEY: TO CREATE A MAJOR SUBDIVISION  
BASIS OF BEARING: MONTANA STATE PLANE COORDINATES, ESTABLISHED WITH SURVEY QUALITY GPS

AREA OF LOTS = 54.123 ACRES  
AREA OF ROADS = 4.857 ACRES  
TOTAL AREA = 58.980 ACRES

### LEGEND

- SUBDIVISION BOUNDARY
- SET 5/8" REBAR WITH "15625LS KENCZKA" YPC
- FOUND MONUMENT AS NOTED
- FOUND SECTION CORNER
- FOUND QUARTER CORNER
- EASEMENT LINE
- LOT LINE
- SECTION LINE
- FIELD MEASUREMENT (F)
- PLATTED MEASUREMENT (P)

SHEET 1 OF 2

	DRAWN BY: DRK/MMJ	DATE: 6-14-13	QUALITY CHECK:
	SURVEYED BY: RFS	JOB NO. 10-276	FIELDBOOK
<b>THOMAS, DEAN &amp; HOSKINS, INC.</b>			
ENGINEERING CONSULTANTS			
GREAT FALLS-BOZEMAN-KALISPELL-HELENA			MONTANA
SPOKANE			WASHINGTON
LEWISTON			IDAHO



**GREAT BEAR NO.2 SUBDIVISION - PHASE I**  
**BEING LOTS 4 & 5 (LESS HIGHWAY R/W), BLOCK 1, OF THE INTERNATIONAL MALTING COMPANY, LLC ADDITION**  
**LOCATED IN SECTION 30, T21N, R4E, P.M.M., CASCADE COUNTY, MONTANA**

LAND OWNER: DALI LLC

CERTIFICATE OF DEDICATION

I, the undersigned property owner, do hereby certify that I have caused to be surveyed, subdivided, and platted into lots, blocks, streets, and easements as shown by the within described plat, the following described tract of land to wit:

A tract of land being Lots 4 & 5 (less Highway right-of-way), Block 1, of the International Malting Company, LLC Addition, located in Section 30, Township 21 North, Range 4 East, P.M.M., Cascade County, Montana, and more particularly described as follows:

Beginning at the North Quarter Corner of said Section 30, thence South 00°43'11" West along the Mid-Section line of said Section 30, a distance of 1095.13 feet to the Easterly right-of-way line of U.S. Highway 87 and being the True Point of Beginning; thence South 00°43'11" West along said Mid-Section line, a distance of 225.78 feet to the Center-North Sixteenth Corner of said Section 30; thence South 89°34'16" East along the North Sixteenth line of said Section 30, a distance of 1322.31 feet to the Northeast Sixteenth Corner of said Section 30; thence South 00°47'19" West along the East Sixteenth line of said Section 30, a distance of 1322.82 feet to the Center-East Sixteenth Corner of said Section 30; thence North 89°28'53" West along the Mid-Section line of said Section 30, a distance of 453.07 feet to the Westerly line of Lot 2, Block 1, of the International Malting Company, LLC Subdivision; thence South 00°37'02" West along said Westerly line, a distance of 100.00 feet to the Northerly line of Lot 1, Block 1, of the International Malting Company, LLC Subdivision; thence North 89°28'53" West along said Northerly line, a distance of 1717.55 feet to the Easterly right-of-way of U.S. Highway 87; thence North 29°10'28" East along said Easterly right-of-way, a distance of 34.75 feet; thence North 25°09'31" East along said Easterly right-of-way, a distance of 383.64 feet; thence North 21°41'48" East along said Easterly right-of-way, a distance of 108.56 feet; thence along said Easterly right-of-way on a non-tangent curve to the right, having a Radius of 11382.86 feet, a Delta of 02°37'28", an Arc Length of 521.39 feet, a Chord Bearing of North 28°29'11" East, and a Chord Length of 521.35 feet; thence North 26°39'06" East along said Easterly right-of-way, a distance of 205.55 feet; thence North 30°49'50" East along said Easterly right-of-way, a distance of 603.60 feet to the True Point of Beginning and containing 58.980 acres.

The above described tract of land is to be known and designated as the GREAT BEAR NO. 2 SUBDIVISION - PHASE 1, City of Great Falls, Cascade County, Montana, and the lands included in all streets and avenues shown on said plat are hereby granted and donated to the use of the public forever. The undersigned hereby also grants and donates unto the City of Great Falls all of the area shown as utility easements to allow for the non-exclusive use of the City and other firms, whether public or private, providing or offering to provide telephone, telegraph, electric power, gas, television, water, sewer or storm drain services to the public or to the private owners of the lots, the right to the joint use of an easement for the construction, maintenance, repair and removal of their lines and other facilities, in, over, under, and across each as designated on this plat as "Utility Easement," to have and to hold forever.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_\_

\_\_\_\_\_  
DALI LLC

State of Montana )  
                          : ss  
County of Cascade)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me, the undersigned, a Notary Public for the State of Montana, personally appeared, \_\_\_\_\_ known to me to be the person who executed the Certificate of Dedication. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
(Notarial Seal)

Notary Public for the State of Montana  
Residing at Great Falls, Montana  
My commission expires \_\_\_\_\_

CERTIFICATE OF GREAT FALLS PLANNING ADVISORY BOARD

We, the undersigned, Thor Swensson, President of the City Planning Advisory Board of the City of Great Falls, Cascade County, Montana, and Michael Haynes, Secretary of said City Planning Advisory Board, do hereby certify that the accompanying plat of the GREAT BEAR NO. 2 SUBDIVISION - PHASE I, has been submitted to the said City Planning Advisory Board for examination by them, and was found by them to conform to law, and was approved at their regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Thor Swensson  
President, Great Falls Planning Advisory Board

\_\_\_\_\_  
Michael Haynes  
Secretary, Great Falls Planning Advisory Board

CERTIFICATE OF CITY COMMISSION

I, Gregory T. Doyon, City Manager of the City of Great Falls, Montana, do hereby certify that the accompanying plat of the GREAT BEAR NO. 2 SUBDIVISION - PHASE I, was duly examined and approved by the City Commission of the City of Great Falls, at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
City Manager, City of Great Falls, Montana

CERTIFICATE OF PUBLIC SERVICE DIRECTOR

I, Jim Reardon, Public Service Director for City of Great Falls, Montana, do hereby certify that I have examined the accompanying plat of the GREAT BEAR NO. 2 SUBDIVISION - PHASE I, and the survey it represents, and find the same conforms to regulations governing the platting of lands, and to presently platted adjacent land, as near as circumstances will permit, and I hereby approve the same.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_

\_\_\_\_\_  
Public Works Director, City of Great Falls, Montana

CERTIFICATE DISPENSING WITH PARK OR PLAYGROUND

I, Gregory T. Doyon, City Manager for the City of Great Falls, Montana, do hereby certify that since the accompanying plat of the GREAT BEAR NO. 2 SUBDIVISION - PHASE I, is a subdivision into parcels that are all nonresidential, the City Commission of the City of Great Falls, Montana, in accordance with Section 76-3-621(3)(c), M.C.A., dispensed with any park or playground requirements, during its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_\_

\_\_\_\_\_  
City Manager, City of Great Falls, Montana

CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES

I, Gregory T. Doyon, City Manager for the City of Great Falls, Montana, do hereby certify that adequate municipal facilities for the supply of water and disposal of sewage and solid waste are available to the above described property, namely, the said facilities of the City of Great Falls, Montana, and this certificate is made pursuant to Section 76-4-124, M.C.A., thereby permitting the Clerk and Recorder of Cascade County, Montana, to record the accompanying plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_\_

\_\_\_\_\_  
City Manager - City of Great Falls, Montana

CERTIFICATE OF COUNTY TREASURER

I, Jamie Bailey, County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the areas included in the accompanying plat of the GREAT BEAR NO. 2 SUBDIVISION - PHASE I, and find that taxes in same have been paid for the last five years.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_

\_\_\_\_\_  
County Treasurer, Cascade County, Montana

CERTIFICATE OF SURVEYOR

I, the undersigned, Daniel R. Kenczka, Professional Land Surveyor, Montana Registration NO. 25625LS, do hereby certify that I supervised the survey of this GREAT BEAR NO. 2 SUBDIVISION - PHASE I, and platted same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Platting Act, Sections 76-3-101 through 76-3-614, M.C.A., and Cascade County.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_

\_\_\_\_\_  
Daniel R. Kenczka, Montana Reg. No. 15625LS



	DRAWN BY: DRK/MMJ    DATE: 6-14-13	QUALITY CHECK:
	SURVEYED BY: RFS    JOB NO. 10-276	FIELDBOOK
<b>THOMAS, DEAN &amp; HOSKINS, INC.</b>		
ENGINEERING CONSULTANTS		
GREAT FALLS-BOZEMAN-KALISPELL-HELENA		MONTANA
SPOKANE		WASHINGTON
LEWISTON		IDAHO

**FINDINGS OF FACT**  
**FOR FINAL PLAT OF GREAT BEAR SUBDIVISION NO. 2-PHASE 1, A SUBDIVISION LOCATED**  
**WITHIN SECTION 30, T21N, R4E, P.M.M, CASCADE COUNTY, MONTANA**  
**(PREPARED IN RESPONSE TO 76-3-608(3) MCA)**

Finding of Fact (Prepared in Response to 76-3-608(3) MCA)

**Primary Review Criteria:**

**Effect on Agriculture/Agricultural water user facilities:** The subject property is not currently being utilized for dry land crop production. No effects on agricultural water user facilities have been identified for this project. The applicant does not anticipate any impacts to the downstream irrigation water users due to this subdivision.

**Effect on Local Services:**

Access to the proposed subdivision is from U.S. Highway 87, an access controlled highway, which is maintained by the State of Montana. There is an existing access and utility easement off of U.S. Highway 87 (Lot 4), which will be utilized to access the lots in the proposed subdivision. The City is requiring the southerly 100-feet of the access and utility easement (Lot 4) be dedicated as public right-of-way, per an obligation of a previous agreement, prior to final approval of the proposed subdivision by City Commission. Once the roadway is dedicated, the City of Great Falls will be responsible for maintenance. The applicant has shown this dedication of right-of-way on the Final Plat of the subdivision. The City Commission approved a TIF application for funding improvements to the right-of-way on July 2, 2013.

Access to municipal infrastructure and public services is available in the vicinity of the subject property. The applicant shall be responsible for extending the utility mains. The City should not experience an appreciable increase in maintenance and operating costs. As development occurs in the subdivision, owners will pay regular water and sewer charges.

The City Public Works Department is requiring the development to restrict off-site flows to predevelopment levels by developing retention and/or detention systems on each lot, which will be reviewed by the City's Public Works Department. In addition, the applicant will be responsible as a condition of the subdivision to mitigate all downstream impacts caused by the development.

The subdivision will receive law enforcement and fire protection service from the City of Great Falls. The nearest fire station is ±3.0 miles from the subdivision site. The Fire Department has provided a memo stating a concern for travel time (approximately 7 minutes) to the proposed subdivision (see Exhibit E - Fire Memo). Staff has coordinated with the Fire Department, which supports the project, but want to clarify to the applicant that response times are longer than what is recommended, which could ultimately effect insurance rates in the area. Providing these services to the lots in the subdivision is expected to be a negligible cost to the City.

Per Montana Code Annotated 76-21-621(3)(b), park dedication is not required for subdivisions that are all nonresidential, therefore no park land or payment in lieu of park land is required.

**Effect on the Natural Environment:** The subdivision is not expected to adversely affect soils, the water quality or quantity of surface or ground waters. Surface runoff will flow easterly, ultimately to an existing retention pond located in the County, east of the subject property. The City's Public Works Department has completed a preliminary draft stormwater study for the area, and noted improvements to the existing drainage system are needed. The applicant shall be responsible for his proportional share of improvements to the drainage system.

**Effect on Wildlife/Wildlife Habitat:** The subdivision is located adjacent to an area containing urbanized development. The subdivision is not in an area of critical wildlife habitat and will not result in closure of public access to hunting or fishing areas, nor to public lands.

**Effect on Public Health and Safety:** Based on available information, the subdivision is not subject to abnormal potential natural hazards such as flooding, wildfire, snow or rockslides, nor potential man-made

hazards such as high voltage power lines, high traffic volumes, or mining activity. The subdivision does have a high-pressure gas line that runs from north-south on the western portion of the site. The Applicant will be required to respect the necessary easements and proper safety measures to protect the public health and safety from this hazard.

**REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS**

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The local government has complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

**EASEMENT FOR UTILITIES**

The applicant shall provide necessary utility easements to accommodate water mains, sanitary sewer mains, stormwater easements and private utilities to serve all lots in the subdivision.

# Memorandum

*Great Falls Fire Rescue*

TO: Jana Cooper  
FROM: Fire Chief Randy McCamley  
DATE: July 31, 2012  
RE: Great Bear Phase II



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Thank you for the opportunity to comment on the Great Bear Development project. Great Falls Fire Rescue would like to share with the developer and prospective business owners our concerns with the emergency response distance associated with this project. Due to the distance of the proposed development to the closest city fire station, we determine the travel time to be approximately seven (7) minutes or greater. This emergency travel time is calculated by using a generally accepted emergency travel time formula and historical response time data when available.

The National Fire Protection Agency (NFPA) 1710 5.2.4.1.1 *"The fire department's fire suppression resources shall be deployed to provide for the arrival of an engine company within 240-second travel time to 90 percent of the incidents as established in Chapter 4"*

Based on the travel distance and the corresponding travel time, Great Falls Fire Rescue is concerned with meeting the developer's emergency response performance outcomes and expectations. If you have any questions concerning this information please contact my office.

Sincerely,

A handwritten signature in cursive script that reads "Randall McCamley".

Fire Chief  
Randall McCamley