



Agenda # 14  
*Commission Meeting Date: October 1, 2013*  
**CITY OF GREAT FALLS**  
**COMMISSION AGENDA REPORT**

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**Item:** Resolution 10020, Ordinance 3108 to assign City zoning and Annexation Agreement, all pertaining to Tract 1 and Tract 3, Certificate of Survey 4705, and Mark 14R all located in the N1/2 NE1/4, Section 36, T21N, R3E, P.M.M. Cascade County, MT (Skyline Heights Apartments)

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

**Initiated By:** Damon Carroll, Property Owner & Developer, & City of Great Falls

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

**Action Requested:** City Commission adopt Resolution 10020, Ordinance 3108 and approve the Annexation Agreement all pertaining to Tracts 1 & 3 COS 4705 and Mark 14R

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**Suggested Motions:** (Each motion to be separately considered)

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10020 and (approve/disapprove) the Annexation Agreement all pertaining to Tracts 1 & 3 COS 4705 and Mark 14R.”

and;

“I move that the City Commission (adopt/deny) Ordinance 3108.”

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

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**Recommendation:** Staff recommends the City Commission approve Resolution 10020, Ordinance 3108 and the Annexation Agreement, all pertaining to Skyline Heights Apartments, legally described as Tract 1 and Tract 3, Certificate of Survey 4705, and Mark 14R all located in the N1/2 NE1/4, Section 36, T21N, R3E, P.M.M. Cascade County, MT, herein referred to as subject property.

At the conclusion of a public hearing held on May 14, 2013, the Planning Advisory Board recommended the City Commission approve the annexation of Skyline Heights Apartments and the City-owned water tower property legally described as Tract 1 and Tract 3, Certificate of Survey 4705, and Mark 14R all located in the N1/2 NE1/4, Section 36, T21N, R3E, P.M.M. Cascade County, MT, subject to fulfillment of the conditions of approval listed in the Agenda Report dated August 6, 2013 (attached).

**Background:** On August 6, 2013, the City Commission tabled action on annexation, establishment of City zoning and the annexation agreement related to the subject property. At the public hearing on that date, concerns were raised by the neighbors and the City Commission about the developments impacts; more specific concerns were related to traffic and storm water run-off. The Commission requested the applicant and City Staff provide additional information related to these items in order for the Commission to make a more informed decision. City Commission removed the action from table and postponed consideration of the project at the September 3, 2013 City Commission meeting.

Staff and the applicant have been working together to develop the additional information requested by the City Commission.

The subject property is located east of the proposed 14th Street Northeast extension and south of 36th Avenue Northeast. The applicant, Damon Carroll, is requesting annexation of  $\pm 1.1$  acres from Cascade County into the City of Great Falls and establishing City zoning of R-5 Multi-family medium density zoning district. The subject property is currently vacant undeveloped land. The applicant is making the request in order to develop a 24-unit multi-family rental housing development, which would be named Skyline Heights Apartments.

In addition to the subject property, per MCA, the abutting portion of 14th Avenue Northeast (Tract 3), comprised of  $\pm 0.2$  acres, must also be annexed and zoned. In conjunction, the City is proposing annexation and zoning of the City-owned water tower site located on the eastern adjacent lot and consisting of  $\pm 0.52$  acres. The City is proposing annexation in order to incorporate the City-owned property.

#### Traffic Analysis

In addition to the information provided in the Public Hearing Agenda report, staff has developed more information related to the traffic impacts of the project on the area. The key conclusions from this analysis are:

- Using data from national traffic studies, 24 new apartment units would add less traffic each day than 24 new single family houses – 158 compared to 230 – or, 31% less traffic.
- The additional traffic would be spread throughout the day. However, neighborhoods voiced concern over the impact during the morning rush hour. National traffic studies indicate the development would add 11 new trips to the morning traffic – about 3.6% of the current volume.
- The additional morning rush hour traffic would not significantly affect the delay at the 36<sup>th</sup> Ave. NE/Bootlegger Trail intersection. The average delay per vehicle would increase by  $\frac{1}{2}$  a second.

The full analysis has been attached to the staff report for the Commission's review.

#### Storm Water Analysis

The developer has provided information to Public Works regarding the proposed storm water plan for the site. The key elements of the plan include:

- The developer shall design the site to detain storm water to pre-development levels, which means that there will not be an increase in storm water to the neighborhood caused by the development of the subject property.
- The detention pond will release at 0.25 cfs, which is actually lower than existing flows from the property, thereby having a net effect of decreasing any impact to the surrounding neighborhood.

The full analysis has been attached to the staff report for the Commission's review.

**Concurrences:** Representatives from the City's Public Works, Park and Recreation and Fire Departments have been notified of the requested action.

**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.

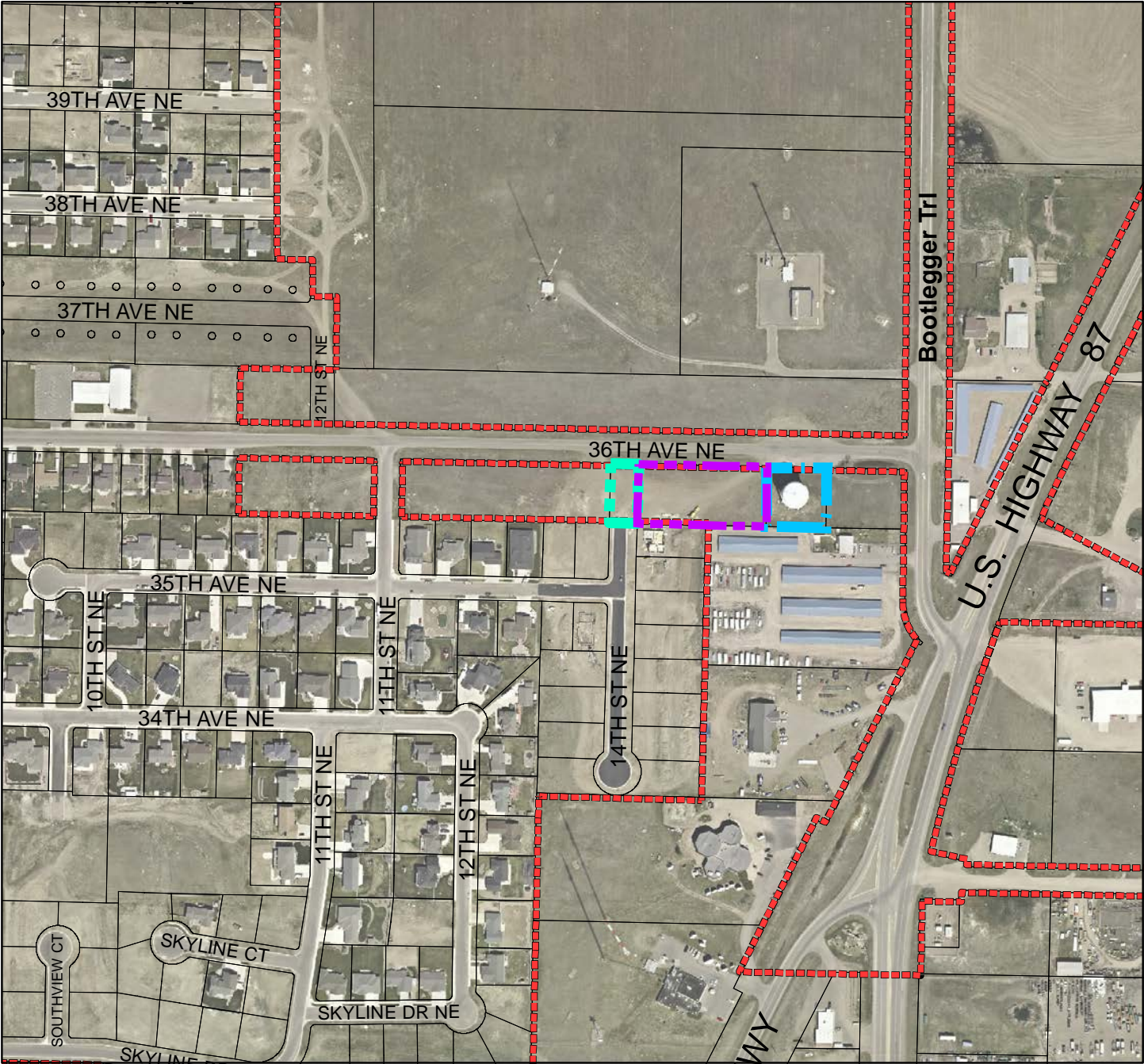
**Alternatives:** If there are justifiable reasons to do so, the City Commission could deny the requested action to the extent allowed in City Code and State Statute. If the City Commission denies the request, they should provide findings related to the denial of the application.

**Attachments/Exhibits:**

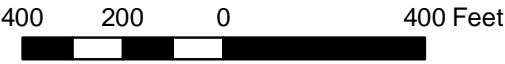
Aerial Photo  
Ordinance 3108 with Attachment A  
Resolution 10020 with Attachment A  
Annexation Agreement  
Conceptual Site Plan for Skyline Heights Apartments  
Applicant Letter  
Neighbor Email/letters  
City Commission Agenda Report dated August 6, 2013  
Traffic Analysis  
Stormwater Analysis

Cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Patty Cadwell, Neighborhood Council Coordinator  
Damon Carroll, Owner, pheasantrunbuilders@gmail.com

# Aerial Photo



- City Limits
- Tracts of Land
- 14th St NE (Tract 3 COS 4705)
- City Water Tower (Mark 14 R)
- Skyline Heights Apartments (Tract 1 COS 4705)



Skyline Heights Apartments

ORDINANCE 3108

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-5 MULTI-FAMILY RESIDENTIAL MEDIUM DENSITY DISTRICT TO TRACT 1 AND TRACT 3, CERTIFICATE OF SURVEY 4705 AND PLI – PUBLIC LAND AND INSTITUTIONAL DISTRICT TO MARK 14R ALL LOCATED IN THE N1/2 NE1/4, SECTION 36, TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M. CASCADE COUNTY, MONTANA

\* \* \* \* \*

WHEREAS, Damon Carroll has petitioned the City of Great Falls to annex Tract 1 and Tract 3, Certificate of Survey 4705 consisting of ±1.3 acres, located in the N1/2 NE1/4, Section 36, Township 21 North, Range 3 East, P.M.M. Cascade County, Montana; and,

WHEREAS, the City of Great Falls has requested to annex Mark 14R, consisting of ±0.52 located in the N1/2 NE1/4, Section 36, Township 21 North, Range 3 East, P.M.M. Cascade County, Montana; and,

WHEREAS, Damon Carroll has petitioned Tract 1 and Tract 3, Certificate of Survey 4705, be assigned a zoning classification of R-5 Multi-family residential medium density district, upon annexation to the City; and,

WHEREAS, the City of Great Falls has requested Mark 14R be assigned a zoning classification of PLI – Public lands and institutional district, upon annexation to the City; and,

WHEREAS, notice of assigning said zoning classifications to Tract 1 and 3, Certificate of Survey 4705 and Mark 14R was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 6<sup>th</sup> day of August, 2013, before final passage of said Ordinance herein; and,

WHEREAS, following said public hearing, it was found and decided that the said zoning designation be made,

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

Section 1. It is determined that the herein requested zoning designation will meet the criteria and guidelines cited in Section 76-2-304 Montana Code Annotated, and Section 17.16.40.030 of the Unified Land Development Code of the City of Great Falls.

Section 2. That the zoning classification of Tract 1 and 3, Certificate of Survey 4705 be designated as R-5 Multi-family residential medium density district, and Mark 14R be designated as PLI – Public lands and institutional, as attached hereto as Attachment “A” and by this reference made a part hereof.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission or upon filing in the office of the Cascade County Clerk and Recorder the resolution annexing Tract 1 and 3, Certificate of Survey 4705 and Mark 14R all located in the N1/2

NE1/4, Section 36, Township 21 North, Range 3 East, P.M.M. Cascade County, Montana into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

APPROVED by the City Commission on first reading July 2, 2013.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading October 1, 2013.

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Michael J. Winters, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney

State of Montana       )  
County of Cascade : ss  
City of Great Falls )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3108 in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;  
On the Bulletin Board, first floor, Cascade County Court House;  
On the Bulletin Board, Great Falls Public Library

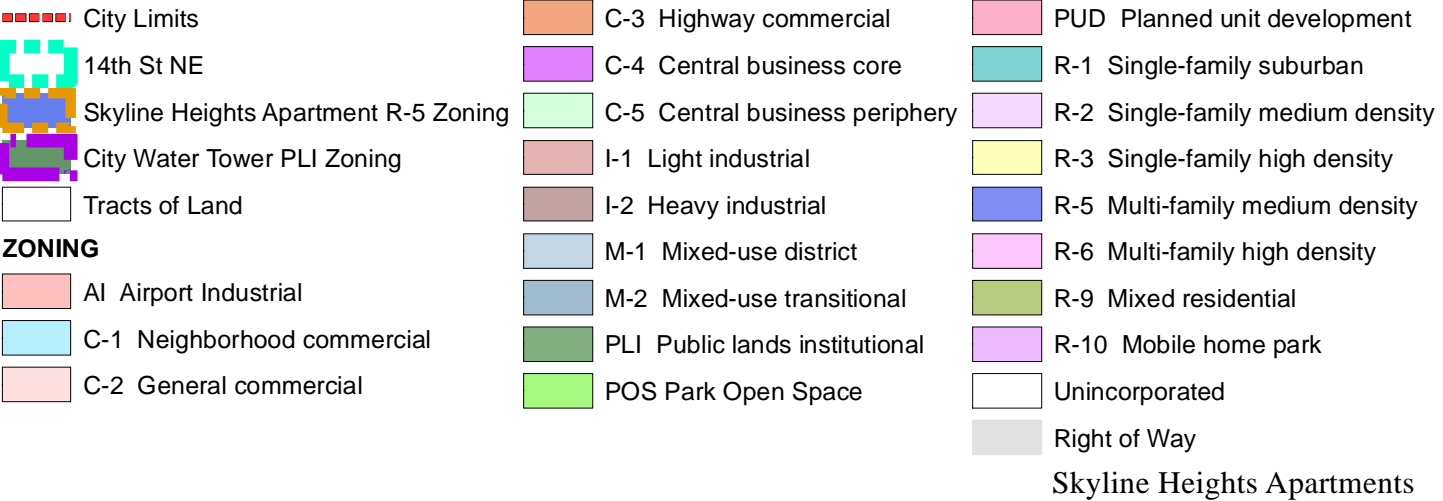
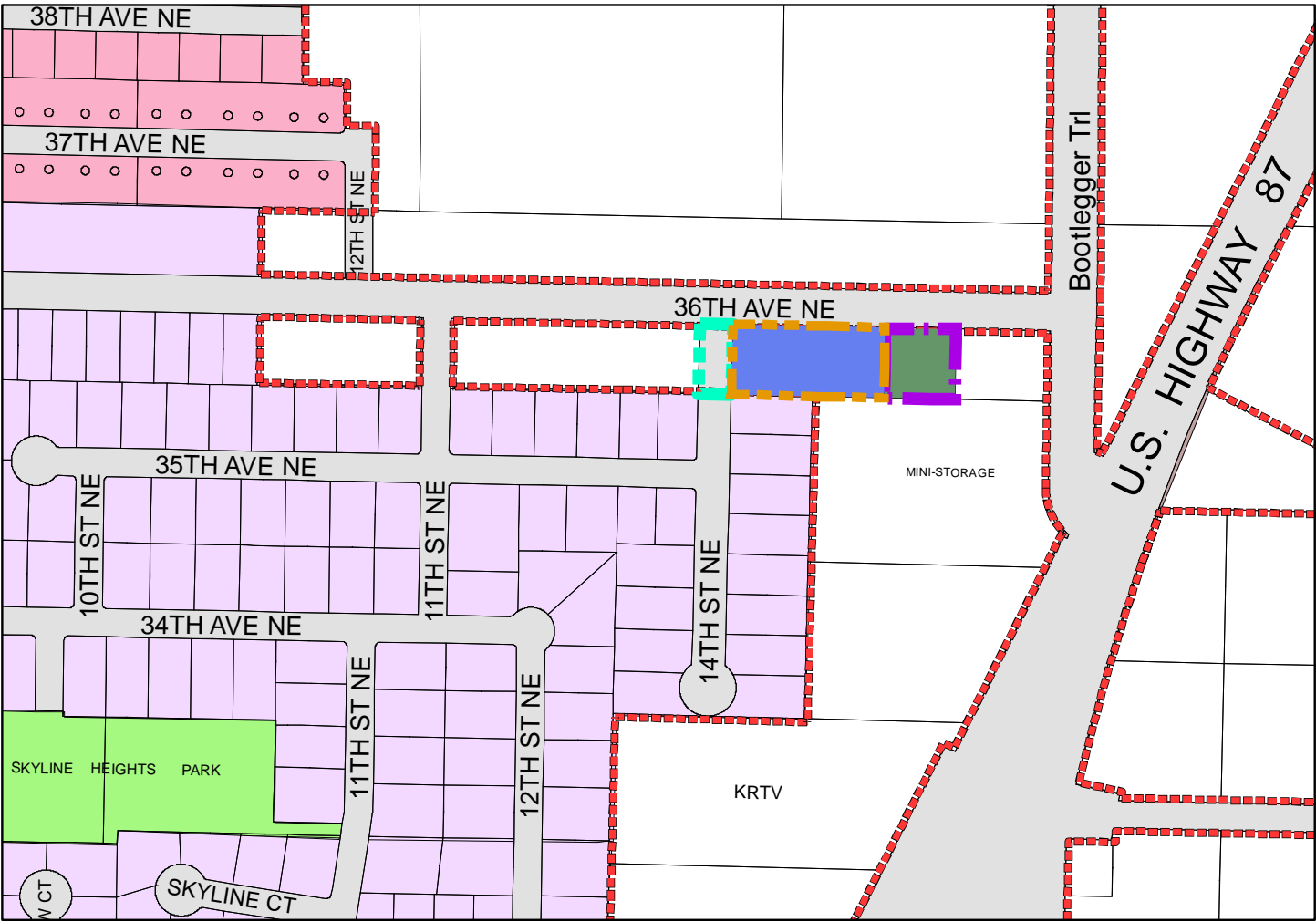
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Lisa Kunz, City Clerk

(CITY SEAL)



Ordinance 3108  
Attachment A



## RESOLUTION 10020

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE TRACT 1 AND TRACT 3, CERTIFICATE OF SURVEY 4705 AND MARK 14R ALL LOCATED IN THE N1/2 NE1/4, SECTION 36, TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M. CASCADE COUNTY, MONTANA, IN ACCORDANCE WITH THE PROVISION OF SECTION 7-2-4601, MONTANA CODE ANNOTATED; ALL AS SHOWN ON THE MAP ATTACHED HERETO MARKED ATTACHMENT "A" AND BY THIS REFERENCE MADE A PART HEREOF.

\* \* \* \* \*

WHEREAS, the City of Great Falls is a city incorporated under the laws of the State of Montana, and having a population of more than ten thousand (10,000) is a city of the first class; and,

WHEREAS, there is contiguous to said City, but without the boundaries thereof, certain tracts or parcels of land situated in the County of Cascade, State of Montana, and described as follows:

Tract 1 and Tract 3, Certificate of Survey 4705 and Mark 14 R all located in the N1/2 NE1/4, Section 36, Township 21 North, Range 3 East, P.M.M. Cascade County, Montana, and containing  $\pm 1.82$  acres,

all as shown on the map attached hereto marked Attachment "A" and by this reference made a part hereof; and,

WHEREAS, Section 7-2-4601, Montana Code Annotated, provides that whenever the owners of real property contiguous to any incorporated city of the first class petition to have said property made a part of the municipal corporation, such lands may be



embraced within the corporate limits thereof and the boundaries of such city of the first class extended so as to include the same; and,

WHEREAS, the owner of Tract 1 and Tract 3, Certificate of Survey 4705 has submitted a petition to have said tracts annexed into the City of Great Falls; and,

WHEREAS, Section 7-2-4401, Montana Code Annotated, provides that whenever any land contiguous to a municipality is owned by an agency, such land may be incorporated and included in the municipality to which it is contiguous and may be annexed thereto and made a part thereof; and,

WHEREAS, the City of Great Falls, owner of said Mark 14R, which is contiguous to said municipality, is requesting said Mark 14 be annexed into the City of Great Falls.

NOW, THEREFORE, the City Commission finds that it is to the best interest of the City of Great Falls and its inhabitants to proceed with the incorporation of said territory into the City of Great Falls; and,

WHEREAS, all of the proceedings herein have been conducted in strict compliance with and in conformity to the law and constitution of the State of Montana, and all conditions, acts, and things required to be done precedent to and in the passage and adoption of this resolution have been properly and legally done, and performed;

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

That the boundaries of the City of Great Falls, Montana, be and the same are hereby extended so as to embrace and include within the corporate limits of said city all of the land hereinabove described, included as: "TRACT 1 AND TRACT 3, CERTIFICATE OF SURVEY 4705 AND MARK 14R ALL LOCATED IN THE N1/2 NE1/4, SECTION 36, TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M. CASCADE COUNTY, MONTANA."

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

That the Cascade County Clerk and Recorder is hereby authorized and directed to change the appropriate district boundaries of the City of Great Falls, Montana, to include said tract of land; and,

That this Resolution shall become effective from and after the date of the filing of said document in the office of the Cascade County Clerk and Recorder.

PASSED AND ADOPTED by the City Commission of the City of Great Falls,  
Montana, on this 1st day of October, 2013.

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Michael J. Winters, Mayor

ATTEST:

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Lisa Kunz, City Clerk

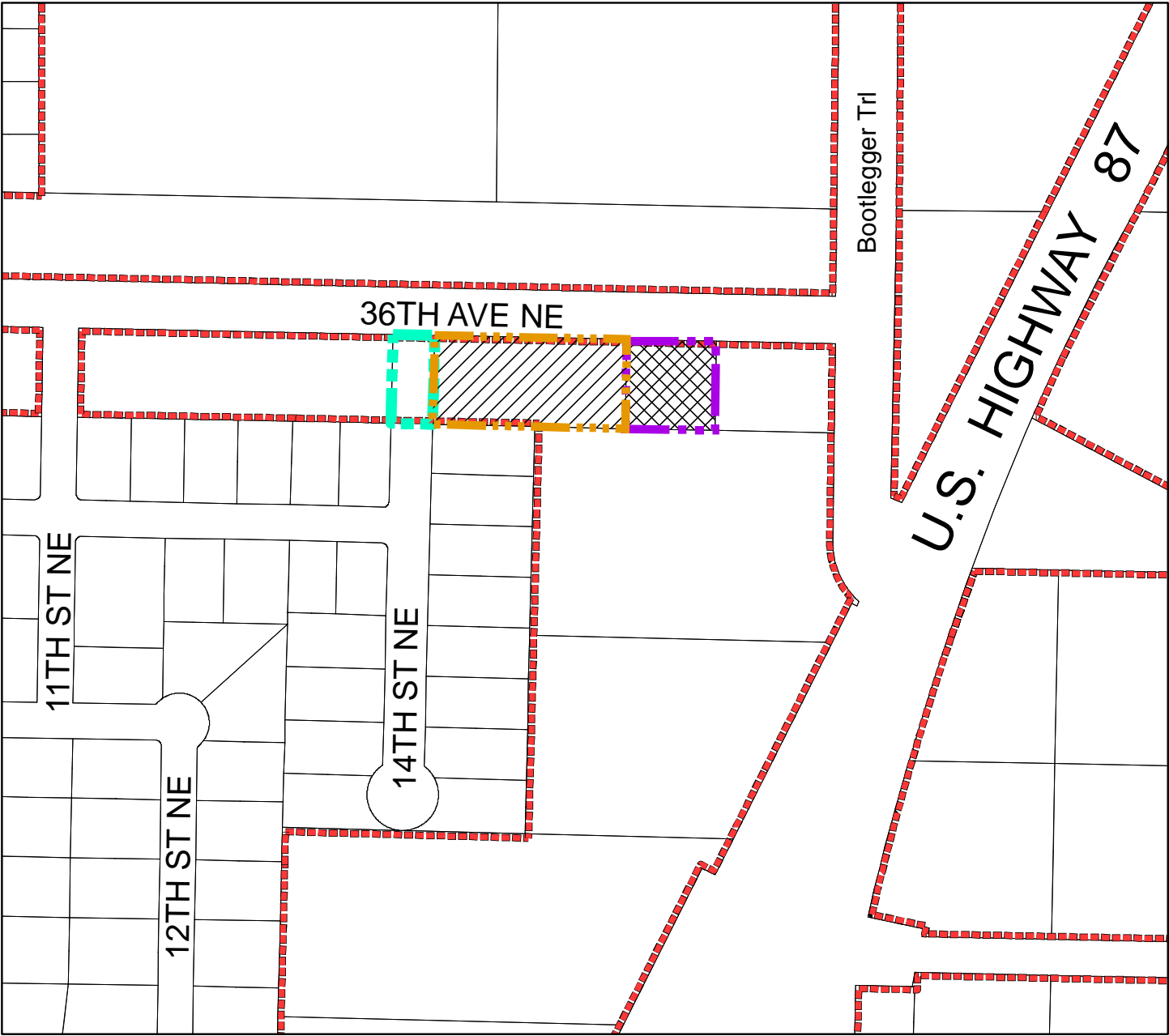
(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney

Resolution 10020  
Attachment A



- City Limits
- Tract 3 COS 4705 (14th St NE)
- Tract 1 COS 4705 (Skyline Heights Apts)
- Mark 14 R (City Water Tower)
- Tracts of Land
- Right of Way



Skyline Heights Apartments

**ANNEXATION AGREEMENT FOR  
TRACT 1 AND TRACT 3,  
CERTIFICATE OF SURVEY 4705,  
N1/2 NE1/4, SECTION 36,  
TOWNSHIP 21 NORTH, RANGE 3 EAST, P.M.M.,  
CASCADE COUNTY, MONTANA**

1. PREFACE

The following is a binding Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013, between DAMON CARROLL, hereinafter referred to as "Owner," and the CITY OF GREAT FALLS, MONTANA, a municipal corporation of the State of Montana, hereinafter referred to as "City," regarding the requirements for annexation to the corporate limits of City, of Tract 1 and Tract 3, Certificate of Survey 4705, in the N1/2 NE1/4, Section 36, Township 21 North, Range 3 East, P.M.M., Cascade County, Montana, hereinafter referred to as "Subject Property."

2. SUPPORTING DOCUMENTS

- A. Certificate of Survey 4705 filed of record in the Clerk and Recorder's Office of Cascade County, Montana.
- B. Final engineering drawings, specifications and cost estimates prepared by NCI Engineering, consisting of documents for storm drainage improvements, paving, and conduit for wiring for potential future public roadway lighting facilities. Said drawings and specifications are on file in the City Engineer's office.
- C. Annexation Agreement for Water Tower Park Addition, In NE1/4NE1/4, Section 36, Township 21 North, Range 3 East, Cascade County, Montana, filed of record in the Clerk and Recorder's Office of Cascade County, Montana (RO189248 GFA). This document details requirements for improvements to 14<sup>th</sup> Street Northeast.
- D. Memorandum of Understanding for Certificate of Survey of Marks 14E1 and 14X, dated October 19, 2010, filed of record in the City Clerks Office of the City of Great Falls.

3. AMENDMENTS

Minor changes to engineering documents and such revisions to the engineering drawings as are deemed appropriate and necessary by City's Engineer and City's Public Works

Department and which do not materially affect the hereinabove mentioned Certificate of Survey, can be made as follows:

- A. The proposed revision will be submitted to City's Public Works Department for review and, if approved, the City Engineer or Public Works Director will sign and adequately annotate the change.
- B. The annotated revision becomes a part of this Agreement upon City's Public Works Department approval.
- C. Changes during construction shall be made by change order approved by City's Public Works Department.
- D. "As Built" reproducible drawings shall be supplied to City's Engineer upon completion of the construction.
- E. All amendments to this Agreement, except as allowable above in this section, shall be in writing and approved by City and Owner.

4. UNFORESEEN POTENTIALITIES

It is mutually recognized, understood and agreed by City and Owner that subsequent to the time this agreement was entered into, events may occur and actions may be taken which were unforeseen by either party or both parties hereto. In this perspective, it is, therefore, agreed that the parties may by mutual subsequent written agreement modify the terms, conditions and covenants of this Agreement.

5. FEES AND CHARGES

- A. Prior to annexation of the Subject Property, Owner shall pay, the following fees as provided by City policy and resolution;

a. Storm Sewer Fee (\$250/acre x 1.1 acres)	\$ 275.00
b. Park Fee in Lieu of Land Dedication (24 dwelling units x 0.03 acres per dwelling unit = 0.72 acres (31,363.2 sq. ft.) x 11% x \$0.35 per s.f.)	\$ 1,207.48
c. Proportionate share of cost for: Previously installed offsite storm water facility (\$2,934.50/acre x 1.1 acres)	\$ 3,227.95
d. Recording fees for Agreement and <u>Resolution (\$11 per page x 11 pages)</u>	\$ 121.00
Total fees made payable to City of Great Falls	\$ 4,831.43

These fees are in addition to the \$700 fee for establishing City zoning, \$100.00 fee for Annexation Application, \$200.00 fee for Annexation Agreement, and \$100.00 fee for Resolution, which have been paid.

- B. Owner or its successors or assigns shall reimburse City for its expenses incurred for inspection, testing and acceptance of public utilities and streets to serve Subject Property at the rates charged by City for said work at the time performed.
- C. Water service tapping and water and sewer service connection fees will be assessed at the time of installation.

D. The absence of any fee from this agreement which is lawfully charged by the City in connection with construction activity associated with Subject Property shall not constitute a waiver by the City.

6. PUBLIC IMPROVEMENTS

A. 36<sup>th</sup> AVENUE NORTHEAST PUBLIC IMPROVEMENTS

Owner hereby agrees to pay for the cost of a standard City roadway section (paving, curb & gutter and sidewalk, etc.) in 36<sup>th</sup> Avenue Northeast adjacent to Tract 1 and Tract 3, Certificate of Survey 4705, in the N1/2 NE1/4, Section 36, Township 21 North, Range 3 East, P.M.M., Cascade County, Montana (estimated at \$33,073.92 for the street improvements). A financial surety (i.e. certificate of deposit) shall be established in the names of the owner and City to cover the estimated costs. At such time should the actual cost of the above referenced roadway improvements are definitely determined, amounts equal to said costs shall be transferred from the above referenced certificates of deposit to City. Upon said transfer(s), any remaining balance in the above referenced certificates of deposit shall be released to Owner.

B. 14<sup>TH</sup> STREET NORTHEAST PUBLIC IMPROVEMENTS

The cost of a standard City roadway section and 8-inch water main from the existing terminus of 14<sup>th</sup> Avenue Northwest northerly to 36<sup>th</sup> Avenue Northeast in the amount of \$32,000.00 has been escrowed with the City per a previous agreement with the developers of Water Tower Park Addition for the development of said improvements.

The installation of said public improvements shall occur at no cost to Owner per a Memorandum of Understanding for Certificate of Survey for Marks 14E1 and 14X dated October 19, 2010 and filed in the City Clerk's Office.

Within two (2) years of the date of this Agreement, Owner agrees to complete the installation of the sidewalk and conduit for public roadway lighting to serve the Subject Property in 14<sup>th</sup> Street Northeast, in accordance with the drawings and specifications referenced in Paragraph 2.B above and filed in the City Engineer's office.

7. SOIL AND/OR GROUNDWATER CONDITIONS

The owner of the Subject Property shall indemnify, hold harmless and defend the City of Great Falls, its officers, agents, servants and employees and assigns from and against all claims, debts, liabilities, fines, penalties, obligations and costs including reasonable attorney fees, that arise from, result from or relate to adverse soil or groundwater conditions on the Subject Property. This indemnity obligation runs with the land. Upon the transfer of ownership of the Subject Property, the prior owner's (whether the Owner that made this annexation agreement or a subsequent owner) indemnity obligation for adverse soil or adverse groundwater conditions for the transferred property is released as to that owner and the indemnity obligation runs to the new owner of the property. Only the owner of the parcel of property with the adverse conditions at the time the City incurs the claim, debt, liability, fine, penalty, obligation or cost is obligated to indemnify and no owner of property is obligated to indemnify for adverse conditions on property owned by someone else.

This indemnification by the owner of the Subject Property shall apply unless such damage or injury results from the negligence, gross negligence or willful misconduct of the City.

8. RESTRICTIONS ON BUILDING PERMITS AND OCCUPANCY

Building permits for Subject Property shall not be issued until the contracts for installation of the public improvements have been executed. Owner acknowledges that City will not permit the occupancy of any residential structure on Subject Property until street improvements and water and sanitary sewer mains related to Subject Property have been installed, tested and accepted by City, which acceptance will not be unreasonably withheld by City.

9. MAINTENANCE DISTRICTS

Owner hereby agrees to waive its right to protest the lawful creation by City of maintenance districts for any proper purpose including, but not limited to, fire hydrant and street maintenance and shall pay the proportionate share of the costs associated with said maintenance districts as they may be applied the Subject Property.

10. FUTURE STORM DRAINAGE FACILITIES

Owner hereby agrees to waive its right to protest any future area wide special improvement district for storm drainage facilities and further agrees to pay for his proportionate share of any future storm drainage improvements that service the Subject Property that may be installed with or without an area wide special improvement district. The term "area wide" as used herein, means any area larger than that covered by Subject Property, which is a contributor to the drainage sub-basin of which Subject Property is a part.

11. PUBLIC ROADWAY LIGHTING

Owner hereby agrees to waive its right to protest any future special lighting district for public roadway lighting facilities that service the Subject Property, and further agrees to pay for his proportionate share of the costs associated with roadway lighting which services the Subject Property that may be installed with or without a special lighting district.

12. SIDEWALKS

Within two (2) years of the date of this Agreement or the installation of curb and gutter for the adjacent public streets (whichever occurs first), Owner agrees to complete the installation of standard sidewalk in the public right-of-way in accordance with the drawings and specifications referenced in Paragraph 2.B above and filed in the City Engineer's office.

13. WAIVER OF PROTEST OF ANNEXATION

Owner hereby agrees to waive any and all statutory procedure notice on right of protest to annexation of Subject Property, as provided for by State law.

14. WARRANTY, OWNERSHIP AND INSPECTION OF UTILITY AND STREET IMPROVEMENTS

A. After the public utilities, drainage and street improvements described in Paragraph 2.B. hereof have been installed and accepted by City, the same shall be in all respects treated,



owned and maintained as though the same had been constructed and installed by City. Owner or its contractor shall guarantee said improvements referenced above against defective work and materials for a period of two (2) years from date of acceptance of the completed improvements by City.

- B. Installation of the public utilities and street improvements described in Paragraph 2.B hereof, shall be subject to City's infrastructure inspection policy in place at the time of installation.

15. ANNEXATION PREREQUISITES

Subject Property is contiguous to City; is not included within the boundary of any other incorporated municipality; and is not a part of any fire district existing or organized under any of the provisions of Chapter 33, Title 7, of the Montana Code Annotated. Subject Property, upon annexation to City, will be provided fire protection services by City comparable to that provided incorporated properties.

16. CITY ACCEPTANCE AND ZONING

In consideration of the foregoing, City hereby accepts and approves Tract 1 and Tract 3, Certificate of Survey 4705, in the N1/2 NE1/4, Section 36, Township 21 North, Range 3 East, P.M.M., Cascade County, Montana for incorporation by annexation into the corporate limits of the City of Great Falls, Montana, with an assigned zoning classification of R-5 Multi-family medium density district. It is hereby understood that this does not preclude City from reclassifying Subject Property if an area wide reclassification is undertaken, in which event City agrees to reclassify said Subject Property as a conforming use.

17. ADHERENCE TO SITE PLAN

Owner hereby agrees that development upon Subject Property shall be substantially in accordance with the Site Plan attached to the zoning Ordinance approved in conjunction with said Subject Property and applicable City Codes, and the terms and conditions contained in this Agreement. Owner further agrees, per the approved conditions of approval by City Commission, to install a 6 foot privacy fence along the Subject Property's southern boundary prior to issuance of a Certificate of Occupancy by the Building Department.

18. DESIGN REVIEW BOARD

Owner hereby agrees to submit and obtain Design Review Board approval of the site plans and structures proposed to be constructed and/or modified on parcels within the Subject Property, including landscaping, signage, yard lighting and sight-obscuring fence or other such improvements, as required by the Design Review Board.

19. BINDING EFFECT

The provisions, covenants and terms of this Agreement shall run with the land and bind the present owners, their devisees, heirs, successors, and assigns; and any and all parties claiming by, through, or under them, shall be taken to agree and covenant with each of the parties to the Agreement, their devisees, heirs, successors and assigns, to conform to the provisions, covenants and terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the day, month and year first hereinabove written.

THE CITY OF GREAT FALLS, MONTANA  
A Municipal Corporation of the State of Montana

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Gregory T. Doyon, City Manager

ATTEST:

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Lisa Kunz, City Clerk


(Seal of City)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney

OWNER

  
Damon Carroll, Property Owner

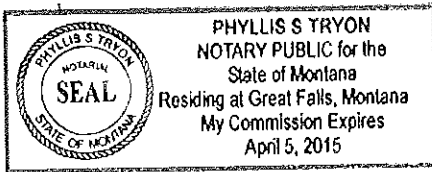
State of Montana )

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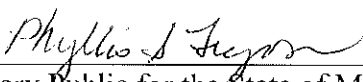
County of Cascade)

On this 25<sup>th</sup> day of July, in the year Two Thousand and Thirteen, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Damon Carroll, known to me to the persons whose names are subscribed to the instrument within and acknowledged to me that they executed the same.

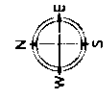
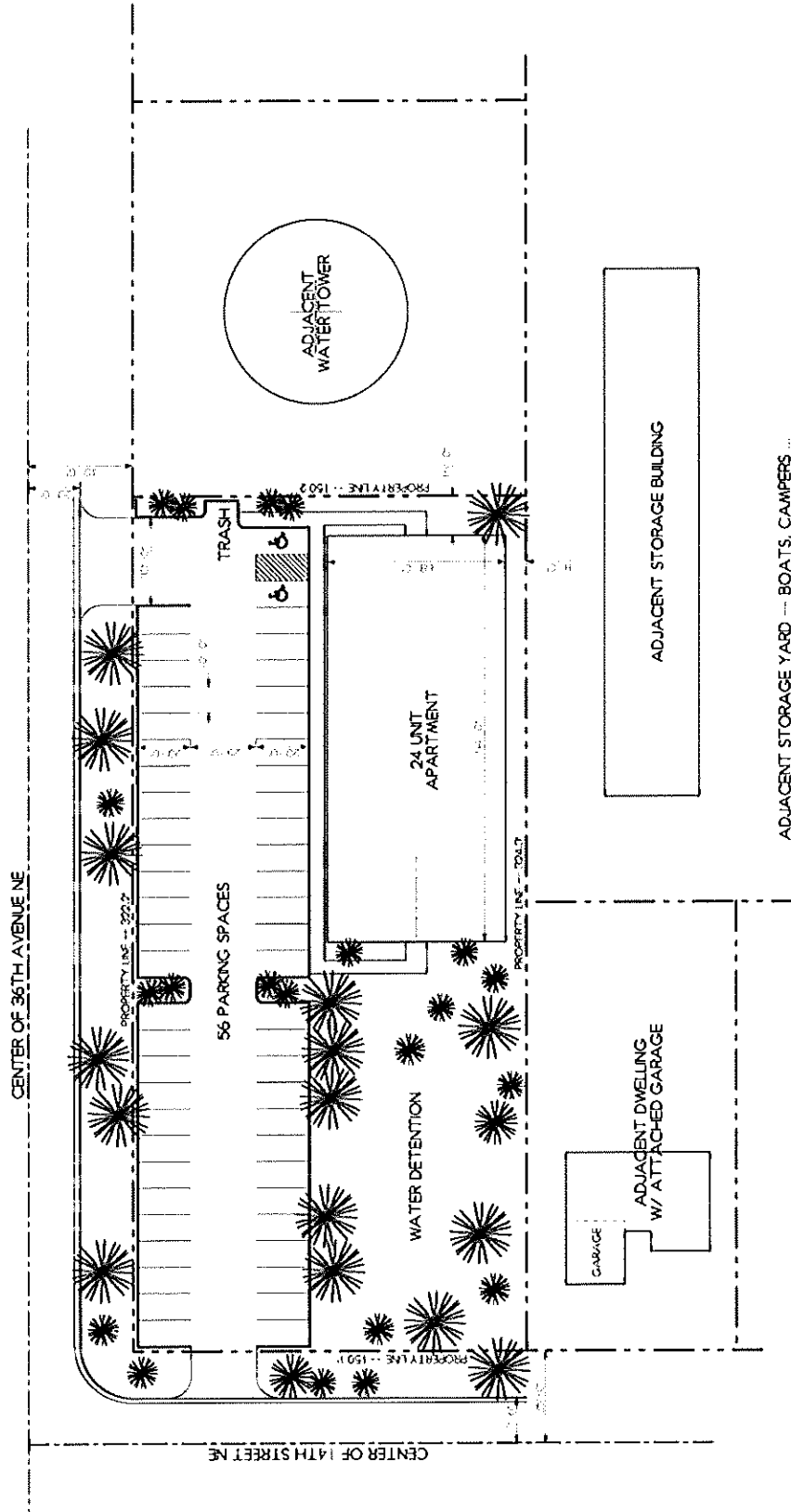
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



(NOTARIAL SEAL)

  
Notary Public for the State of Montana

Notary Public for the State of Montana (Printed)  
Residing at \_\_\_\_\_  
My commission Expires \_\_\_\_\_, 20\_\_\_\_



SITE PLAN W/ ADJACENT PROPERTIES  
 SCALE: 1" = 30'

**May 7, 2013**

**Great Falls Planning Advisory Board/Zoning Commission**

**RE: Pheasant Run Builders (Damon Carroll)  
Annexation of  $\pm 1.3$  acres (Tract 1 and Tract 3)  
Certificate of Survey 4705  
N $\frac{1}{2}$  NE $\frac{1}{4}$ , Section 36, T21N, R3E, P.M.M.,  
Cascade County, Montana**

**To All Interested Parties:**

**In regards to the above referenced land and annexation, I offer the following proposal.**

**Contingent upon approval from the City of Great Falls and the GF Planning Board of the annexation of lots and construction of the 24-Plex in question (Tract 1 - rental housing project), I will put a restrictive deed on the opposing lot that no high-rise, multi-family dwelling will be constructed. What could be constructed would be a single-family dwelling, duplex, 4-plex, or townhouse.**

**I respectfully request consideration of this 24-plex construction by all parties.**

**Sincerely,**



**Damon Carroll  
Pheasant Run Builders**

**From:** Gessaman [<mailto:1kfalcon@gmail.com>]  
**Sent:** Tuesday, June 04, 2013 8:49 AM  
**To:** Lori Fay; Kathy Gessaman; Johnathon Kenneway  
**Cc:** Patricia Cadwell  
**Subject:** More Opposition to Water Tower Apartments

FYI.

Begin forwarded message:

**Date:** June 3, 2013 5:12:48 PM MDT  
**To:** "[1kfalcon@gmail.com](mailto:1kfalcon@gmail.com)" <[1kfalcon@gmail.com](mailto:1kfalcon@gmail.com)>  
**Subject:** City Commisioner Meeting

Dear Kathy,

Because you & Ron are both on our Neighborhood #3 Council, I am sending this e-mail to you as our representatives, please forward this to the other council members also.

I am requesting on behalf of the 15 signatures so far (more coming) on a petition opposing the annexation zoning change and future development of Water Tower Apartment -name per minutes of last council meeting- NOW referred to as Skyline Heights Apartment proposal that the Neighborhood Council #3 is to back us up in STRONGLY OPPOSING this project.

I spoke with you on the phone a couple days ago discussing property values decreasing, safety issues regarding increased traffic (especially 14 St NE being opened up and how the apartment complex will use 35th Ave NE as a raceway thru street to go west to Wal-mart & the use of 6th St NW from 36th to get to Sam's Club and other westside business') as well as, spot zoning etc.

After speaking with some neighbors, I am amazed that many are unaware of this project, generally most agree they would love to see single home residences built and oppose any size of multi-family complex rentals being constructed "in our backyards." As I stated in our phone conversation, multi-family projects typically are built near "spec or starter" homes, NOT in or next to a established custom upper end housing development!

Following the May meeting with the neighborhood council, Mr Carroll re-submitted his proposal from a 36 unit to a 24 unit to meet R-5 zoning. However, there is a variance to the R-5 in place now according to his Exhibit D site plan in the agenda report from city; this apartment will still be a 3 story box.

Concerning the restrictive deed language: per meeting notes and what was said to GF Planning Advisory Board/Zoning Commission, this deed restriction would prevent another multi-family unit from being built. See Exhibit E letter to zoning commission-final paragraph says what could be constructed would include duplex, as well as a 4 plex. I do not doubt his intended plans are to build 4-plex's on this site, thus really not giving up anything from 36 to 24 unit, which I think there is room to build three 4-plex's on said opposing west lot.

Our concerns are many, some of which you made known to the developer but we feel those concerns are very valid and that as taxpayers we are not being heard and being hung out to dry by the city pushing this project for one person and ignoring the wishes of an entire development of approximately 75 home owners.

Sincerely,



May  
Please enclose  
in packet for  
vote on Aug. 6  
Agenda City Commission  
meeting. A petition  
with signatures will  
be delivered into  
to office  
(from)  
788-0175

q/c City Clerk

Mayor / City Commissioners  
For Aug. 6 City Commission Meeting

August 1, 2013

RECEIVED

AUG 05 2013

To: Mayor & City Commissioners  
Re: Skyline Heights Apartments Proposal

CITY CLERK

As a voting taxpayer, I am very concerned about and strongly oppose the re-zoning of the parcels on 36<sup>th</sup> Ave NE to allow the proposed 2 story / 24 unit rental apartment building.

I am not against city growth nor am I anti-business. On the contrary, my husband is a business owner, as are many of my neighbors in the Skyline Heights Addition. What I am however against, is development that appears to be pushed through and approved to show how progressive and business pro Great Falls is, without regard for the consequences to the city's infrastructure. Lets make responsible decisions now based on what is best for the community and the area, including evaluating all demographics involved.

For example, another 40 homes have already been approved for the Northview Addition, then add the potential families of the 24 rental complex. What is the city's plan to handle the added traffic that feeds onto 36<sup>th</sup> Ave NE? It would seem the attitude is "we'll cross that bridge when it becomes a problem." Responsible planning should have adequate roadways prior to approval NOT after or when a tragic accident occurs.

What about the potential 64 families needing an elementary, middle or high school? Sacajawea and Riverview the feeder elementary schools, where all these new developments are being approved have a current enrollment of 413 and 417, respectively. (see attached) That is 830 students between the two schools BEFORE any expansions. Even though this issue falls to GFPS' you should be cognizant of how your decisions effect this community beyond the yeah or nay vote. This is only one more factor of several needing to be considered before these developments are approved.

Each of you has a unique opportunity because of your position and dedication to keeping Great Falls "growing & great" to vote prudently by not simply "rubber stamping" approval because we all want growth, but by evaluating all aspects of the proposal. Those in opposition do not deny adequate housing may be needed, both single family and rentals, however, we believe there are more suited areas that should be considered that would not have the negative impact this proposal possesses.

Respectively,



Fran Albrecht  
1012 35<sup>th</sup> Ave NE  
Great Falls, MT

- **Chief Joseph Elementary** - Total Enrollment: 277  
5305 3rd Avenue South
- **Lewis & Clark Elementary** - Total Enrollment: 428  
3800 1st Avenue South
- **Lincoln Elementary** - Total Enrollment: 382  
624 27th Street South
- **Longfellow Elementary** - Total Enrollment: 293  
1100 6th Avenue South
- **Loy Elementary** - Total Enrollment: 389  
501 57th Street North
- **Meadow Lark Elementary** - Total Enrollment: 506  
2204 Fox Farm Road
- **Morningside Elementary** - Total Enrollment: 312  
4119 7th Avenue North
- **Mountain View Elementary** - Total Enrollment: 310  
3420 15th Avenue South
- **Riverview Elementary** - Total Enrollment: 417  
100 Smelter Avenue
- **Roosevelt Elementary** - Total Enrollment: 325  
2501 2nd Avenue North
- **Sacajawea Elementary** - Total Enrollment: 413  
630 Sacajawea Drive
- **Sunnyside Elementary** - Total Enrollment: 444  
1800 19th Street South
- **Valley View Elementary** - Total Enrollment: 357  
900 Avenue A NW
- **West Elementary** - Total Enrollment: 470  
1205 1st Avenue NW
- **Whittier Elementary** - Total Enrollment: 268  
305 8th Street North

**East Middle** - Total Enrollment: 764

**North Middle** - Total Enrollment: 731

**Great Falls High** - Total Enrollment: 1399

**C.M. R High** - Total Enrollment: 1429

**Paris Gibson Education Center** - Total Enrollment: 240



ing Cart: 0 items [\$0.00]

New Search

Displaying records 1 to 7 of 7

Search Criteria [Owner: CARROLL DAMON]

Parcel	Status	Type	Owner	Mailing Address	Levy District
<a href="#">0002608240</a>	Current	RE	CARROLL DAMON	1324 CENTRAL AVE W GREAT FALLS, MT 59404	Levy District 1-B
<a href="#">0002608245</a>	Current	RE	CARROLL DAMON	1324 CENTRAL AVE W GREAT FALLS, MT 59404	Levy District 1-B
<a href="#">0000070800</a>	Delinquent	RE	CARROLL DAMON & TENELLA	215 RUSSELL RANCH LN GREAT FALLS, MT 59405	Levy District 1C
<a href="#">0001224630</a>	Current	RE	CARROLL DAMON L & TENELLA	215 RUSSELL RANCH LN GREAT FALLS, MT 59405	Levy District 1C-1
<a href="#">0003732225</a>	Current	RE	CARROLL DAMON L & TENELLA K	215 RUSSELL RANCH LN GREAT FALLS, MT 59405-646	Levy District 3
<a href="#">0001224640</a>	Current	RE	CARROLL JAMES ETAL	PO BOX 835 GREAT FALLS, MT 59403-083	Levy District 1C-1
<a href="#">9002007430</a>	Delinquent	PP	PHEASANT RUN BUILDERS LLC	PO BOX 2347 GREAT FALLS, MT 594032347	Levy District 1C

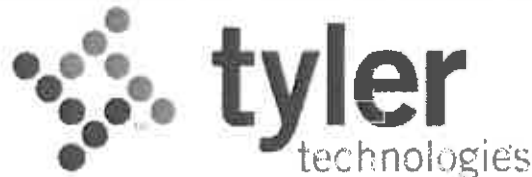
is: The accuracy of this data is not guaranteed.

ata was last updated 7/30/2013.

*Isn't this the developer?*

**Payments To:**

ide County  
urer's Office  
th St North,  
1A,  
Falls, MT 59401



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RECEIVED

AUG 05 2013

CITY CLERK

7/2/13

RECEIVED

City Commission or To Whom It May Concern  
Re: Proposed Apartment Building/Complex

AUG 05 2013

CITY CLERK

Stacie Gerard  
1017 35<sup>th</sup> Ave NE  
Great Falls, MT 59404

Please review and submit my comments into the record. All my information was obtained by experience, phone calls made, information gathered by research. I would appreciate it you would take into consideration this letter. It is extremely important to me, my family, my fellow neighbors and community. I have listed in no order the reasons I appose this.

1. Traffic

I am surprised that there has not been a major accident yet. The city has not even been proactive in at the very least reducing the speed limit. I can tell you from experience that yes traffic is an issue now. I can not imagine what a mess it would be with the added volume of traffic this would bring. I guess the city is just waiting for a fatality before it is realistically addressed.

2. Schools

I have a child that goes to Sacajawea and one that has been through North and now attends CMRHS. It is a fact that Sacajawea is over crowded now.

3. Water run off

Even with the best home owner planning the water table is an issue in this neighborhood. It is clay and will only take so much water. Has anyone considered the damage this would cause if you were to put a large amount of hardscape there? I would venture to bet that the homes around the apartment building would be affected by this and not in a good way. In the spring you will find many homes in this neighborhood effected because there is nowhere for the water to go. I live at the top of the hill and I am not immune.

4. Property values

In my research I have found that there is a higher crime rate in lower property value neighborhoods. Also another interesting fact there is more crime in high number of people living in a small space, apartments vs. family home neighborhoods. Yes having an apartment building in our neighborhood would decrease the value of our homes. As a reminder the neighborhood I am referring to is a custom home neighborhood.

5. City planning

This would not be an issue if we were talking about Whispering Ridge, Spring Hill, and Eagles Crossing. It would also not have gotten this far if we were in Missoula or Bozeman. Those cities are working within those communities to provide custom home neighborhoods with the foresight of the future community in mind. They are well thought out and planned. After reviewing all the facts how can we continue to not have the responsibility of long-term vision in mind for people of Great Falls seeking a safe, custom home neighborhood with like minded residents that are there long-term and financially and emotionally invested!

6. Long term home owners vs. revolving renters not invested in schools or neighborhood

It is also a fact that home owners are more invested in the community in which they live vs. renters. This is shown by knowing your neighbors, well taken care of property, less vandalism, theft and safer streets. Having parents that are invested and willing to give back to the schools that they plan on their children attending for the long term; parent involvement; support of our teachers are all examples of an invested long-term resident.

7. Pro small business

A comment was made that "we" do not support small business. That comment was very offensive, not professional and definitely not respectful! Most people in our neighborhood own small businesses. The types of people that have invested in this custom home community are not only pro small business but are very invested in the city of Great Falls. These are the type of people that give back; vote, pay taxes and supports our community and small business. There is a big difference between anti small business and well thought out city planning of our neighborhoods.

Thank you for taking the time to read my concerns. I hope that you will find it in the best interest for all the people of Great Falls to keep this Custom Home Subdivision what is was intended to be. You should not be swayed by one person who wants to make money off of revolving clientele in the wrong location. This business can always be done in a place better suited for Great Falls and the need of the community. You have the power to make a decision with long-term, lasting consequences for our community. Have integrity and do the right thing.

Respectfully,

A handwritten signature in black ink, appearing to read "Stacie Gerard". The signature is fluid and cursive, with the first name "Stacie" written in a larger, more prominent script than the last name "Gerard".

Stacie Gerard

Protest Letter

RECEIVED

AUG 05 2013

To: City Commissioners  
Fr: Bill Albrecht

CITY CLERK

As a business owner, I am required to abide by many different guidelines and regulations. Specifically I refer to planning and development of different projects for other business' who are my clients in Great Falls and statewide.

All of them required a great deal of research and going "back to the drawing board" multiple times whether it be to satisfy city zoning, various inspection regulations, licensing requirements, engineering revisions or any number of other potential problems. The point I make is that before anything is approved; all aspects are evaluated to the point of redundancy to assure no liability problems will arise. The city of Great Falls requires a multitude of these regulations which I am happy to comply with.

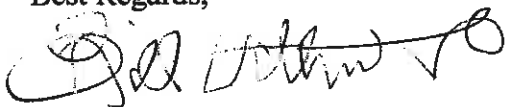
I have attended meetings and have spoken in opposition to the re-zoning of the parcels on which Damon Carroll has proposed building a multi-family apartment complex. I strongly oppose this development for several reasons. Most obvious; traffic congestion & safety, increased crime and vandalism, overflow at Sacajawea elementary, decreased home values & resale opportunities.

However, I am not aware of any planning reports addressing the issue of water diversion ponds. The Skyline Heights storm drains are NOW not hardly adequate to handle any rain let alone some of this summer's big storms. I shudder to think of the water running off the parking surfaces of the proposed site.

This whole area is known for its high 'gumbo' content. New construction is now required by the city to have soil tested by an engineer and helical piers must be installed with engineer on site to ensure proper requirements are met. Will Mr. Carroll be held to the same standards? Will the city require him to put in diversion ponds?

Isn't there some land farther north, nearer to the ADF plant, that would be more suitable to build on and would not put the city at risk of future litigation? I can also think of other city sites in the NW / NE area that would be better alternatives for a project such as this. How about the Mitchell's property across from the Department of Transportation? That parcel is near shopping, schools, a clinic, a daycare, other residential homes and they already have some multi-family apartments in the area. It is a far more ideal locations than piggybacking on top of a custom home development with homes ranging from \$350,000 to over half million. If any of the city planners and or commissioners lived in this area, this project would have been tabled at first stage.

Best Regards,



Bill Albrecht



RECEIVED

AUG 05 2013

Great Falls City Commission  
Mayor of Great Falls

CITY CLERK

July 29, 2013

As concerned citizens and residents of Great Falls we would like to address a zoning change and multi-family monthly rental structures being proposed by Damon Carroll. The area of concern is at approximately 14th St. N.E on 36th Ave. N.E just west of the large water tower. Our concerns are as follows:

Road conditions, especially 36th Ave. NE are barely adequate for the traffic in the area at the present time. The concentrated traffic generated by multi-family units will have an adverse effect on all streets in the general area. Currently there is construction on the north side of 36th Ave NE from 10th St. NE toward the east. A developer is building approximately 40 single family homes . Can we expect the City of Great Falls or the contractor to upgrade the roads and streets in this area, as well as the streets south of 36th Ave NE?

Stormwater runoff is a constant battle in our neighborhood. There have been attempts by the City of Great Falls to resolve these issues, but they have mostly been costly but ineffective. Can we expect the City of Great Falls to upgrade ALL the drainage in this area?

Home values and continuity of neighborhoods. We specifically purchased in this area because of the location and neighborhood appeal. We believe that the multi-family monthly rental units do not create the same pride in ownership that single family homes or twin-home condominiums would create.

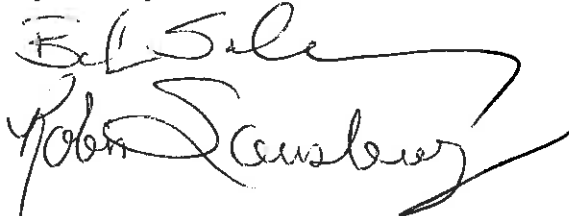
Our home values would be lessened and in turn this could effectively reduce the property tax we pay.

Upkeep of the proposed units are of concern due to the total lack of concern by the current owner of the property to keep the weeds cut. After several calls and no response from the owner, Cascade county sent a crew to clear the lots of the overgrown weeds. Is this a service the City of Great Falls intends to provide for the owner in the future?

The perception that we are anti business in this area. We are very much pro business, but we believe in the right type of businesses in the right type of areas.

Thanks you for the time you took to read our concerns and I hope you will NOT approve this proposal for multi-family monthly rental units.

Bob Sainsbury  
Robin Sainsbury  
1029 35th Ave NE  
Great Falls

The block contains two handwritten signatures. The top signature is in cursive and appears to read 'Bob Sainsbury'. The bottom signature is also in cursive and appears to read 'Robin Sainsbury'.



Agenda # \_\_\_\_\_  
Commission Meeting Date: August 6, 2013  
**CITY OF GREAT FALLS**  
**COMMISSION AGENDA REPORT**

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**Item:** Public Hearing – Resolution 10020, Ordinance 3108 to assign City zoning and Annexation Agreement all pertaining to Tract 1 and Tract 3, Certificate of Survey 4705, and Mark 14R all located in the N1/2 NE1/4, Section 36, T21N, R3E, P.M.M. Cascade County, MT

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

**Initiated By:** Damon Carroll, Property Owner & Developer, & City of Great Falls

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

**Action Requested:** City Commission adopt Resolution 10020, Ordinance 3108 and approve the Annexation Agreement all pertaining to Tracts 1 & 3 COS 4705 and Mark 14R

---

**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:** (Each motion to be separately considered)

1. Commissioner moves:

“I move that the City Commission (adopt/deny) Resolution 10020 and (approve/disapprove) the Annexation Agreement all pertaining to Tracts 1 & 3 COS 4705 and Mark 14R.”

and;

“I move that the City Commission (adopt/deny) Ordinance 3108.”

2. Mayor calls for a second, discussion, and calls for the vote after each motion.
- 

**Recommendation:** At the conclusion of a public hearing held on May 14, 2013, the Planning Advisory Board recommended the City Commission approve the annexation of Skyline Heights Apartments and the City-owned water tower property legally described as Tract 1 and Tract 3, Certificate of Survey 4705, and Mark 14R all located in the N1/2 NE1/4, Section 36, T21N, R3E, P.M.M. Cascade County, MT, subject to fulfillment of the following conditions of approval:

1. Final build-out of the project shall be in substantial compliance with the final approved site plan documents and drawings as approved by the City Commission.
2. The final engineering drawings and specifications for the required public improvements to serve Skyline Heights Apartments shall be submitted to the City Public Works Department for review and approval prior to any building permits being issued by the City.
3. A Grading Plan, State Stormwater Discharges Associated with Construction Activities Permit, and Stormwater Management Plan shall be developed to City standards and shall be submitted to the City Public Works Department for review and approval prior to issuance of building permits.
4. Applicant shall submit proposed project drawings including architectural, landscape, signage and lighting plans as required for review and approval by the Design Review Board prior to submittal of permit plans.
5. A geotechnical investigation and report prepared by a Professional Engineer with recommended building foundation design shall be submitted to the Planning and Community Development Department for review and approval prior to issuance of building permits.
6. An Annexation Agreement shall be prepared containing terms and conditions for development of the subject property including, but not limited to, agreement by application to:
  - A. Install within two years of the date of final City Commission approval the public improvements referenced in Paragraph Two above; and
  - B. Indemnify the City for any damages attributable to adverse soil or groundwater conditions.
  - C. Escrow money for future upgrades to 36th Avenue Northeast, including sidewalks, as determined by Public Works.
  - D. Install a 6-foot privacy fence along the southern property line adjacent to any single-family residential uses.

**Background:** The subject property is generally located east of 14th Street Northeast and south of 36th Avenue Northeast. The applicant, Damon Carroll, is requesting annexation of  $\pm 1.1$  acres from Cascade County into the City of Great Falls and establishing City zoning of R-5 Multi-family medium density zoning district. The subject property is currently vacant undeveloped land. The applicant is making the request in order to develop a 24-unit multi-family rental housing development adjacent to the southern and eastern property lines with the parking for the development adjacent to 36th Avenue Northeast (see attached Conceptual Site Plan for Skyline Heights Apartments).

In addition to the subject property, per MCA, the abutting portion of 14th Avenue Northeast (Tract 3), comprised of  $\pm 0.2$  acres, must also be annexed, zoned and dedicated as public right-of-way as a part of the request.

In conjunction, the City is proposing annexation and zoning of the City-owned water tower site located on the eastern adjacent lot and consisting of  $\pm 0.52$  acres. The City is proposing annexation in order to incorporate the City-owned property.

In total  $\pm 1.82$  acres will be annexed into the City.

An application was originally submitted for a 36-unit multi-family housing development on the subject property with a proposed zoning of R-6 Multi-family high density. That application was heard by the Planning Advisory Board/Zoning Commission on February 12, 2013, with a recommendation of denial to the City Commission. The applicant withdrew that application and has since resubmitted with the new R-5 24-unit multi-family housing proposal.

Public Notice for the Planning Advisory Board/Zoning Commission Public Hearing was published in the *Great Falls Tribune* on April 28, 2013. There were 15 citizens that spoke at the public hearing: eight as proponents, five as opponents and two with general comments.

At the Public Hearing the Zoning Commission recommended the City Commission approve assigning a zoning classification of PUD – Planned Unit Development, with an R-5 multi-family residential medium density as an underlying zoning to the Skyline Heights Apartment property and PLI – Public Lands and Institutional to the City-owned property.

The City Commission tabled action on the proposed annexation and zoning due to legal concerns at a meeting held on June 4, 2013. Staff met with the Interim City Attorney and it was determined that the proposed PUD zoning with an R-5 underlay would not work in this case because it may not meet the legal requirements of PUD. After subsequent legal review, the Interim City Attorney recommended that staff proceed with R-5 zoning to the City Commission. The City Commission accepted Ordinance 3108 on first reading and set the public hearing on July 2, 2013.

The parcel of land, owned by the applicant, Damon Carroll, upon annexation shall be zoned R-5 Multi-family residential medium density zoning district. According to the Land Development Code, the R-5 zoning classification is:

Intended to accommodate multi-family units not exceeding two-stories. Given the higher densities, these districts are typically close to work and leisure.

The applicant is proposing a 24-unit apartment building be built on the subject property, which is permitted in the R-5 zoning district. If the applicant determines he would like to develop a three-story building he will be required to apply to the Board of Adjustment for a variance to the allowed number of stories.

Additionally the applicant owns the undeveloped property west of the subject property. He has committed to filing a restrictive covenant on this land that would not permit multi-family development in perpetuity on this property (see attached Applicant Letter). It should be noted the City does not enforce restrictive covenants.

The ±0.52 acre City-owned water tower property, upon annexation, shall be zoned PLI - Public Lands and Institutional. According to the Land Development Code, the PLI zoning classification is:

Intended to include areas of significant public lands including public schools and significant public and quasi-public institutional uses or facilities.

The City does not have plans to redevelop the property.

17.16.40.030 - Basis of decision.

The Zoning Commission's/Planning Board's recommendation and the City Commission's decision shall at a minimum consider the following criteria:

1. The amendment is consistent with and furthers the intent of the City's growth policy;
  - The proposed application is consistent with the City's growth policy (see Growth Policy Conformance).
2. The amendment is consistent with and furthers adopted neighborhood plans, if any;
  - The City does not have any adopted neighborhood plans.
3. The amendment is consistent with other planning documents adopted by the City Commission, including the river corridor plan, transportation plan, and sub-area plans.
  - The proposed project is consistent with other planning documents adopted by the City Commission. The proposed project does not fall under the purview of the Missouri River Urban Corridor Plan. The City's Transportation Planner has completed a traffic analysis (see Traffic Analysis) and has determined that the proposed project will increase traffic in the area, but not to an extent that will exceed capacity of the adjacent roadways. There are no other sub-area plans in effect related to this project.
4. The code with the amendment is internally consistent;
  - The proposed project is internally consistent with the Official Code of the City of Great Falls, if they applicant receives City Commission approval his property will be annexed and zoned R-5 Multi-family medium density district. He will be permitted to develop a multi-family project consistent with the R-5 standards in the Land Development Code. If the applicant chooses he may request a variance from these standards through the Board of Adjustment.
5. The amendment is the least restrictive approach to address issues of public health, safety, and welfare;
  - Neighbor's in the vicinity of the project have expressed strong opposition to the project (see Neighborhood Council). Staff has received numerous calls and an opposition email (attached) to the project.

The purpose of the R-5 district is to accommodate medium density multi-family development. In this location, the R-5 district serves as a transition between the R-2 Single-family medium density district to the southwest and commercial/public mini-storage and water tower development to the north, south, and east. The size and location of the stormwater detention area and the parking lot provide the opportunity for the majority of the subject property adjacent to the single-family homes to remain visually open.

Additionally, there is steady demand for rentals by servicemen and women from Malmstrom Air Force Base, students at UGF and Great Falls College MSU, and young professionals employed at Benefis and elsewhere throughout Great Falls. With the completion of ADF, a steel fabrication facility, slated for late fall 2013, there will be a greater need in the vicinity of the subject property for all types of housing. The City's Growth Policy recommends that there should be diverse housing opportunities in all areas of the City.

Staff finds the amendment is the least restrictive approach to address issues of public health, safety, and welfare.

6. The City has or will have the financial and staffing capability to administer and enforce the amendment.
  - The City has the financial and staffing capability to administer and enforce the amendment.

#### Improvements

The applicant will be required to escrow money to improve 36th Avenue Northeast across its frontage from 14th Street Northeast to its eastern property boundary. The City will also improve 36th Avenue Northeast across the frontage of the water tower property. The timing of the roadway improvements have not been determined. The roadway will be improved to City standards including paving, curb and gutter, and sidewalks. The owner and City will be reimbursed for the northern half of the roadway by the property owner to the north at such time as the property is annexed into the City. The City received escrow money as a part of Watertower Park Addition to improve 14th Street Northeast to City standard; this street will be completed in conjunction with this project.

The City water (8") and sewer main (8") shall be extended in 14th Street Northeast from their existing location to 36th Avenue Northeast. The City received escrow money as a part of Watertower Park Addition to make these extensions. The applicant may need to extend the storm drain from its existing location north as required by Public Works.

The proposed development will have impervious surfaces of more than 15,000 square feet; therefore, the developer is required to provide a stormwater management plan in compliance with the City of Great Falls Storm Design Manual and City standards. The plan will be reviewed and approved by the Public Works Department prior to the issuance of building permits for the development.

#### Traffic Analysis

36<sup>th</sup> Avenue Northeast is classified as a Collector roadway, while 14<sup>th</sup> Street Northeast is a Local roadway. The function of a Collector roadway is to serve shorter local trips and feed traffic from local properties to the larger, higher-capacity Arterial roadway network. The function of a Local roadway is to primarily provide access to adjoining properties. A Collector road is typically a low to moderate capacity two-lane roadway, with travel speeds generally less than 35 mph. A Local road is also two-lane with limited capacity and with speeds not exceeding 25 mph.

While 36<sup>th</sup> Avenue Northeast is currently designed as a rural roadway, it is expected to be upgraded to an urban roadway design as development occurs and funding becomes available. The extension of 14<sup>th</sup> Street Northeast has funding and will be constructed by the City of Great Falls as an urban local roadway with curb, gutter and sidewalks.

Using a trip generation rate from the ITE Trip Generation Manual, a development of this size and type would be expected to generate an average of 6.59 trips per occupied dwelling unit on a weekday, for a total estimated daily trips of 159 trips per day. The 2012 traffic volume on 36<sup>th</sup> Avenue Northeast just west of the intersection of Bootlegger Trail was measured at 3,501 average vehicles per day. This volume is average for a roadway that collects traffic from such a large area - comparing closely to such other major Collector roadways as Park Drive near Gibson

Park; 1<sup>st</sup> Avenue North at 37<sup>th</sup> Street; 8<sup>th</sup> Avenue North at 8<sup>th</sup> Street; 13<sup>th</sup> Street South of 24<sup>th</sup> Avenue South; and 32<sup>nd</sup> Street, south of 10<sup>th</sup> Avenue South.

Anecdotally, the intersection of 36<sup>th</sup> Avenue Northeast and Bootlegger Trail has been noted as the area intersection with long delays during the morning rush hour. Traffic generated by the development during “peak hour” – that is, the hour of the day generating the highest traffic – is expected to be generated at the rate of .46 vehicles per occupied dwelling unit for a one-hour period generally between 7 and 9 AM. This rate would equate to 11 vehicles during that hour. Assuming the vehicles are dispersed throughout the hour, there would be little observed impact upon congestion at the intersection of 36<sup>th</sup> Avenue Northeast and Bootlegger Trail.

The developer has two access points to the site: through a driveway on 36<sup>th</sup> Avenue Northeast and a driveway on 14<sup>th</sup> Street Northeast. The driveway on 36<sup>th</sup> Avenue North is properly located at the far eastern end of the lot, providing a safe distance from the intersection of 14<sup>th</sup> Street Northeast, thereby reducing the chance of conflicts between turning vehicles. The driveway is still more than 350 feet from the intersection with Bootlegger Trail, allowing for adequate stacking room at current volumes. Future growth in traffic may necessitate the construction of a dedicated east-bound left turn lane, or other intersection improvements to reduce congestion that may occur as the area north of 36<sup>th</sup> Avenue Northeast grows and expands.

The two driveways provide easy through-movements for larger vehicles such as sanitation and fire/emergency response vehicles, and also allow for more than one exit point in the case of an evacuation. Finally, the two driveways serve to better disperse traffic to lessen congestion at any particular access point.

Pedestrian access and circulation, both along the rights-of-way and on the site, will be required to provide safe and accessible access to and from the site, including from the parking lot and the sidewalk on 14<sup>th</sup> Street Northeast to the entrances to the buildings. The applicant shall escrow the cost for sidewalks along 36<sup>th</sup> Avenue Northeast and be constructed at the same time as the street. No specific bicycle improvements are necessary, although the developer is encouraged to consider placement of bike racks on-site.

#### Growth Policy Conformance

The redesign of this project from 36 to 24-units is consistent with the goals of the 2005 Great Falls Growth Policy – that is a desirable and prosperous city and community, with a diverse mix of land uses and housing types. With this design, the applicant has taken steps to respond to compatibility concerns.

The project will provide more diversity in terms of rental choices and housing stock, meeting an existing demand and need in the City. According to existing housing research, new construction of multi-family housing units has greatly fluctuated in the past.

Census data shows that the City has a disproportionate amount of aging housing stock. Given these conditions, the introduction of a new multi-family project meets a need in this community and will complement the introduction of more primary job opportunities in this vicinity.

Further, the project is consistent with Land Use Goals and Policies to:

- Support and encourage a compatible mix of land uses in newly developing areas.

- Encourage mixed land uses in new and redeveloping areas to achieve a high degree of self-containment, reduce auto dependence (or the amount of auto travel), and foster a strong live-work-play pattern of activity within neighborhoods.

Finally, the project is consistent with Housing Goals and Policies to:

- To provide a diverse supply of safe and affordable housing for residents of all ages, needs, and income levels.
- Housing variety should be available in (differing) housing areas to provide all residents with location and price/rent choices.
- The City should strive to allow diverse housing opportunities to meet the needs of current and future population. Variety in dwelling types, sizes and prices in new developments should be promoted.

### Neighborhood Council

The applicant gave a presentation to Neighborhood Council #3 on March 7, 2013. The Neighborhood Council had the following concerns:

- Increased traffic in the area and more vehicles parked on the side streets and safety concerns due to increased traffic
- Decreasing in property values
- Lack of parking in the area and that parking might be lost in the subject property if 36<sup>th</sup> Avenue Northeast is widened
- That the neighborhood was mostly single-family homes and R-5 zoning would be spot zoning
- Future multi-family development on vacant properties to the west

The Council suggested other locations for a multi-family development, but none worked for the applicant. There was further discussion on putting a deed restriction on the properties to the west. There was no vote at the meeting about the project. Staff received multiple phone calls and an email from a neighbor which was provided to staff by the Neighborhood Council (attached Neighbor Email).

Staff has determined the following regarding the concerns of the neighbors:

- There will be an increase in traffic due to this development, however it will not be significant enough to impact the capacity of the roadways in this area.
- Staff contacted various local appraisers in Great Falls to gain insight on whether property values would be affected or not. The appraisers generally stated that there is no definitive way to determine if property values would be negatively affected. It was stated in this specific location the property values may also be affected by the nearby commercial uses and further that the multi-family development would serve as a transition between the existing commercial and single family homes.
- Per the Land Development Code multi-family projects are required to provide 1.5 spaces per dwelling unit. In this case 36 spaces are required; the applicant is providing 56 spaces which is more than 2 per dwelling unit. Staff concludes the applicant is providing sufficient parking for this development.
- The Interim City Attorney determined that the project would not be considered spot zoning due to the fact that the property is located in a commercial/residential fringe and there is potential for future similar zoning in the area.



- The property to the west of the subject property is located in the County, out of the City's jurisdiction. The applicant owns the property and has provided a letter stating he would not develop this property with apartments in the future. The City does not have immediate control over how these properties are developed. The City will process applications as they are received and make recommendations based on the laws in effect at that time.

**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:** 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:** 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. If the City Commission denies the request they should provide findings related to the denial of the application.

**Attachments/Exhibits:**

Aerial Photo  
Ordinance 3108 with Attachment A  
Resolution 10020 with Attachment A  
Annexation Agreement  
Conceptual Site Plan for Skyline Heights Apartments  
Applicant Letter  
Neighbor Email

Cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Patty Cadwell, Neighborhood Council Coordinator  
Damon Carroll, Owner, pheasantrunbuilders@gmail.com

## Supplemental Traffic Review for 36<sup>th</sup> Avenue NE 24-Unit Apartment (Damon Carroll)

During the data collection for the Long Range Transportation Plan Update, the consultant collected traffic data at area intersections. This additional data allowed for a more detailed review of the potential traffic impact of the proposed apartment complex. The following is a summary of the data collection, as well as a summary and conclusion of the overall impact of the proposed development.

*(The following information on Level of Service (LOS) is taken from the Transportation Plan)*

### LOS Definitions:

*Level of Service (LOS) is a qualitative measure developed by the transportation profession to quantify driver perception for such elements as travel time, number of stops, total amount of stopped delay, and impediments caused by other vehicles. It provides a scale which is intended to match the perception by motorists of the operation of the intersection. Level of Service provides a means for identifying intersections which are experiencing operational difficulties, as well as providing a scale to compare intersections with each other. The Level of Service scale represents the full range of operating conditions. The scale is based on the ability of an intersection or street segment to accommodate the amount of traffic using it, and can be used for both existing and projected conditions. The scale ranges from "A" which indicates little, if any, vehicle delay, to "F" which indicates significant vehicle delay and traffic congestion.*

### Unsignalized Intersections

*The Level of Service can be quantified for stop-controlled intersections. Level of Service for unsignalized intersections is based on the delay experienced by each movement within the intersection, rather than on the overall stopped delay per vehicle at the intersection. This difference from the method used for signalized intersections is necessary since the operating characteristics of stop-controlled intersection are substantially different. Driver expectations and perceptions are also entirely different. For two-way stop controlled intersections, the through traffic on the major (uncontrolled) street experiences no delay at the intersection. Conversely, vehicles turning left from the minor street experience more delay than other movements and at times can experience significant delay. Vehicles on the minor street, which are turning right or going across the major street, experience less delay than those turning left from the same approach. Due to this situation, the Level of Service assigned to a two-way stop controlled intersection is based on the average delay for vehicles on the minor street approach. The following table identifies the relationship between Level of Service and average control delay on the minor approach.*

**Table 2-3**

**Level of Service Criteria – Two-Way Stop Controlled Intersections**

<i>Level of Service</i>	<i>Average Control Delay (sec / veh)</i>
<i>A</i>	<i>&lt; 10</i>
<i>B</i>	<i>10 to 15</i>
<i>C</i>	<i>15 to 25</i>
<i>D</i>	<i>25 to 35</i>
<i>E</i>	<i>35 to 50</i>
<i>F</i>	<i>&gt; 50</i>

Intersection Level of Service (LOS) Summary:

**36<sup>th</sup> Ave NE/Bootlegger Tr:** the southbound morning peak and northbound morning peak are at LOS A. The Eastbound LOS is B.

**Old Havre Hwy/15<sup>th</sup> St NE/34<sup>th</sup> Ave NE:** At both morning and evening peaks, the northbound and southbound legs are LOS A; Eastbound is LOS C; Westbound is LOS B.

**US87/Bootlegger Tr:** Eastbound LOS is C for the morning peak. Southbound and northbound are LOS A for the morning peak. The evening peak is LOS A for north and southbound, while the eastbound is LOS B. The westbound is from the private driveway, and it is LOS E – but is a very small sample size of only 12 vehicles.

Overall Traffic Impact Summary:

Based upon national statistics for this type of development, the apartments would add an estimated **11 trips** to the road network during the morning peak hour. “Trips” are vehicles entering or leaving the development. The most impactful scenario would entail all 11 trips leaving the parking lot during the hour, and all going eastward to the most congested intersection.

36<sup>th</sup> Avenue Northeast, eastbound approaching the intersection with Bootlegger Trail, was recently measured as carrying 303 vehicles during the morning peak. Assuming all trips generated by the site would be outbound eastward, the morning peak volume would increase by 3.6%.

“Level of Service” is a measure of the general delay felt by drivers at intersections. The scale ranges from A (best) to F (worst), where “F” represents heavy congestion and a high level of driver frustration. For the purposes of traffic management, an intersection is functioning well if it functions at a Level of

August 19, 2013

Service C or better. The eastbound leg of the intersection currently functions at a Level of Service B. The additional trips will not decrease the Level of Service.

Current peak hour eastbound delay is estimated at an averaged 13.4 seconds per vehicle. A 3.6% increase in delay would equate to 13.88 seconds per vehicle – an increase of about ½ a second.

Key Conclusions:

- Using data from national traffic studies, 24 new apartment units would add less traffic each day than 24 new single family houses – 158 compared to 230 – or, 31% less traffic.
- The additional traffic would be spread throughout the day. However, neighborhoods voiced concern over the impact during the morning rush hour. National traffic studies indicate the development would add 11 new trips to the morning traffic – about 3.6% of the current volume.
- The additional morning rush hour traffic would not significantly affect the delay at the 36<sup>th</sup> Ave. NE/Bootlegger Trail intersection. The average delay per vehicle would increase by ½ a second.

**2 Average Land Slope (%) of developed property**

(Generally select the furthest point from where runoff exits the property (inlet/curb cut) and determine an average slope through the site)

1.115 Enter Basin Area (total in Acres)

0.784 Enter Total Impervious Area (Acres)

0.331 Pervious Area (Calculated)

70% Impervious Area

30% Pervious Area

0.9 Enter Runoff Coefficient (1) - Impervious C

0.15 Enter Runoff Coefficient (2) - Pervious C

If you need to make a combined C factor, with the percentage of pervious to impervious, enter a value for each. Example (parking lot 0.9 and grassy areas with a C of 0.2) enter them in and this will calculate the combined C. If you have a site that meets one of the other criteria and the calculation of a combined C is unnecessary, just enter the same C for both.

0.6773543 Runoff Coefficient

335 Enter length of basin in feet

TABLE 1  
RUNOFF COEFFICIENTS

LAND USE	RUNOFF COEFFICIENTS	
	LAND SLOPE 5% or Less	LAND SLOPE Greater than 5%
Parks - turf		
Soils--clays, loams, rock	0.2	0.3
Soils--sand, gravel	0.15	0.2
Agriculture		
Soils--clays, loam, rock	0.15	0.3
Soils--sand, gravel	0.1	0.2
Vacant lots	0.2	0.3
Railroad yards	0.4	0.5
Single family residential	0.4	0.5
Single family mobile homes	0.4	0.5
Multiple family residential - Impervious area less than 50%	0.5	0.6
Mobile home trailer courts	0.5	0.6
Churches	0.5	0.6
Multiple family residential - Impervious area greater than 50%	0.65	0.75
Boarding and rooming houses	0.65	0.75
Small hotel & motel - less than 10 units	0.65	0.75
Hotel & motel - larger than 10 units	0.9	0.95
Industrial (impervious area less than 70% of the lot)	0.65	0.75
General business - impervious area less than 70% of lot)	0.65	0.75
Public Buildings (Government Services)	0.9	0.95
Schools	0.65	0.75
Industrial - (impervious area greater than 70% of lot)	0.9	0.95
General business - (impervious areas greater than 50%)	0.9	0.95
Parking lots	0.9	0.95

PROJECT: Skyline Apartments Page 2 of 4

JOB #: 13BH Basin: Apartments

**BASE STORM**

Basin Area = 1.12 acres Rational OK  
INPUT data5 {example 10-year = DATA10}  
u {Developed(d) or Undeveloped(u)}

Base Storm = 5-YEAR UNDEVELOPED

Frequency Factor	
Years	Cf
2 - 10	1
11 - 25	1.1
26 - 50	1.2
51 - 100	1.25

Storm Return Period = 5 year

Slope (S) Average Overland flow slope = 2 Percent  
Runoff Coefficient (C) = 0.15 (See p. 16, City Storm Manual)  
Length of Basin (D) in feet = 335  
Frequency Adjustment Factor(Cf) = 1

$$T_c = \frac{1.87(1.1 - CC_f)D^{\frac{1}{2}}}{S^{\frac{1}{3}}}$$

Tc Airport 5.382417 minutes  
Tc Kerby 4.397624 Minutes

Tc(base) = 25.808 minutes

**DESIGN STORM**

Basin Area = 1.12 acres  
INPUT data100 {example 10-year = DATA10}  
d {Developed(d) or Undeveloped(u)}

Design Storm = 100-YEAR DEVELOPED

Storm Return Period = 100 year

Slope (S) Average Overland flow slope = 2 Percent  
Runoff Coefficient (C) = 0.68  
Length of Basin (D) in feet = 335  
Frequency Adjustment Factor(Cf) = 1.25

$$T_c = \frac{1.87(1.1 - CC_f)D^{\frac{1}{2}}}{S^{\frac{1}{3}}}$$

Tc Airport 2.993231 minutes  
Tc Kerby 11.11436 minutes

Tc(design) = 2.716631 minutes

Intensity<sub>(BASE)</sub> = 1.503706737 inches/hr (See Figure 1, Page 12, City Storm Manual)

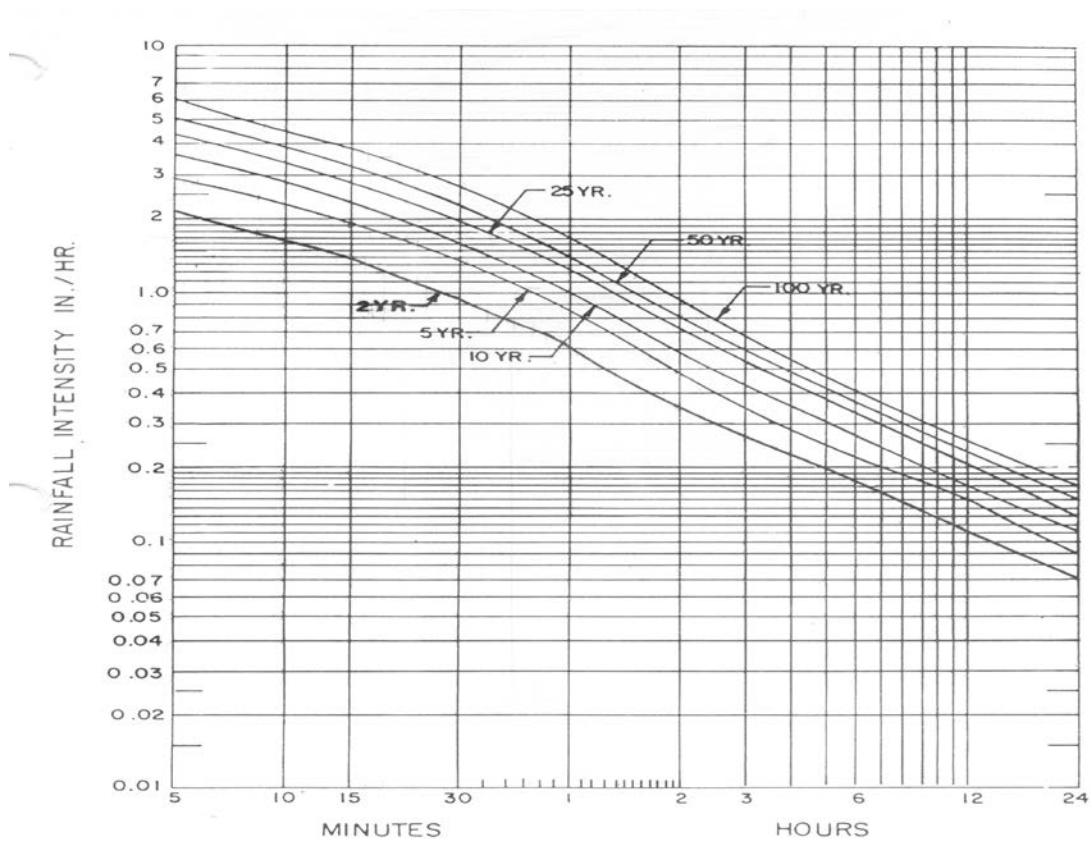
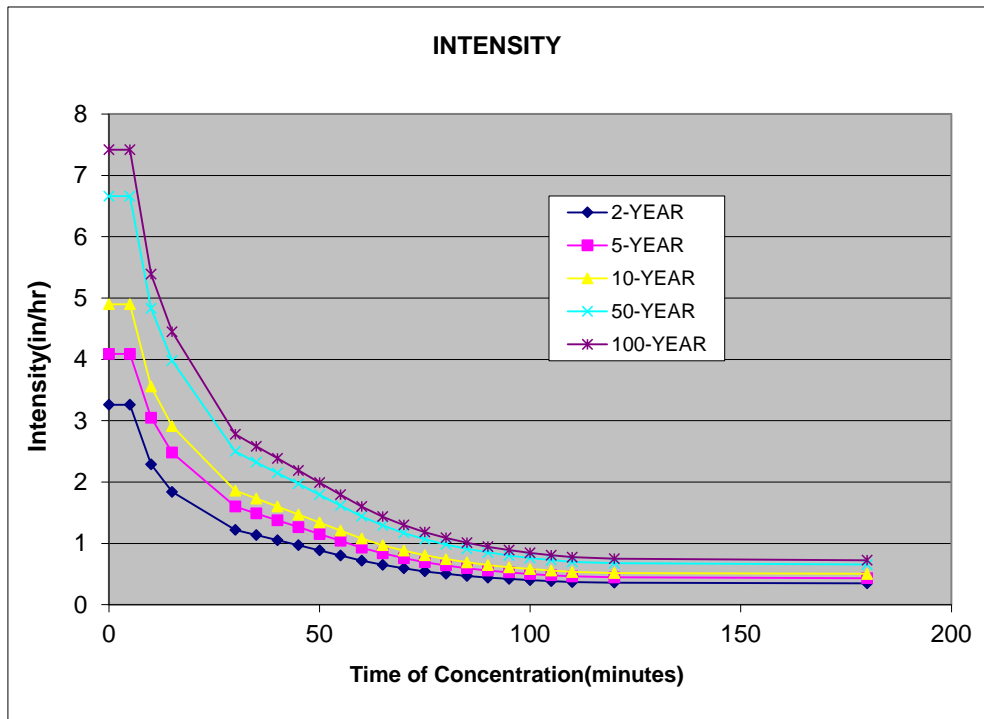
Intensity<sub>(DESIGN)</sub> = 6 inches/hr (See Figure 1, Page 12, City Storm Manual)

$$Q = CIA$$

Q<sub>(base)</sub> = 0.251494952 cfs

Q<sub>(design)</sub> = 5.664375 cfs

The difference Between the base storm and the design storm is -  $\longrightarrow$  Q<sub>Detain.</sub> = 5.41 cfs



PROJECT: Skyline Apartments

Page 3 of 4

JOB #: 13BH

Basin: Apartments

## ORIFICE SIZE COMPUTATION - STORAGE VOLUME IN DETENTION BASIN

Basin: "C"

Runoff allowed (Basin only) =  $q =$  0.25 cfs

Offsite runoff req'd to be detained =  $q =$  0.00 cfs

From offsite calcs

Runoff allowed (Accounting for offsite flow) =  $q =$  0.25 cfs

Max. water depth above orifice plate =  $h =$  3.00 ft

From site plan

$$v = 0.62(2 * g * h)^{1/2} = 8.62 \text{ ft/s}$$

$$\text{Orifice diameter} = d = ((q * 4) / (\pi * v))^{1/2} = 0.19 \text{ Feet}$$

**2.31 Inches**



# STORAGE VOLUME REQUIRED (Difference between 5-Year Developed and 100-Year Developed Storm)

DEVELOPMENT: Skyline Apartments

input  
calculated

STORM DRAINAGE CALCULATION CHECK BY: KJM

DATE 09/09/13

Land Use		Residential								
Total Detained Area		1.115								
Undeveloped C		0.15								
Composite Runoff Factor		0.68								
Ajusted Runoff Factor Using 1.25 Frequency Factor		0.85 (100-year storm)								
Maximum Allowable Peak Flow From Site Initial Storm (cfs)		0.25								
Maximum Storage Capacity (cu ft)		5,187 (iterate to best match volume required)								
Time (Min)	5-Yr 2-Hr Intensity (in/hr)	5-Yr 2-Hr Runoff Rate (cfs)	100-Yr 2-Hr Intensity (in/hr)	100-Yr 2-Hr Runoff Inflow (cfs)	* Outflow Rate (cfs)	5 Min Volume Required (cf)	Volume Accumulated (cf)	Volume Provided (cf)	Overflow Rate (cfs)	Volume Stored
5	0.04	0.01	0.08	0.08	0.05	9	9	5,187	0.00	9
10	0.17	0.03	0.24	0.23	0.01	66	75	5,187	0.00	75
15	2.90	0.49	6.10	5.78	0.03	1725	1,800	5,187	0.00	1,800
20	1.50	0.25	2.90	2.75	0.15	780	2,580	5,187	0.00	2,580
25	1.19	0.20	2.41	2.28	0.18	630	3,210	5,187	0.00	3,210
30	0.97	0.16	1.98	1.88	0.20	504	3,714	5,187	0.00	3,714
35	0.76	0.13	1.57	1.49	0.21	384	4,098	5,187	0.00	4,098
40	0.61	0.10	1.30	1.23	0.22	303	4,401	5,187	0.00	4,401
45	0.49	0.08	1.01	0.96	0.23	219	4,620	5,187	0.00	4,620
50	0.42	0.07	0.84	0.80	0.24	168	4,788	5,187	0.00	4,788
55	0.36	0.06	0.71	0.67	0.24	129	4,917	5,187	0.00	4,917
60	0.32	0.05	0.59	0.56	0.24	96	5,013	5,187	0.00	5,013
65	0.28	0.05	0.52	0.49	0.25	72	5,085	5,187	0.00	5,085
70	0.24	0.04	0.44	0.42	0.25	51	5,136	5,187	0.00	5,136
75	0.23	0.04	0.37	0.35	0.25	30	5,166	5,187	0.00	5,166
80	0.20	0.03	0.32	0.30	0.25	15	5,181	5,187	0.00	5,181
85	0.19	0.03	0.28	0.27	0.25	6	5187	5,187	0.00	5,187
90	0.17	0.03	0.25	0.24	0.25	-3	5184	5,187	0.00	5,184
95	0.14	0.02	0.24	0.23	0.25	-6	5178	5,187	0.00	5,178
100	0.13	0.02	0.23	0.22	0.25	-9	5169	5,187	0.00	5,169
105	0.11	0.02	0.22	0.21	0.25	-12	5157	5,187	0.00	5,157
110	0.08	0.01	0.20	0.19	0.25	-18	5139	5,187	0.00	5,139
115	0.07	0.01	0.19	0.18	0.25	-21	5118	5,187	0.00	5,118
120	0.06	0.01	0.18	0.17	0.25	-24	5094	5,187	0.00	5,094
120		0.00	0.00	0.00	0.25	-75	5019	5,187	0.00	5,019
Volume Required							5,187			

## OUTFLOW RATES BASED ON ORIFICE $Q=C*A*(2GH)^{1/2}$

HEAD (FT)	RADIUS (IN)	HEIGHT (IN)	AREA (SF)	OUTFLOW (CFS)	POND VOL (FT <sup>3</sup> )	POND VOLUME (CF)	MAXIMUM HEAD (FT)	ORIFICE AREA (SF)
3.00	1.16	N/A	0.029	0.25	5,187	5,187	3.00	0.029
2.80	1.16	N/A	0.029	0.24	4,841			
2.60	1.16	N/A	0.029	0.23	4,495			
2.40	1.16	N/A	0.029	0.22	4,150			
2.20	1.16	N/A	0.029	0.21	3,804			
2.00	1.16	N/A	0.029	0.20	3,458			
1.80	1.16	N/A	0.029	0.19	3,112			
1.60	1.16	N/A	0.029	0.18	2,766			
1.40	1.16	N/A	0.029	0.17	2,421			
1.20	1.16	N/A	0.029	0.16	2,075			
1.00	1.16	N/A	0.029	0.14	1,729			
0.80	1.16	N/A	0.029	0.13	1,383			
0.60	1.16	N/A	0.029	0.11	1,037			
0.40	1.16	N/A	0.029	0.09	692			
0.20	1.16	N/A	0.029	0.06	346			
0.00	1.16	N/A	0.029	0.00	0			

ORIFICE COEFFICIENT 0.62

13BH - Damon Carol Water Tower Apartments

Peak Runoff Rate Summary

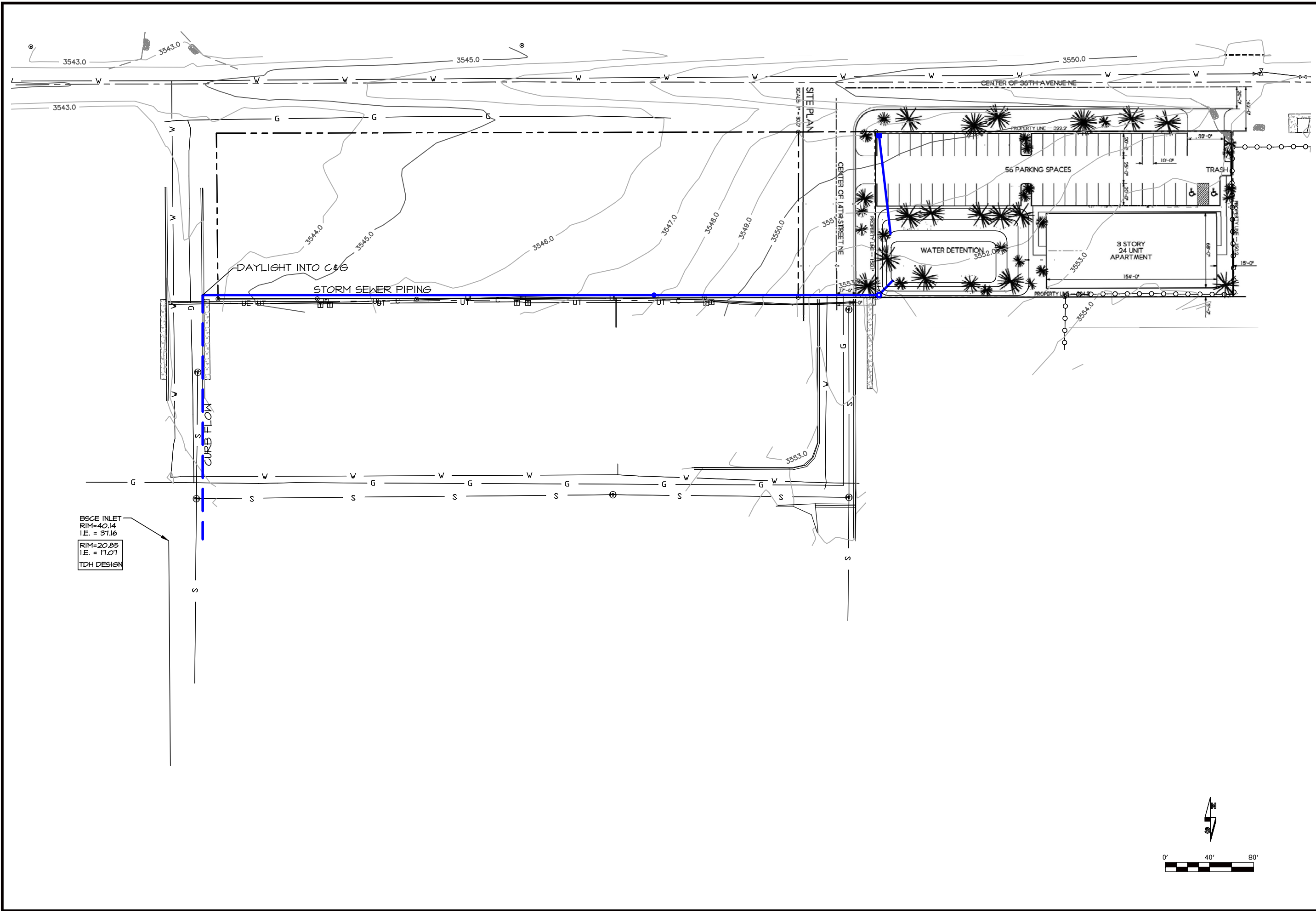
9/23/2013


Storm Return Period (yrs)	Peak Runoff Rate (cfs)*	
	Undev.	Dev.
5	0.25**	2.19***
10	0.3	2.72
50	0.6	4.53
100	0.65	5.66

\*Peak runoff rates determined using City of GF rational method peak runoff calculator.

\*\*Proposed peak discharge rate from apartment property (refer to attached runoff calculations)

\*\*\*Peak discharge rate allowed by City of GF Standards





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1505 14th ST SW  
P.O. BOX 3625  
GREAT FALLS, MT 59403  
(406)727-2185 OFFICE  
(406)727-3656 FAX  
www.bigskyce.com

PROFESSIONAL SEAL

BY: KJM  
DATE: 9/23/13

**OWNER:**

DAMON  
CAROL

**PROJECT NAME:**

WATER  
TANK  
APARTMENTS

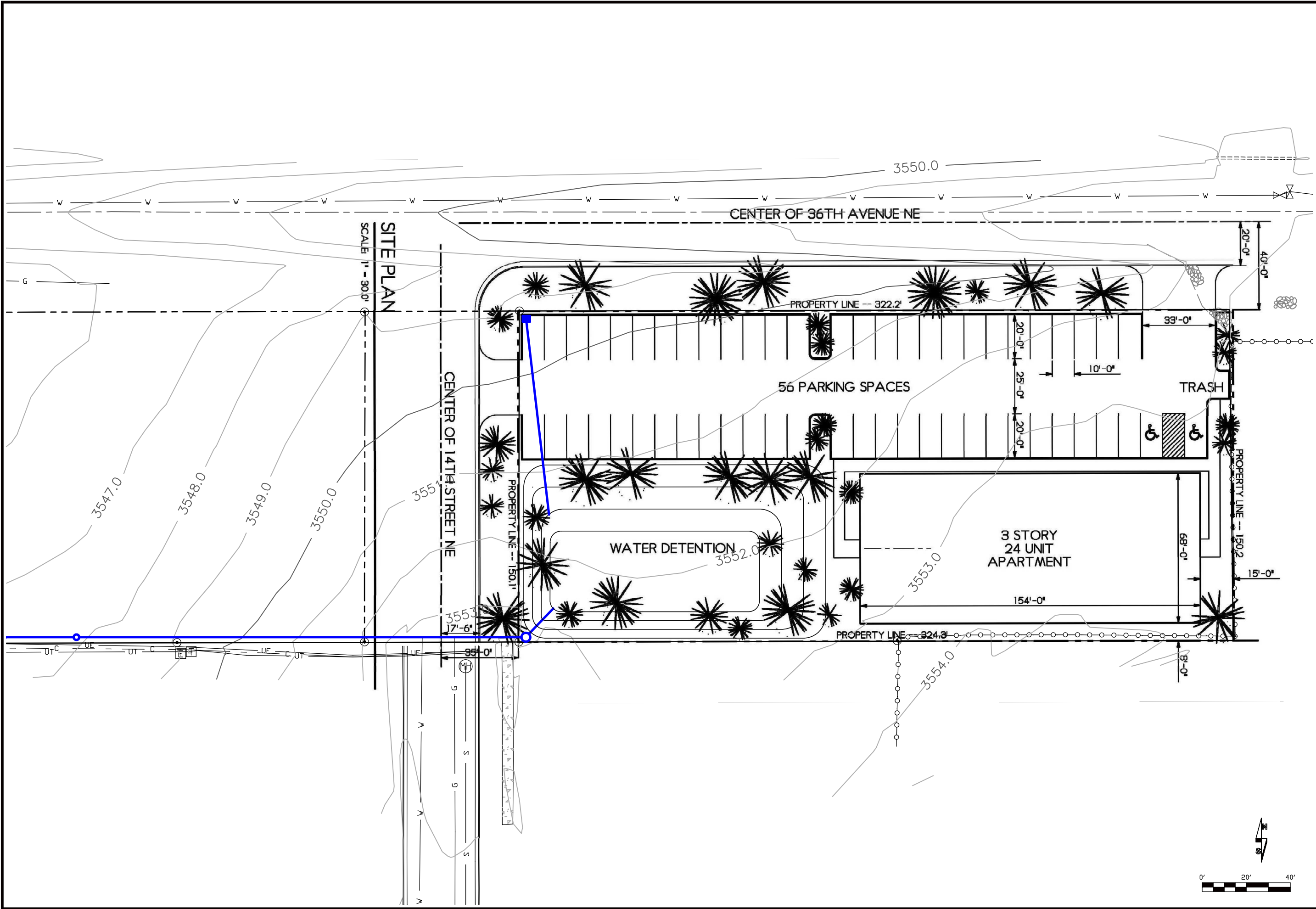
**SHEET TITLE:**

PROPOSED  
STORM DRAINAGE  
SYSTEM

**DRAWING INFORMATION:**

OFFICE PROJECT NUMBER:  
OWNER FILE NUMBER:  
CADD FILE NAME:  
ASSOCIATED PROJECTS:

**FIGURE:**





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1505 14th ST SW  
P.O. BOX 3625  
GREAT FALLS, MT 59403  
(406)727-2185 OFFICE  
(406)727-3656 FAX  
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PROFESSIONAL SEAL

BY: KJM  
DATE: 9/23/13

OWNER:

DAMON  
CAROL

PROJECT NAME:

WATER  
TANK  
APARTMENTS

SHEET TITLE:

PROPOSED  
STORM DRAINAGE  
SYSTEM

DRAWING INFORMATION:

BSCE PROJECT NUMBER:  
OWNER FILE NUMBER:  
CADD FILE NAME:  
ASSOCIATED PROJECTS:

SHEET:

OF