



Item: Ordinance 3098 - to assign City zoning to a tract of land proposed to be designated as Lot 5, Block 1, Division Addition located in the NE1/4 of Section 2, T20N, R3E, P.M.M. Cascade County, Montana (Voyager Apartments Development)

From: Galen Amy, Planner II, Planning and Community Development

Initiated By: Accessible Space, Inc., Developer

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

Action Requested: City Commission accept Ordinance 3098 on first reading and set a public hearing for March 18, 2014.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (accept/deny) Ordinance 3098 on first reading and set a public hearing for March 18, 2014.”

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

Recommendation: At the conclusion of a public hearing held October 23, 2012, the Planning Advisory Board conditionally approved the annexation of a tract of land, legally described above, and the Zoning Commission approved assigning a zoning classification of R-6 Multi-family high density residential district to said property upon annexation to the City. At the time, no citizens spoke at the public hearing for or against the project.

Staff recommends approval of the proposed annexation and zoning of ±3.02 acres of unincorporated land, herein referred to as subject property, subject to the following conditions of annexation being fulfilled:

1. Final build-out of the project shall be in substantial compliance with the final approved site plan documents, drawings and renderings.
2. The final engineering drawings and specifications for the required public improvements to serve ASI Great Falls Elderly Housing Development 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 (and indemnifying the City) 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 reference in Paragraph Two above; and
 - b. Indemnify the City for any damages attributable to adverse soil or groundwater conditions.

The City Commission public hearing was initially set for December 4, 2012, but due to project financing not being secured, it was vacated. The applicant has now fully secured funding that includes equity from the future sale of 2014 9% Low Income Housing Tax Credits, HOME funds from the City of Great Falls, HOME funds from the Montana Department of Commerce, Federal Home Loan Bank Affordable Housing Program funds and conventional construction and permanent debt. The estimated total development cost is \$7.4 million or about \$195,000 per unit. Upon Commission approval, the applicant plans to start construction in September 2014, with construction completed in September 2015, and 100% lease-up by December 2015.

Background: The applicant, Accessible Space, Inc., is requesting annexation of the subject property, which consists of ± 2.36 acres. The subject property is an unincorporated enclave that is a vacant, undeveloped field. The subject property is currently part of a larger lot comprised of ± 11.7 acres and a minor subdivision has been processed in the County to create the ± 2.36 acre subject lot being annexed. In addition to the subject property, per MCA requirements, the abutting portions of Division Road, comprised of ± 0.66 acres, must also be annexed as a part of the request. In total ± 3.02 acres will be annexed into the City.

The applicant is proposing a 38-unit accessible, affordable senior rental development be located on the subject property. The proposed development will consist of a two-story building that will include 32 one-bedroom and 6 two-bedroom apartments for residents age 55 and above. From a market perspective, the project meets an important and growing need in the City of Great Falls, as Great Falls currently exceeds the state average for elderly residents. The 2010 Census indicates 16.6% of Great Fall's population is 65 and over, higher than the Montana average of 14.8%.

The project will include common areas such as a dining room with kitchen, community rooms for meetings and social gatherings, a library/lounge, a computer lab, an exercise room and supportive service staff. The building's design will include accessible features that accommodate the current and changing needs of seniors and elderly seniors. The subject property is in close proximity to services and amenities such as healthcare, shopping, restaurants and other services important to senior residents, including those with disabilities.

Zoning Analysis

The subject property, upon annexation, shall be zoned R-6 Multi-family residential high density. This zoning is compatible with the surrounding neighborhood. The Land Development Code states that the R-6 Multi-family high density residential zoning district is intended to accommodate multi-family units of the highest density allowed in the City. These districts are typically found close to work and leisure, and are close to the downtown.

The proposed 38-unit housing development is consistent with the R-6 zoning district standards and is compatible with the existing neighboring uses. Section 17.16.40.030 of the Land Development Code lists criteria for the basis of decision, which must be considered in conjunction with amending zoning:

1. The amendment is consistent with and furthers the intent of the City's growth policy;
2. The amendment is consistent with and furthers adopted neighborhood plans, if any;
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;
4. The code with the amendment is internally consistent;
5. 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.

Zoning the subject property R-6 Multi-family high density residential will enhance health, safety and welfare through application of City Codes and provision of municipal services. Therefore, staff concludes the above-cited criteria are substantially met.

Infrastructure

The applicant will be required to improve the 40-foot road sections of Division Road along the subject parcel's frontage. The roadway will be improved to the City standards for sidewalks (western side only), paving, and curb and gutter. The owner will be reimbursed for a proportionate share of these improvements by the property owner to the east at such time as the property is annexed into the City. Division Road is classified as a Collector roadway. There is sufficient capacity on the roadway to accommodate additional vehicular traffic that would be generated by the proposed development.

The 8-inch City sewer main shall be extended in Division Road from its existing location in 16th Avenue Northwest to the most northern property line. The 8-inch City water main shall be extended from its existing location in Division Road, at the southern property line of the subject site, to the northern property line. The applicant will 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.

2013 City of Great Falls Growth Policy Update

The proposed rezoning is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project strongly supports the Social and Physical portions of the Growth Policy, specifically the goals and principles to: 1) encourage a safe, adequate and diverse supply of housing and fair housing opportunities in the City; and 2) develop new and diverse housing supply throughout the City, including single-family residential, multi-family, and housing for those with special needs.

Additional supportive Policies that this project is consistent with include:

Social - Housing

- Soc1.4.1 Work with the private sector and non-profits to increase housing opportunities in the city.
- Soc1.4.2 Expand the supply of residential opportunities including single family homes, apartments, manufactured homes and assisted living facilities.
- Soc1.4.3 Encourage, promote and support adequate and affordable home ownership in the City.
- Soc1.4.4 Promote a range of housing options and supportive networks to help the elderly remain independent and "age in place."
- Soc1.4.5 Continue to support the development of accessible housing units for those with physical and mental challenges and special needs, including members of the community with disabilities, etc.
- Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location and place of work.

Physical - Land Use

- Phy4.1.3 Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City.
- Phy4.1.4 Foster the development of safe, walkable neighborhoods, with a mix of uses and diversity of housing types.
- Phy4.1.5 Encourage and incentivize the redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City's existing infrastructure.

Environmental - Urban Form

- Env2.3.1 In order to maximize existing infrastructure, identify underutilized parcels and areas with infill potential as candidates for redevelopment in the City.

The Growth Policy identifies that Great Falls embodies balanced, compatible growth, while at the same time sets the task to take a phased approach in terms of determining the status of unincorporated enclaves with respect to the City's needs. The subject property is located in one of the 34 enclaves in the City. This project will serve to annex a portion of an enclave in order to achieve both housing and infill development goals.

Neighborhood Council Input

The applicant originally gave a presentation to Neighborhood Council #3 on October 4, 2012. At that time, the Neighborhood Council voted in support of the project. The Council received current project information on February 4, 2014. At their regularly scheduled meeting on March 6, 2014, the Council will receive a presentation about the project. An account of any applicable discussion and comments will be provided in the agenda report for the public hearing on March 18, 2014.

It is anticipated the City Commission, at the public hearing on March 18, 2014, will consider the resolution to annex and an annexation agreement for the subject property simultaneously with Ordinance 3098.

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: The annexation will marginally expand the fire and police service area, which will have a minimal fiscal impact on the City. While the project will be tax-exempt and therefore not subject to paying property taxes, it will benefit the community in terms of desirable new development, employment and additional services, all consistent with the intent of the Growth Policy.

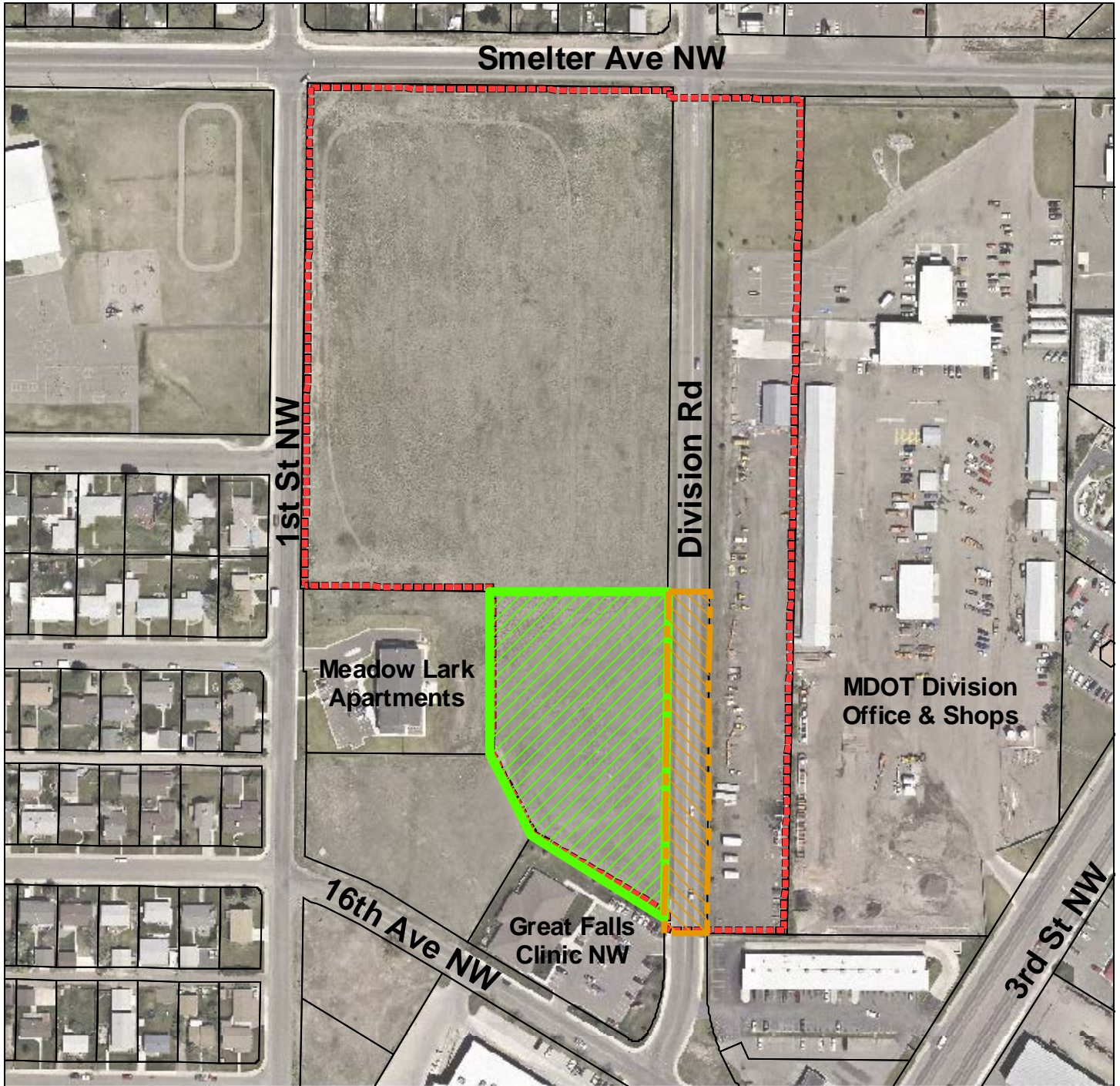
Alternatives: The City Commission could deny acceptance of Ordinance 3098 on first reading and not set the public hearing. However, such action would deny the applicant due process and consideration of a public hearing, as provided for in City Code and State Statute.

Attachments/Exhibits:


- Aerial Map
- Ordinance 3098 with Attachment A
- Draft Amended Plat
- Site Plan
- Conceptual Rendering

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Patty Cadwell, Neighborhood Council Coordinator
Jolene Wetterau, CDBG/HOME Administrator
Dan Billmark, Accessible Spaces, Inc., DBillmark@accessiblespace.org
Michael Knisely, Distyle Design, mknisely@distyledesign.com
Mitchell Development, melissa@mdandi.com
Trevor McSpadden, Morrison-Maierle, Inc., tmcspadden@m-m.net
Eileen R. Piekarz, RCAC, EPiekarz@rcac.org
Hillary Lopez, Praxis Consulting Group, LLC, hilary@praxisreno.com
Jana Cooper, TD&H Engineering, Jana.Cooper@tdhengineering.com

Aerial Photo



 ASI Elderly Housing Development

 Division Road ROW

 City Limits

 Tracts of Land



ORDINANCE 3098

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-6 MULTI-FAMILY HIGH DENSITY RESIDENTIAL DISTRICT TO LOT 5, BLOCK 1, DIVISION ADDITION, LOCATED IN THE NE1/4 OF SECTION 2, T20N, R3E, P.M.M. CASCADE COUNTY, MONTANA

* * * * *

WHEREAS, Accessible Space, Inc. has petitioned the City of Great Falls to annex Lot 5, Block 1, Division Addition, located in the NE1/4 of Section 2, T20N, R3E, P.M.M. Cascade County, Montana consisting of ±2.36 acres, herein referred to as subject property, and;

WHEREAS, Montana Code Annotated 7-2-4211 requires annexation of roads and right-of-way that are adjacent to the property being annexed, in this case consisting of ±0.66 acres of Division Road; and,

WHEREAS, Accessible Space, Inc. has petitioned the subject property be assigned a zoning classification of R-6 Multi-family high density district upon annexation to the City; and,

WHEREAS, notice of assigning said zoning classification to subject property was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 18th day of March, 2014, 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 Land Development Code of the City of Great Falls.

Section 2. That the zoning of Lot 5, Block 1, Division Addition, located in the NE1/4 of Section 2, T20N, R3E, P.M.M. Cascade County, Montana, be designated as R-6 Multi-family

high density district consistent with adjacent property upon annexation, 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 Lot 5, Block 1, Division Addition, located in the NE1/4 of Section 2, T20N, R3E, 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 February 18, 2014.

Michael J. Winters, Mayor

ATTEST:

Lucy Hallett, Deputy City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara Sexe, City Attorney

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

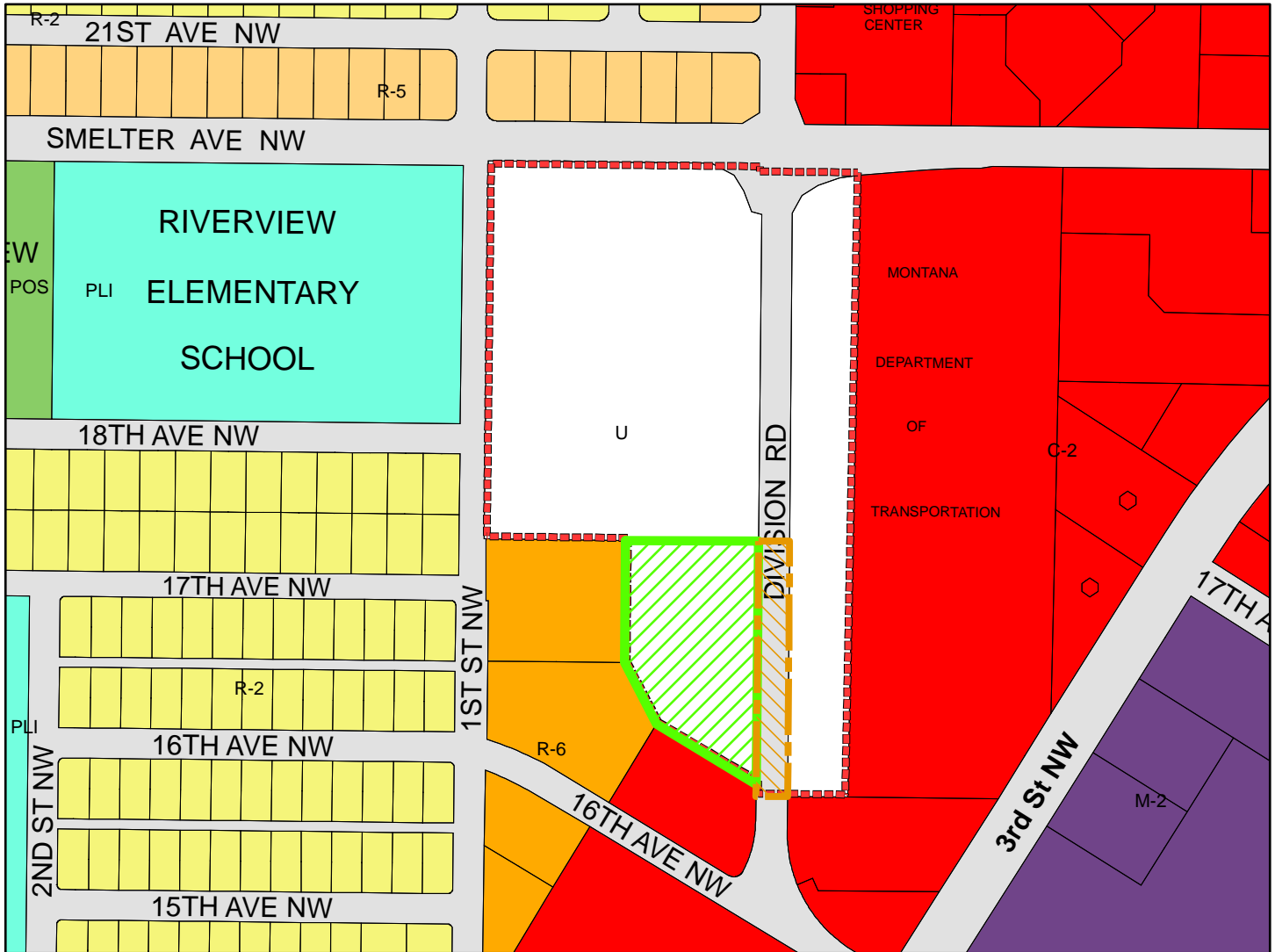
I, Lucy Hallett, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3098 in three conspicuous places within the limits of said City to-wit:


























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

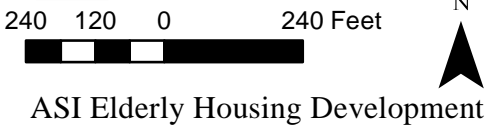
Lucy Hallett, Deputy City Clerk

(CITY SEAL)

Ordinance 3098 Attachment A



- | | | | | | |
|--|----------------------------------|---|--------------------------------|---|------------------------------------|
|  | Voyager Apartments Project Site |  | R-6 Multi-family High Density |  | M-1 Mixed-use District |
|  | Division Road ROW |  | R-9 Mixed Residential |  | M-2 Mixed-use Transitional |
|  | City Limits |  | R-10 Mobile Home Park |  | I-1 Light Industrial |
|  | Tracts of Land |  | PUD Planned Unit Development |  | I-2 Heavy Industrial |
| ZONING | | | | | |
|  | R-1 Single-family Suburban |  | C-2 General Commercial |  | PLI Public Lands and Institutional |
|  | R-2 Single-family Medium Density |  | C-3 Highway Commercial |  | POS Parks and Open Space |
|  | R-3 Single-family High Density |  | C-4 Central Business Core |  | AI Airport Industrial |
|  | R-5 Multi-family Medium Density |  | C-5 Central Business Periphery |  | U Unincorporated Enclave |
| | | | |  | right-of-way |



AMENDED PLAT

BEING THE AMENDED PLAT of LOT 4, BLOCK 1, of the AMENDED PLAT of LOT 3, BLOCK 1, of the AMENDED PLAT of LOT 2, BLOCK 1 OF DIVISION ADDITION
A MINOR SUBDIVISION IN THE CITY OF GREAT FALLS,
SITUATED IN THE NE1/4 SECTION 2, T20N, R3E, P.M., CASCADE COUNTY, MONTANA

OWNER
Mitchell Development & Investments LLC
PO Box 738
Great Falls, MT 59403-0738

PURPOSE
TO SEGREGATE A SINGLE LOT, SHOWN
HEREON AS LOT 5, FROM LOT 4 OF
BLOCK 1.

DESCRIPTION

Two tracts of land being Lot 4, Block 1, of the Amended Plat of Lot 3, Block 1, of the Amended Plat of Lot 2, Block 1 of Division Addition.
Said tracts contain 11.671 acres and are subject to all existing easements.

The above described tracts of land are to be known and designated as Lot 4 and Lot 5 the Amended Plat of Lot 4, Block 1, of the Amended Plat of Lot 3, Block 1, of the Amended Plat of Lot 2, Block 1 of Division Addition, Cascade County, Montana.

CERTIFICATE OF DEDICATION

I, (We), the undersigned property owner(s), do hereby certify that I (we) have caused to be surveyed, subdivided, and platted into lots, parcels, blocks, roads and alleys, as shown by the plat hereto annexed, the following described land in (City and County if in Unincorporated Area), to wit:

A tract of land, shown as Lot 4, Block 1 of the Amended Plat of Lot 3, Block 1, of the Amended Plat of Lot 2, Block 1 of Division Addition, Document No. P-2004-0000029; more particularly described as follows:

Beginning at the northeast corner of Lot 4, Block 1, the Point of Beginning; thence S.0°47'24"E., 1227.67' to a point; thence N.60°09'18"W., 231.05' to a point; thence N.28°32'49"W., 136.78' to a point; thence N.0°41'W., 241.30' to a point; thence S.89°19'W., 275.94' to a point; thence S.89°19'W., 5.00' to a point; thence N.0°41'W., 747.61' to a point; thence N.89°16'E., 541.6' to the Point of Beginning; the parcel described above contains 11.671 Acres, as platted.

The above described tract of land is to be known and designated as The Amended Plat of Lot 4, Block 1 of the Amended Plat of Lot 3, Block 1, of the Amended Plat of Lot 2, Block 1 of Division Addition, Cascade County, Montana, and the lands included in all roads, avenues, alleys, and parks or public squares shown on said plat are hereby granted and donated to the use of the public forever. Lot 4 and Lot 5 are exempt from review by the Montana Department of Environmental Quality pursuant to 17.36.605(2)(a) ARM, which exempts a parcel that has no existing facilities for water supply, wastewater disposal, and solid waste disposal, if no new facilities will be constructed on the parcel.

OWNER
Dated this _____ day of _____, 2012.
(Acknowledged and notarized signatures of all record owners of platted property)

GRANT OF UTILITY EASEMENTS

The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide telephone, electric, gas, internet, cable television or other similar utility or service, 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 area designated on this plat as "Utility Easement" to have and to hold forever.

CERTIFICATE TO DEDICATION - FINAL PLAT

I, (We), the undersigned encumbrancer(s), do hereby join in and consent to the annexed plat and release (my)(our) respective liens, claims and encumbrances as to any portion of said land shown on such plat as being dedicated to the use of the public forever.

Owner
Dated this _____ day of _____, 2012.
(Acknowledged and notarized signatures of all record owners of platted property)

CERTIFICATE OF COMPLETION OF IMPROVEMENTS

I, (Name of Subdivider), and I, (Name of Subdivider's Registered Engineer), a registered professional engineer licensed to practice in the State of Montana, hereby certify that the public improvements, required as a condition of approval of the Amended Plat of Lot 4, Block 1 of the Amended Plat of Lot 3, Block 1, of the Amended Plat of Lot 2, Block 1 of Division Addition, have been installed in conformance with the approved engineering specifications and plans:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Name of Subdivider _____ Date _____

Name, # _____ PE _____
Address: _____ Date _____
(Engineers Seal)

CERTIFICATE OF COUNTY COMMISSIONERS

I, (CHAIRMAN), Chairman of the Board of County Commissioners, Cascade County, Montana, do hereby certify that the accompanying plat has been duly examined and have found the same to conform to the law, approve it, and hereby accept the dedication to public use.

DATED this _____ day of _____, 2012.

Chairman
Board of County Commissioners

CERTIFICATE OF FINAL PLAT APPROVAL - CITY

I, (Commission) (Council) of the City of Great Falls, Montana, does hereby certify that it has examined this subdivision plat and, having found the same to conform to law, approves it; and hereby accepts the dedication to public use of any and all lands shown on this plat as being dedicated to such use.

DATED this _____ day of _____, 2012.

by _____
Clerk

Mayor

CERTIFICATE OF EXAMINING LAND SURVEYOR

I, (Name of Examining Land Surveyor), acting as an Examining Land Surveyor for (City or County), Montana, do hereby certify that I have examined the final plat of the Amended Plat of Lot 4, Block 1 of the Amended Plat of Lot 3, Block 1, of the Amended Plat of Lot 2, Block 1 of Division Addition, and find that the survey data shown thereon meet the conditions set forth by or pursuant to Title 76, Chapter 3, Part 4, MCA.

DATED this _____ day of _____, 2012.

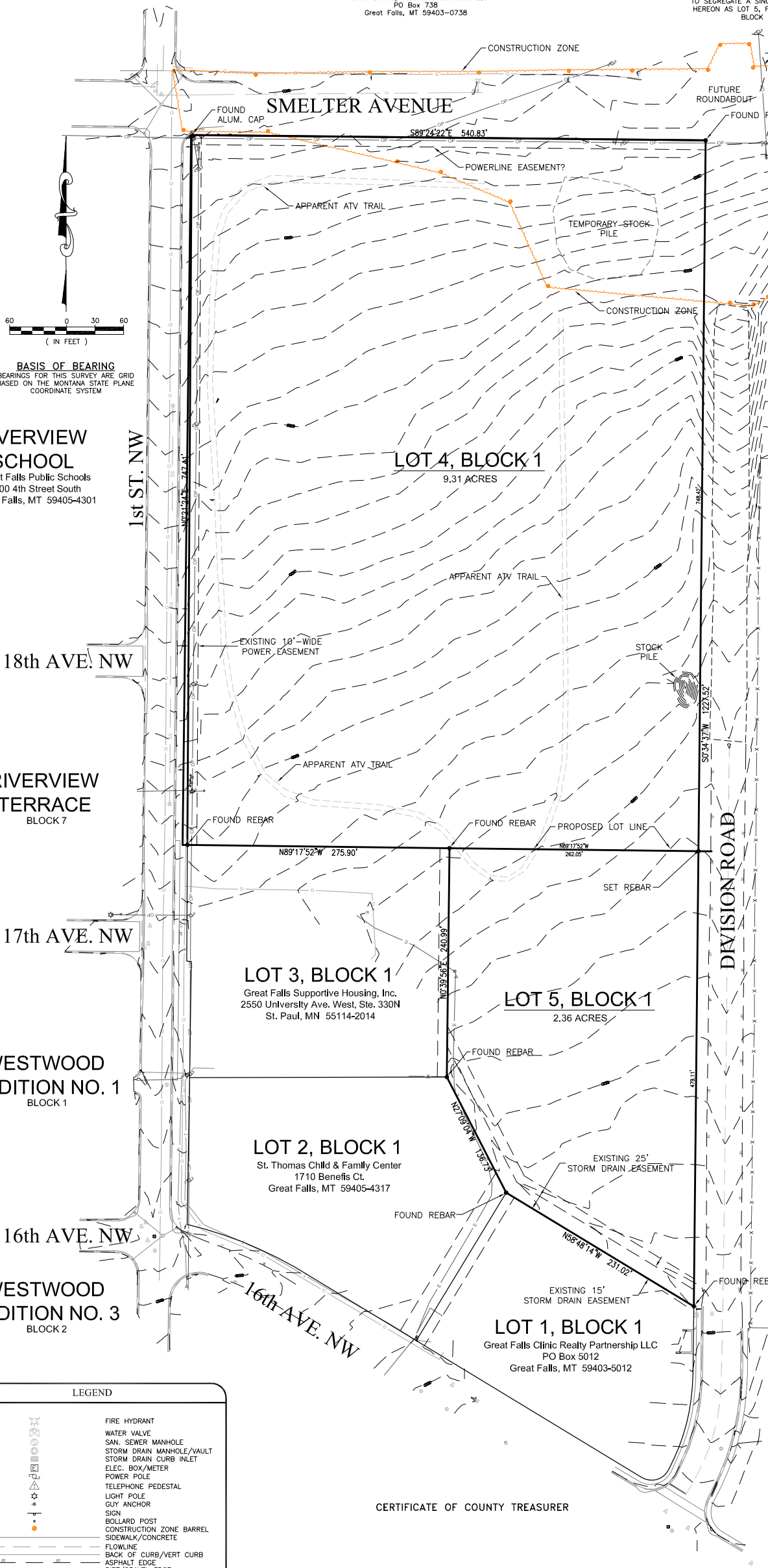
(Name of Surveyor)
MT Reg. No. (XXXXXXLS)

CERTIFICATE OF SURVEYOR

I, the undersigned, Daniel J. Boers, Professional Land Surveyor, do hereby certify that I have performed the survey shown on the attached plat of the Amended Plat of Lot 4, Block 1 of the Amended Plat of Lot 3, Block 1, of the Amended Plat of Lot 2, Block 1 of Division Addition; that such survey was made on October 1, 2012; that said survey is true and complete as shown and that the monuments found and set are of the character and occupy the positions shown thereon.

DATED this _____ day of _____, 2012.

Daniel J. Boers, P.L.S., CFedS
MT Reg. No. 14732LS
Morrison-Maierle, Inc.



RIVERVIEW SCHOOL
Great Falls Public Schools
1100 4th Street South
Great Falls, MT 59405-4301

RIVERVIEW TERRACE
BLOCK 7

WESTWOOD ADDITION NO. 1
BLOCK 1

WESTWOOD ADDITION NO. 3
BLOCK 2

LEGEND

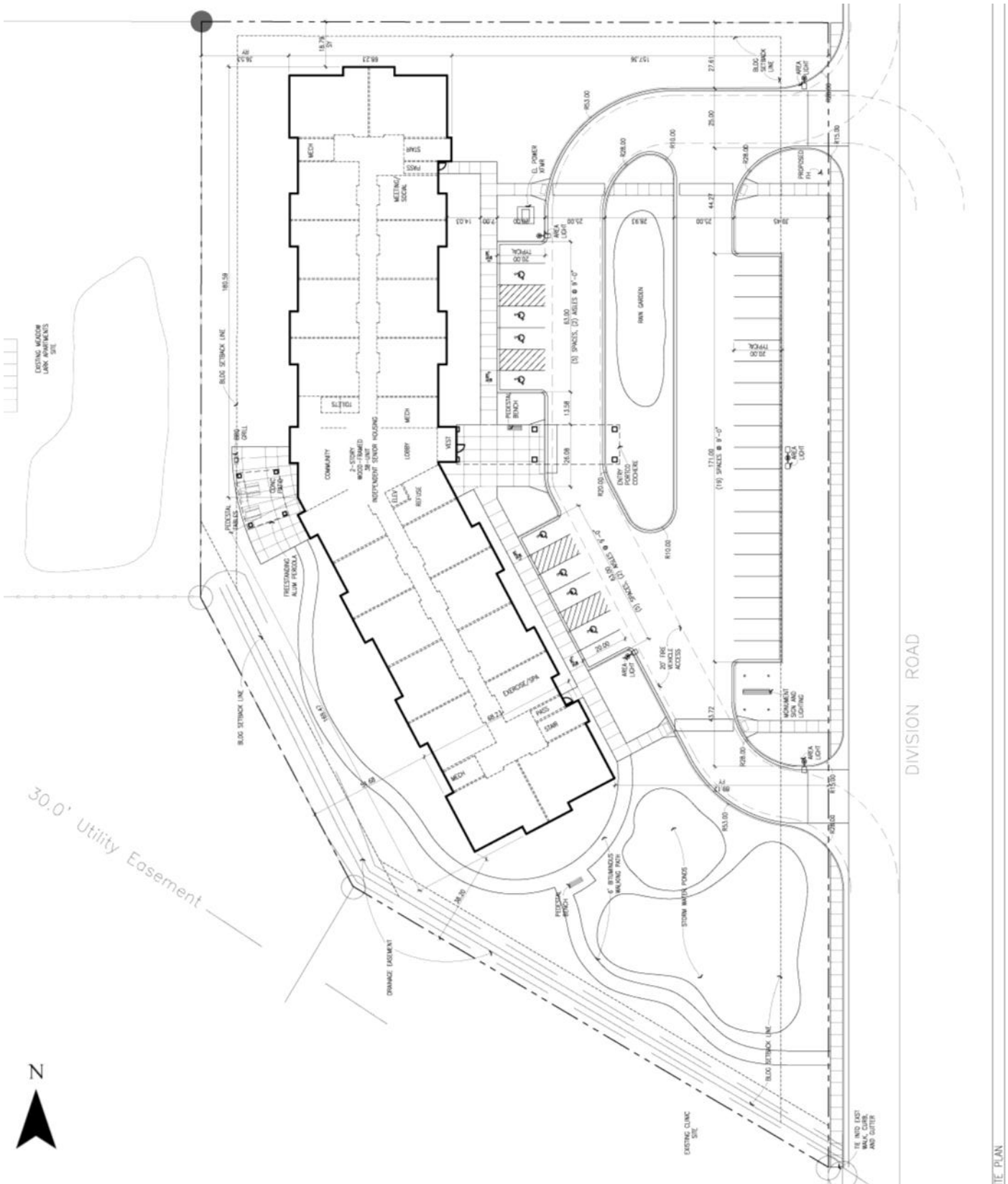
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[Symbol]	SAN. SEWER MANHOLE
[Symbol]	STORM DRAIN MANHOLE/VAULT
[Symbol]	STORM DRAIN CURB INLET
[Symbol]	ELEC. BOX/METER
[Symbol]	POWER POLE
[Symbol]	TELEPHONE PEDESTAL
[Symbol]	LIGHT POLE
[Symbol]	GUY ANCHOR
[Symbol]	SIGN
[Symbol]	BOLLARD POST
[Symbol]	CONSTRUCTION ZONE BARREL
[Symbol]	SIDEWALK/CONCRETE
[Symbol]	FLOWLINE
[Symbol]	BACK OF CURB/VERT CURB
[Symbol]	ASPHALT EDGE
[Symbol]	DIRT/GRAVEL EDGE
[Symbol]	FENCE
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[Symbol]	WATER MAIN
[Symbol]	FIBER OPTIC LINE
[Symbol]	ELEC. LINE
[Symbol]	TELEPHONE LINE
[Symbol]	GAS LINE
[Symbol]	OVERHEAD POWER

CERTIFICATE OF COUNTY TREASURER

CERTIFICATE OF CLERK & RECORDER
STATE OF MONTANA } ss.
County of _____
Filed for record this _____ day of _____, A.D., 2012, at _____ o'clock.
DATED this _____ day of _____, 2012.
Clerk & Recorder
Cascade County, Montana

<p>MORRISON MAIERLE, INC. An Employee-Owned Company PO Box 1113, 2800 Technology Blvd. N., Bozeman, MT 59711 - Phone: (406) 583-0721 Fax: (406) 582-0162</p>	<p>ENGINEERS SURVEYORS PLANNERS SINCE 1942</p>	<table border="1"> <tr><th>1/4 SEC.</th><th>SECTION</th><th>TOWNSHIP</th><th>RANGE</th></tr> <tr><td>NE</td><td>2</td><td>20N</td><td>3E</td></tr> </table>	1/4 SEC.	SECTION	TOWNSHIP	RANGE	NE	2	20N	3E
	1/4 SEC.	SECTION	TOWNSHIP	RANGE						
NE	2	20N	3E							
<p>CLIENT: _____</p> <p>FIELD WORK: MMI, INC. DATE: 10/10/12 DRAWN BY: JCH SCALE: 1"=60' CHECKED BY: DJB PROJ #: 5116.001</p>	<p>PLOTTED DATE: Oct/17/2012 - 08:58:28 am DRAWING NAME: N:\5116\001\ACAD\Preplat\PPPLAT-PLOT.dwg SHEET 1 OF 1 PLOTTED BY: mmorison</p>	<p>PRINCIPAL MERIDIAN, MONTANA CASCADE COUNTY</p>								

SITE PLAN



Drawing No. A001	Client Great Falls Elder Housing Division Road Great Falls, Montana	DISTYLE DESIGN 101 FLAG AVENUE NORTH GOLDEN VALLEY, MINNESOTA 55427 T (763) 591.0996 F (763) 591.0966 F WWW.DISTYLEDESIGN.COM ARCHITECTURE + URBAN DESIGN	Subdivision and planning submittal 8/15/2012
	ARCHITECTURAL SITE PLAN		REV DESCRIPTION DATE

Conceptual Rendering

ASI Elderly Housing Development - Voyager Apartments

