



Item: Public Hearing - Resolution 10088 to annex, Ordinance 3123 assigning City zoning, and the Annexation Agreement all pertaining to City View Subdivision, legally described as Tract 2, Certificate of Survey 4705, located in the N½ NE¼ of Section 36, Township 21 North, Range 4 East, PMM, Cascade County, Montana

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

Initiated By: Damon Carroll & Lee Janetski, Property Owner and Developer

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

Action Requested: City Commission adopt Resolution 10088, Ordinance 3123 and approve the Annexation Agreement all pertaining to City View Subdivision

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 10088 and (approve/disapprove) the Annexation Agreement all pertaining to City View Subdivision.”

and;

“I move that the City Commission (adopt/deny) Ordinance 3123.”

2. Mayor calls for a second, discussion, and calls for the vote after each motion.
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Recommendation: At the conclusion of a public hearing held on May 27, 2014, the Planning Advisory Board recommended the City Commission approve the Preliminary Plat of City View Subdivision, and the Zoning Commission approved assigning a zoning classification of R-5 Multi-family medium density district upon annexation to the City. During a meeting held June 17, 2014, the City Commission conditionally approved the Preliminary Plat of City View Subdivision. At a meeting held on June 24, 2014, the Planning Advisory Board/Zoning

Commission recommended the City Commission approve the Final Plat of City View Subdivision and the accompanying Findings of Fact subject to fulfillment of the following Conditions of Approval:

1. The Final Plat of City View Subdivision shall incorporate correction of any errors or omissions noted by staff, including provision of a notification clause to purchasers regarding soil conditions.
2. The final engineering drawings, specifications and cost estimates for public improvements for City View Subdivision shall be submitted to the City Public Works Department for review and approval, prior to consideration of the Final Plat.
3. An Annexation Agreement shall be prepared containing terms and conditions for annexation of the area within the Final Plat, including, but not limited to, agreement by applicant to:
 - a) install, within two years of the date of annexation, the public improvements referenced in Condition 2 above;
 - b) indemnify and hold the City harmless for any damages that may be sustained as a result of adverse soil and/or groundwater conditions;
 - c) grade and install curbing along the south property line and establish a shared maintenance agreement between the properties for the 20-foot wide shared drive aisle abutting the south property line;
 - d) construct all of the storm water conveyance improvement to drain the site to the pond, whether they be surface conveyance and/or inlets and pipe;
 - e) install a fire hydrant off the existing water main on 11th Street Northeast and 36th Avenue Northeast;
 - f) pay all applicable fees owed as a condition of annexation, as determined in annexation agreement.

Public Notice for the Planning Advisory Board/Zoning Commission Public Hearing was published in the *Great Falls Tribune* on May 11, 2014. Two citizens spoke in favor of the project at the public hearing. Staff recommends approval of the proposed annexation and zoning of ± 1.82 acres of unincorporated land, legally described above, herein referred to as subject property.

Ordinance 3123 to assign City zoning to the subject property was accepted by the City Commission on first reading on July 15, 2014. Notice of Public Hearing before the City Commission for the annexation and establishment of City zoning was published in the *Great Falls Tribune* on August 3, 2014.

Background:

The subject property is abutting 36th Avenue Northeast on the south side, between 11th Street Northeast and 14th Street Northeast. The developer is ultimately requesting approval of the Preliminary Plat, City zoning and annexation of City View Subdivision. The subdivision consists of 7 lots. The property immediately to the east is also owned by the applicant, who recently went through the annexation and zoning approval process with the City Commission for the Skyline Heights Apartments development. Commission approved the 24-unit multi-family residential development on October 1, 2013.

The R-5 Multi-family medium density zoning district was approved for that property, and in order to address concerns of the Neighborhood Council, the owner voluntarily committed to

filing a restrictive covenant on the property for the current application, Tract 2, that would restrict the type of structure and density of development (see attached). Even though the City does not enforce private covenants, the owner has followed this commitment and is proposing 4-plexes and consistent R-5 zoning. For additional information, please refer to the attached zoning map and draft preliminary plat.

Final Plat Request

The applicant is requesting approval of a final plat, which would subdivide the property into 7 lots. One lot would be dedicated to the City for the development of a storm water detention pond, and the remaining 6 lots will be residential lots. The applicant submitted a Draft Final Plat (attached), which shows the layout for the proposed subdivision. The basis for decision to approve, conditionally approve, or deny a proposed subdivision is whether the subdivision application, final plat, applicable environmental assessment, public hearing, planning board recommendations, or additional information demonstrate that development of the proposed subdivision meets the requirements of 76-3-608 MCA. The governing body shall issue written findings of fact that address the criteria of 76-3-608 (3) MCA (attached).

Rezone Request

In conjunction with the Final Plat, the applicant is requesting that the subject property be rezoned from County SR1-Suburban Residential 1 to R-5 Multi-family medium density district upon annexation into the City of Great Falls. The proposed zoning is compatible with the existing zoning on the surrounding properties. Construction of 4-plexes with garages for multi-family development on the vacant undeveloped property is reasonable, and it is one of the most appropriate land uses given the context of the site.

The R-5 zoning to the east and the commercial mini-storage immediately to the north make this site unattractive for single-family units. Anywhere there is a confluence of multiple zoning districts, mindful development and compatible land uses should be precedent. The proposed multi-family housing development meets all other R-5 district development standards for setbacks, density, height, and parking. The size of the subject property provides sufficient space for the buildings, off-street parking, landscaping, and storm water detention area.

Annexation Request

In conjunction with the Final Plat and establishment of City zoning, the developer is requesting annexation of ± 1.82 acres from Cascade County into the City of Great Falls.

Improvements

Roadways

The common use drive aisle abutting the south property line will be required to be graded and curbed so as to prevent storm water runoff onto residential properties to the south. A shared maintenance agreement shall be established for said drive aisle between property owners within the subdivision. The applicant shall install boulevard style sidewalks in the public right-of-way fronting the subject property. Also, the developer will be required to escrow funds for future improvements to 36th Avenue Northeast. Finally, 14th Street Northeast will be constructed this year with funds escrowed by the prior subdivision. See the attached full Traffic Analysis.

Utilities

The water services will be tapped off of the 16-inch water main in 36th Avenue Northeast

directly in front of each building, one service and one meter per building. The sanitary sewer services will be installed to the south and connect to a public sewer main that will be installed by the developer in the utility easement south of the buildings, one sewer service per building. The public sanitary sewer main will need to be extended on 11th Street Northeast to connect to the existing main. A public utility easement for this main will be necessary.

Storm Water Management

The applicant has worked with the City Public Works Department in order for Lot 1 of City View Subdivision to be dedicated for the development of a storm water detention pond. This detention pond will be a public facility owned and operated by the City that will serve the lots in City View Subdivision as well as runoff from 36th Avenue Northeast. The proposed development will have total impervious surfaces of more than 15,000 square feet; therefore, the developer is required to provide a storm water 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. However, some preliminary review comments include:

1. The developer will be responsible for constructing all of the storm water conveyance improvement to drain the site to the pond, whether they be surface conveyance and/or inlets and pipe.
2. The developer shall install a fire hydrant off the existing water main on 11th Street Northeast and 36th Avenue Northeast.
3. Each lot/building shall have an individual water and sewer service in accordance with City standards and code.

Park Land

The developer will fulfill the subdivision's park obligation by paying a fee in lieu of dedicating park land, which is acceptable to the Park and Recreation Department.

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.
- Soc1.4.6 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.

The Growth Policy identifies that Great Falls embodies balanced, compatible growth, while at the same time encourages the development of underutilized or vacant land.

Neighborhood Council Input

The subject property is located in Neighborhood Council #3. The applicant presented information to Council #3 on April 3, 2014. The following is from Council's meeting minutes:

Mr. Carroll spoke about why this council should support this project. Has another project on hold because of storm drain issues. One issue is to have a storm detention pond off 14th street. A contract has been issued by the city to design this pond. His projects are currently in the hands of the city engineers and will not proceed until the city signs off on it. He is trying to address neighborhood concerns early in the process so delays are kept to a minimum. He showed elevation drawings and driveway approaches to 36th street. A requirement is the units must be designed to look like single family homes. He has worked on getting the city to approve this project for over 3 years. He is putting \$150,000 into improvements to the area and 36th street and would like the blessing of this council. Terry made a motion that NC#3 support the annexation/ zoning lot and Rich seconded. Terry commented that she supports this 100% because of the lack of affordable housing in the area. Motion passed unanimously.

To date, staff has received multiple phone calls from residents with questions and voicing their concerns about the proposed development.

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.

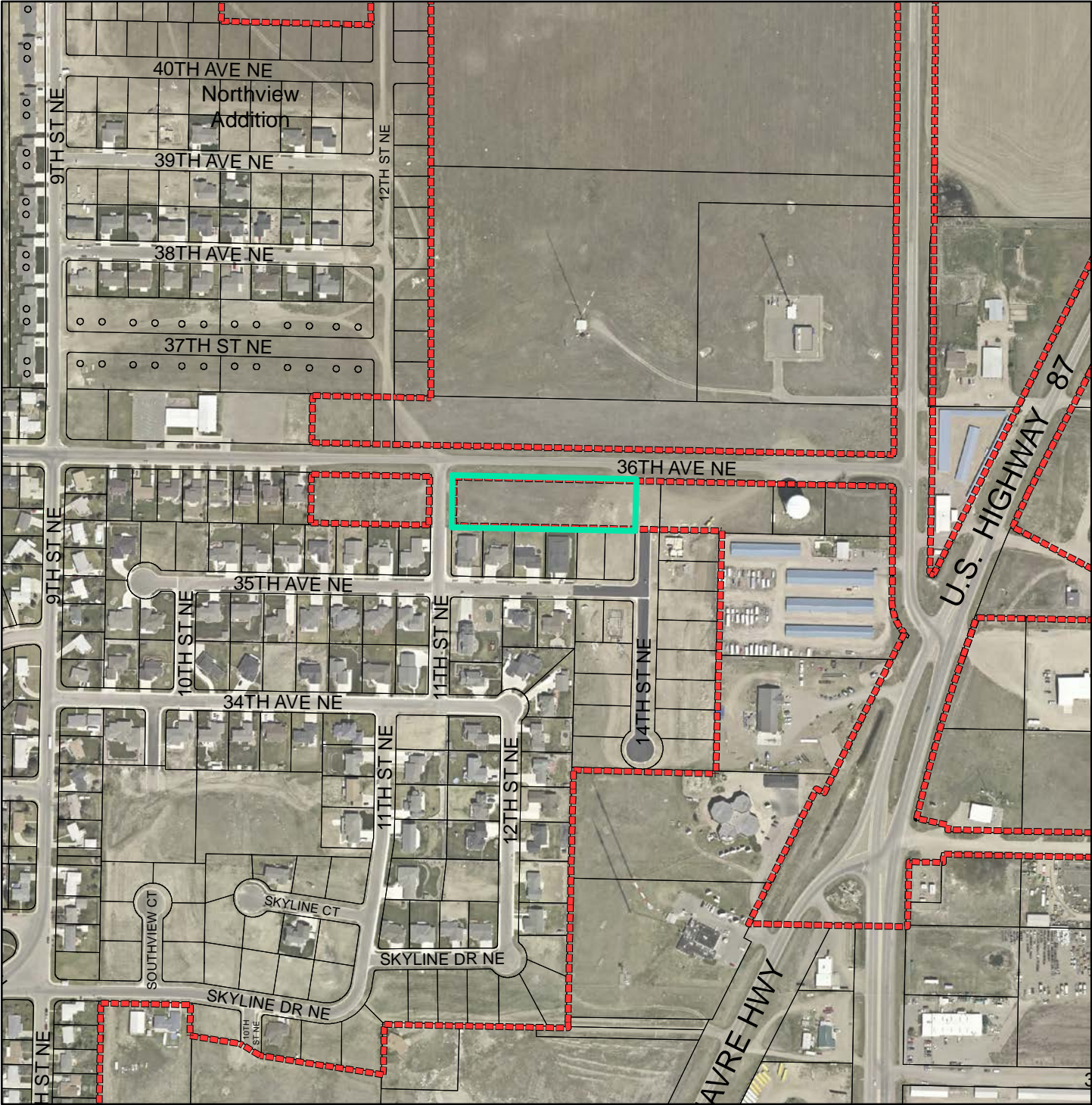
Alternatives: If there are justifiable reasons to do so, the City Commission could deny the requested action to the extent allowed in City Code and State Statute.




Attachments:

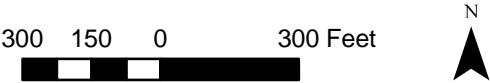
- Aerial Map
- Ordinance 3123
- Resolution 10088 with Attachment A
- Annexation agreement
- Zoning Map
- Draft Final Plat
- Findings of Fact
- Traffic Analysis
- Damon Carroll Voluntary Covenant Letter
- Proposed Site Plan

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Patty Cadwell, Neighborhood Council Coordinator
Susan Conell, Cascade County Planning Director, sconell@cascadecountymt.gov
Damon Carroll, owner/developer, carrollholdings@gmail.com
Lee Janetski, owner/developer, pheasantrunbuilders@gmail.com
Dan O'Leary, builder, signaturehomesmt@gmail.com

Aerial Map



-  City View Subdivison property
-  City Limits
-  Tracts of Land



ORDINANCE 3123

AN ORDINANCE ASSIGNING A ZONING CLASSIFICATION OF R-5 MULTI-FAMILY MEDIUM DENSITY DISTRICT TO CITY VIEW SUBDIVISION, LEGALLY DESCRIBED AS TRACT 2, CERTIFICATE OF SURVEY 4705, LOCATED IN N1/2 NE1/4 OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA

* * * * *

WHEREAS, Damon Carroll is the owner of record and has petitioned the City of Great Falls to annex City View Subdivision, consisting of ±1.82 acres, as legally described above; and,

WHEREAS, Damon Carroll has petitioned said City View Subdivision be assigned a City zoning classification of R-5 Multi-family medium density district, upon annexation to City; and,

WHEREAS, notice of assigning said zoning classifications to City View Subdivision was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 19th day of August, 2014, before final passage of said Ordinance herein; and,

AND WHEREAS, following said public hearing, it was found and decided that 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 City View Subdivision be designated as R-5 Multi-family medium density district classification.

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 City View Subdivision, as legally described above, into the corporate limits of the City of Great Falls, Montana, whichever event shall occur later.

APPROVED by the City Commission of the City of Great Falls on first reading July 15, 2014.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls on second reading August 19, 2014.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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 3123 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

Lisa Kunz, City Clerk

(CITY SEAL)

RESOLUTION 10088

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, TO EXTEND THE BOUNDARIES OF SAID CITY TO INCLUDE CITY VIEW SUBDIVISION, TRACT 2, CERTIFICATE OF SURVEY 4705, LOCATED IN THE N1/2 NE1/4 OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 4 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:

City View Subdivision, Tract 2, Certificate of Survey 4705, located in N1/2 NE1/4 of Section 36, Township 21 North, Range 4 East, P.M.M., Cascade County, Montana, and consisting of ± 1.82 acres,

all as shown on the map attached hereto marked Attachment "A" and by this reference made a part hereof and according to the final plat of City View Subdivision; 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 the hereinabove described property has submitted a petition to have said property annexed to the City of Great Falls; and,

WHEREAS, 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 laws of the Montana Code Annotated, Title 7, Chapter 2, Part 46. Annexation by Petition, 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: "CITY VIEW SUBDIVISION, Tract 2, Certificate of Survey 4705, located in N1/2 NE1/4 of Section 36, Township 21 North, Range 4 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 19th day of August, 2014.

Michael J. Winters, Mayor

ATTEST:

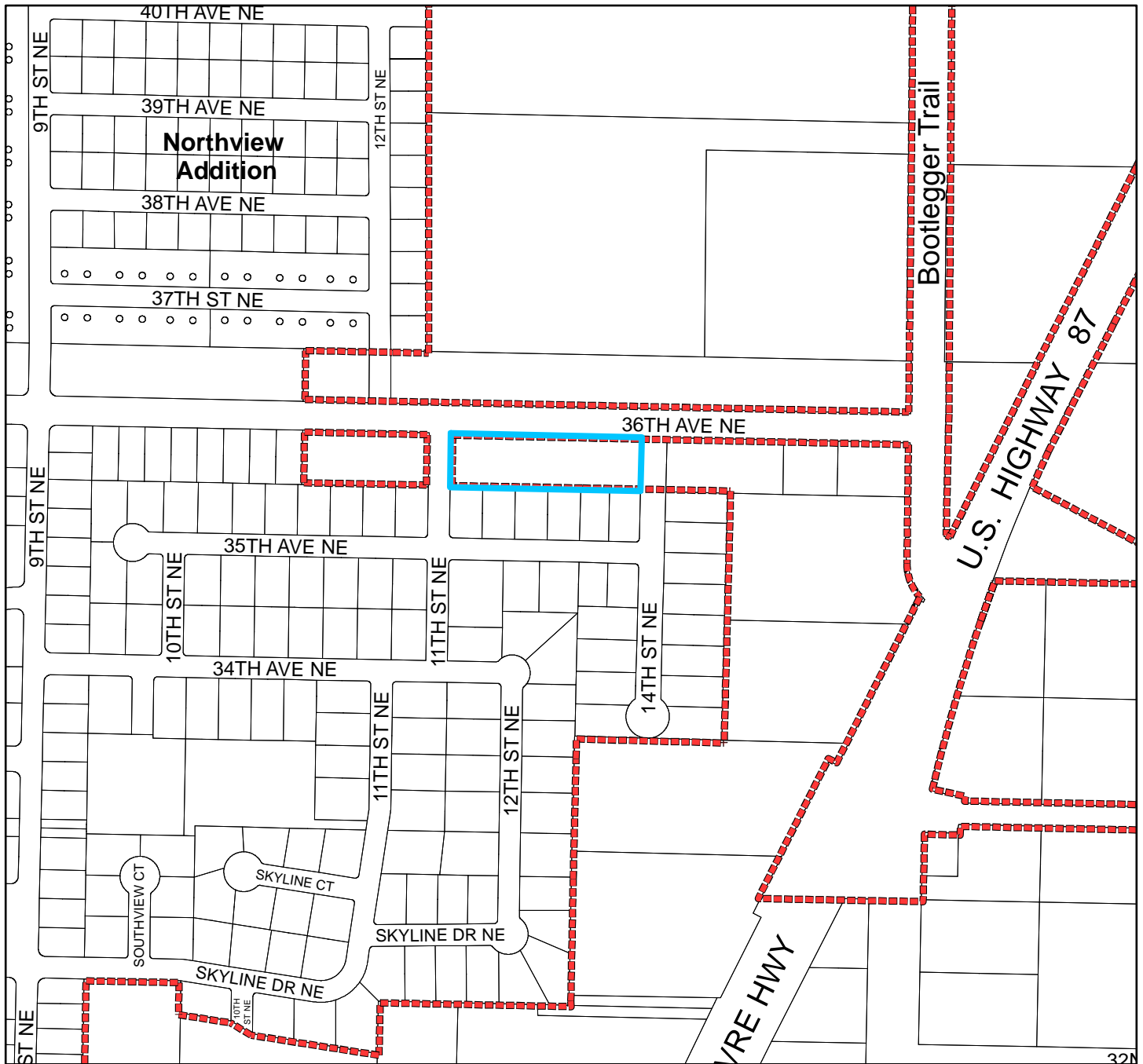
Lisa Kunz, City Clerk




(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

Attachment A Resolution 10088



-  City View Subdivision property
-  City Limits
-  Tracts of Land

300 150 0 300 Feet



City View Subdivision Annexation

**ANNEXATION AGREEMENT FOR
CITY VIEW SUBDIVISION
TRACT 2, 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 _____, 2014, 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 2, 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." The City is authorized to enter into this agreement by 17.68.010-040 of the Official Code of the City of Great Falls.

2. SUPPORTING DOCUMENTS

- A. Final plat of said Subdivision, prepared by Henen Land Surveying, and filed of record in the Clerk and Recorder's Office of Cascade County, Montana.
- B. Donation Quit Claim Deed for the transfer of ownership of Lot 1 to the City.
- C. Certificate of Survey 4705 filed of record in the Clerk and Recorder's Office of Cascade County, Montana.
- D. Final engineering drawings, specifications and cost estimates prepared by Woith 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.
- E. Annexation Agreement for Water Tower Park Addition, in N1/2 NE1/4, 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 14th Street Northeast.

- F. Memorandum of Understanding for Certificate of Survey of Marks 14E1 and 14X, dated October 19, 2010, filed of record in the City Clerk's Office of the City of Great Falls, which also details the extension of 14th Street Northeast.

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 1.816 acres) \$ 454.00
 - 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 sq.ft.) \$ 1,207.48
 - c. Proportionate share of previously installed offsite storm
drain improvements by the City in Skyline Heights
Additions (\$2,934.50/acre x 1.55 acres (Lots 2-7) refer to
Cost Estimate for Storm Drainage Improvements at
11th St NE & 34th Ave NE – O.F. 1282.1 prepared by
City Engineers Office 12/16/2008) \$ 4,548.47
 - d. Proportionate share of 36th Ave NE roadway
improvements abutting Lots 2-7 (50% of 35 ft. wide
standard residential street, refer to Cost Estimate

Per Lineal Foot - Standard Residential Street prepared by City Engineers Office 8/4/2014)	\$ 43,789.90
e. Proportionate share of 36th Ave NE roadway improvements abutting Lot 1 (25% of 35 ft. wide standard residential street, refer to Cost Estimate Per Lineal Foot - Standard Residential Street prepared by City Engineers Office 8/4/2014)	\$ 5,734.00
f. Proportionate share of 11th St NE roadway improvements (50% of cost estimate \$2,737.88 refer to Estimate of Probable Cost - 11th St Half-Street prepared by Woith Engineering 7/14/2014)	\$ 1,368.94
g. Proportionate share of public storm drain improvements to be installed under City contract concurrently to serve the Subject Property and surrounding area	\$ 52,316.96
h. 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	\$ 109,540.75

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, and \$1,675.00 (\$1,500 + \$25/lot times 7 lots) for the Final Plat which have been paid prior to this Annexation Agreement.

- B. A financial surety, including but not limited to a City suspense account, escrow account, or other City-approved surety, shall be established in the names of the owner and City to cover the estimated costs. At such time that the actual cost of the above referenced roadway improvements are definitely determined, amounts equal to said costs shall be transferred from the above referenced surety account to City Public Works. Upon said transfer(s), any remaining balance in the above referenced accounts shall be released to Owner.
- C. Actual construction and inspection costs for the public roadway improvements on 11th Street Northeast and the storm drain extension and storm water detention pond (described in paragraphs 5.A.f. and 5.A.g. above, and 6.C. and 6.E. below) will be tracked and compiled during the bidding and construction process. Each Party's cost share will then be determined based on the reconciliation of actual construction and inspection costs, plus five (5) percent for engineering design cost.
- D. 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.
- E. Water service tapping and water and sewer service connection fees will be assessed at the time of installation.
- F. 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. 36th AVENUE NORTHEAST PUBLIC IMPROVEMENTS

Owner hereby agrees to pay for the proportionate share (50 percent) of the cost for a standard City residential street section (paving, curb & gutter, etc.) of 36th Avenue Northeast adjacent to Lots 2-7 of the Subject Property, estimated at \$43,789.90, as shown above in paragraph 5.A.d. per guidelines established in paragraph 5.B.

The Owner hereby agrees to divide with the City the proportionate share (50 percent each Party) of a standard City roadway section (paving, curb & gutter, etc.) of 36th Avenue Northeast adjacent to Lot 1 of the Subject Property, estimated at \$5,734.00 for the street improvements for each party. The Owner agrees to pay the above amount, as shown above in paragraph 5.A.e. per guidelines established in paragraph 5.B.

At time of construction, the City hereby agrees to installation of sidewalk in the public right-of-way abutting Lot 1 of the Subject Property along 36th Avenue Northeast. The owner hereby agrees to installation of the remaining portion of sidewalk in the public right-of-way abutting Lots 2-7 of the Subject Property along 36th Avenue Northeast, in accordance with Title 17 - Land Development Code of the Official Code of the City of Great Falls.

B. 14TH STREET NORTHEAST PUBLIC IMPROVEMENTS

The cost of a standard City roadway section and 8-inch water main from the existing terminus of 14th Avenue Northwest northerly to 36th 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.

At time of construction, Owner agrees to install the sidewalk, to serve the Subject Property, in 14th Street Northeast, in accordance with Title 17 - Land Development Code of the Official Code of the City of Great Falls and the terms of the Annexation Agreement for Water Tower Park Addition, in N1/2 NE1/4, 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).

C. 11TH STREET NORTHEAST PUBLIC IMPROVEMENTS

The Owner hereby agrees to divide with the City the proportionate share (50 percent) of a standard City roadway section (paving, curb & gutter, etc.) of 11th Street Northeast adjacent to Lot 1 of the Subject Property, estimated at \$1,368.94 for street improvements and design services. The owner agrees to pay the above amount, as shown above in paragraph 5.A.f. per guidelines established in paragraph 5.B.

At time of construction, the City shall install sidewalk in the public right-of-way abutting 11th Street Northeast, adjacent to Lot 1 of the Subject Property. The owner agrees to installation of the remainder portion of sidewalk in the public right-of-way abutting 11th Street Northeast, adjacent to Lot 2 abutting the Subject Property, in accordance with Title 17 - Land Development Code of the Official Code of the City of Great Falls.

D. SANITARY SEWER MAIN EXTENSION

The owner shall design and pay for the public sanitary sewer main extension east from 11th Street Northeast, or west from 14th Street Northeast, along the south side of the Subject Property in the drive aisle and establish a public utility and access easement. This main shall serve Lots 2-7 of the Subject Property.

E. STORM WATER EXTENSION & STORM WATER DETENTION POND

The Owner hereby agrees to pay the proportionate share for public storm drain improvements to be installed concurrently with subdivision of the Subject Property, estimated in the amount of \$52,316.96 (as calculated in the 11th Street NE and 36th Avenue Northeast Storm Drain Improvements Cost Estimate/Splits spread sheet prepared by City Engineers Office 07/11/2014). The owner agrees to pay the above amount, as shown above in paragraph 5.A.g. per guidelines established in paragraph 5.B.

Further, both parties agree that the estimated amount above will be reconciled using actual construction and inspection costs plus five percent (5%) for engineering design using a contributory drainage basin area method used in the 11th Street Northeast and 36th Avenue Northeast Storm Drain Improvements Cost Estimates/Splits spreadsheet dated 7/11/2014. The Owner's contributory drainage basin area is Lots 2-7 (1.55 acres) and the City's is Lot 1 public right-of-way and areas outside the Subject Property (4.04 acres).

7. OTHER REQUIRED IMPROVEMENTS

Owner further agrees, per the approved conditions of approval by City Commission, to install curbing along the south property line and establish a shared maintenance agreement between the properties for the shared drive aisle abutting the Subject Property's south property line prior to issuance of a Certificate of Occupancy by the Building Department.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

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. CITY ACCEPTANCE AND ZONING

In consideration of the foregoing, City hereby accepts and approves Tract 2, 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.

16. 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 Montana Code Annotated Title 7, Chapter 33. Subject Property, upon annexation to City, will be provided fire protection services by City comparable to that provided incorporated properties.

17. 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.

18. 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

Gregory T. Doyon, City Manager

ATTEST:

Lisa Kunz, City Clerk

(Seal of City)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

OWNER

Damon Carroll, Property Owner

State of Montana)

:ss.

County of Cascade)

On this _____ day of _____, in the year Two Thousand and Fourteen, 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.

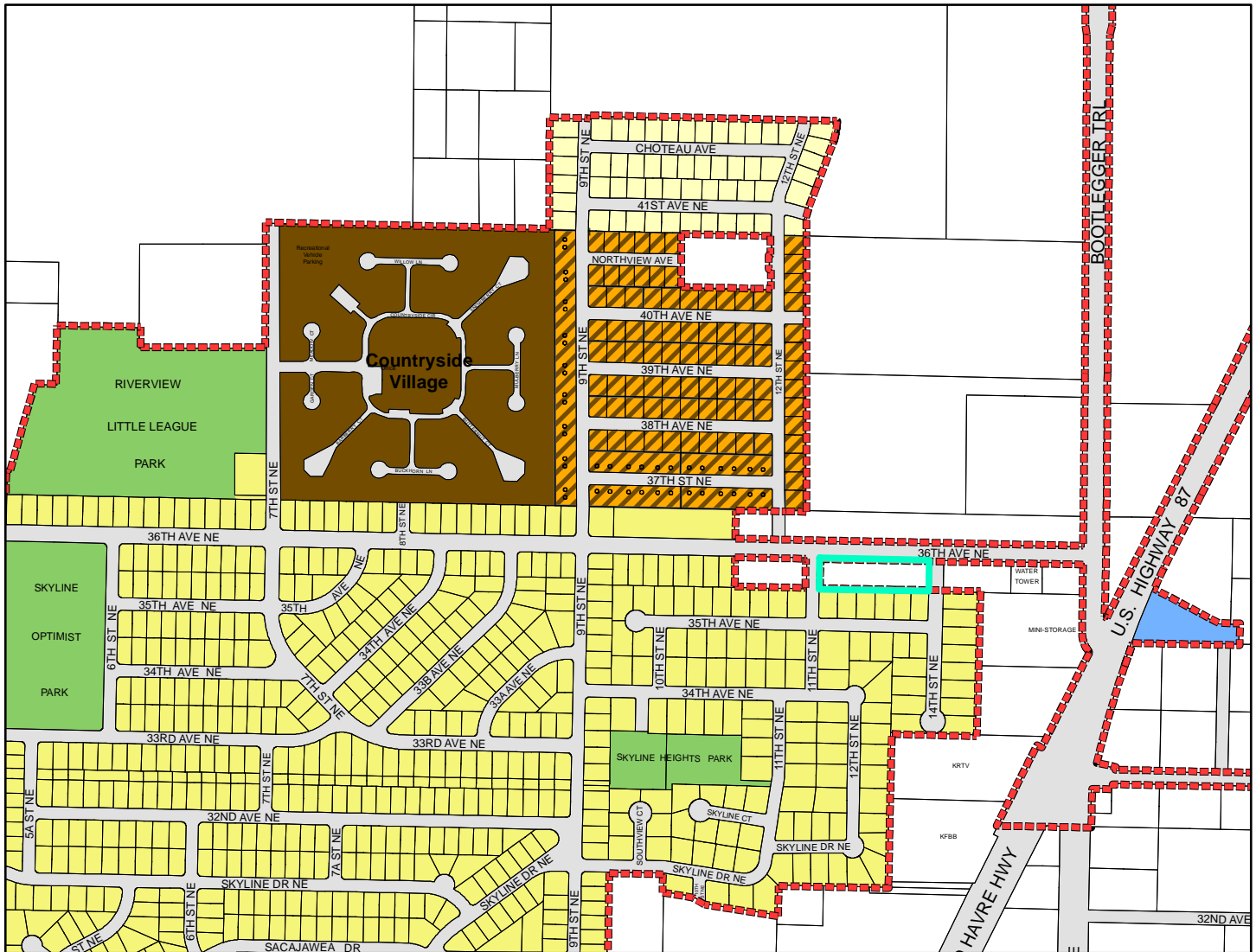
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public for the State of Montana

(NOTARIAL SEAL)

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

Zoning Map



City View Subdivision property

City Limits

Tracts of Land

right-of-way

ZONING

R-1 Single-family Suburban

R-2 Single-family Medium Density

R-3 Single-family High Density

R-5 Multi-family Medium Density

R-6 Multi-family High Density

R-9 Mixed Residential

R-10 Mobile Home Park

PUD Planned Unit Development

C-1 Neighborhood Commercial

C-2 General Commercial

C-3 Highway Commercial

C-4 Central Business Core

C-5 Central Business Periphery

M-1 Mixed-use District

M-2 Mixed-use Transitional

I-1 Light Industrial

I-2 Heavy Industrial

PLI Public Lands and Institutional

POS Parks and Open Space

AI Airport Industrial

U Unincorporated Enclave

550 275 0 550 Feet



FINAL PLAT
OF
CITY-VIEW SUBDIVISION

A SUBDIVISION TO GREAT FALLS, CASCADE COUNTY, MONTANA, LOCATED IN "TRACT 2" OF CERTIFICATE OF
SURVEY NO. 4705, SITUATED IN THE N1/2 NE1/4 OF SECTION 36, T. 21 N., R. 3 E. P.M. MT.

CERTIFICATE OF OWNERS:

The, undersigned property owner, does hereby certify that they have caused to be surveyed and subdivided into lots, as shown by the plat hereunto included, the following described parcel of land, to-wit

DESCRIPTION:

A Parcel of land located in Tract No. 2 of Certificate of Survey No. 4705, situated in the N½ of the NE¼ of Section 36, T. 21 N., R. 3 E, Cascade County, Montana.

Commencing at the Northwest Corner of said Tract No. 2, as shown on Certificate of Survey No. 4705, records of the Cascade County Clerk and Records Office, said corner being the True Point Of Beginning; EXTENDING THENCE S. 0°38'00" E. a distance of 150.10 feet, along the west line of said tract No. 2, to the Southwest Corner thereof; Thence N. 89°48'00" E. a distance of 526.10 feet, along the south line of said Tract No. 2, to the Southeast Corner thereof; Thence N. 0°02'00" E. a distance of 150.10 feet, along the east line of said Tract No. 2, to the Northeast Corner thereof; Thence S. 89°48'00" W. a distance of 527.85 feet, along the north line of said Tract No. 2, to the True Point Of Beginning, containing an area of 1.816 acres.

The above described parcel is to be know and designated as "City View Subdivision to Great Falls, Cascade County, Montana", Situated in the N1/2 of the NW1/4 of Section 36, T. 21 N., R. 3 E., P.M.M., along with all Access and Utility Easement being created by this plat.

Property Owner: Damon Carroll Date: _____

State of Montana)
County of Cascade)

On this _____ day of _____, 20____, before me, a Notary Public in for the State of Montana, personally appeared Damon Carroll, known to me to be the person who executed the forgoing Certificate of Owners, and he acknowledged to me that he is the same.

Notary Public for the State of Montana
Residing in Great Falls, Cascade County, Montana
My Commission expires: _____.

CERTIFICATE OF THE GREAT FALLS PLANNING BOARD

We, the undersigned, Nate Weisenburger, Chairman of the Great Falls Planning Board, Cascade County, Montana, and Craig Raymond, Planning Director of said Planning Board, do hereby certify that the accompanying plat has been examined by them and was found by them to conform to law and was approved at a meeting held on the _____.

Nate Weisenburger, Chairman, Great Falls Planning Board
ATTEST: Craig Raymond, Planning Director,
Great Falls Planning Board

CERTIFICATE OF THE PUBLIC SERVICE DIRECTOR.

I, Jim Rearden, Public Service Director of the City of Great Falls, Cascade County, Montana, do hereby certify that I have examined the accompanying plat, and the survey it represents, and I find that the same conforms to the regulations governing the platting of land, and to the presently platted adjacent land, as near as circumstances may permit, and I do hereby approve the same on this _____ day of _____, 2014.

_____, Date: _____
Jim Rearden, Public Service Director of Great Falls, Cascade County, Montana.

CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES

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

_____, Date: _____
Gregory T. Doyon, City Manager of the City of Great Falls, Montana.

CERTIFICATE OF GREAT FALLS CITY COMMISSION

I, Gregory T. Doyon, being the City Manager of the City of Great Falls, Montana, do hereby certify that the accompanying plat was duly examined and approved by the City Commission of the City of Great Falls, Montana at its regular meeting held on the _____.

_____, Date: _____
Gregory T. Doyon, City Manager, City of Great Falls, Montana

CERTIFICATE DISPENSING WITH PARK AND PLAYGROUND REQUIREMENTS

Whereas since this is an Amended Plat, the City Commission of the City of Great Falls, Montana, in accordance with Section 76-3-621 (3) (a), M.C.A., dispensed with any and all park or playground requirements, during its regular meeting held on the _____.

_____, Date: _____
Gregory T. Doyon, City Manager of the City of Great Falls, Montana

CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES

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

_____, Date: _____
Gregory T. Doyan, City manager of the City of Great Falls, Montana.

CERTIFICATE OF THE CASCADE COUNTY TREASURER.

I, Jamie Bailey, Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the area included in this plat, and I find that all real taxes, assessed and levied, on said land to be subdivided have been paid to date, and are not delinquent.

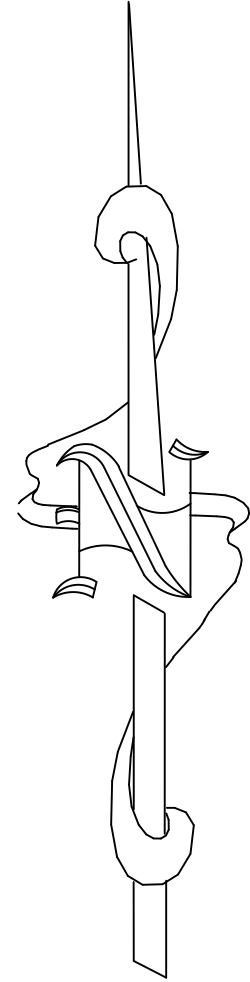
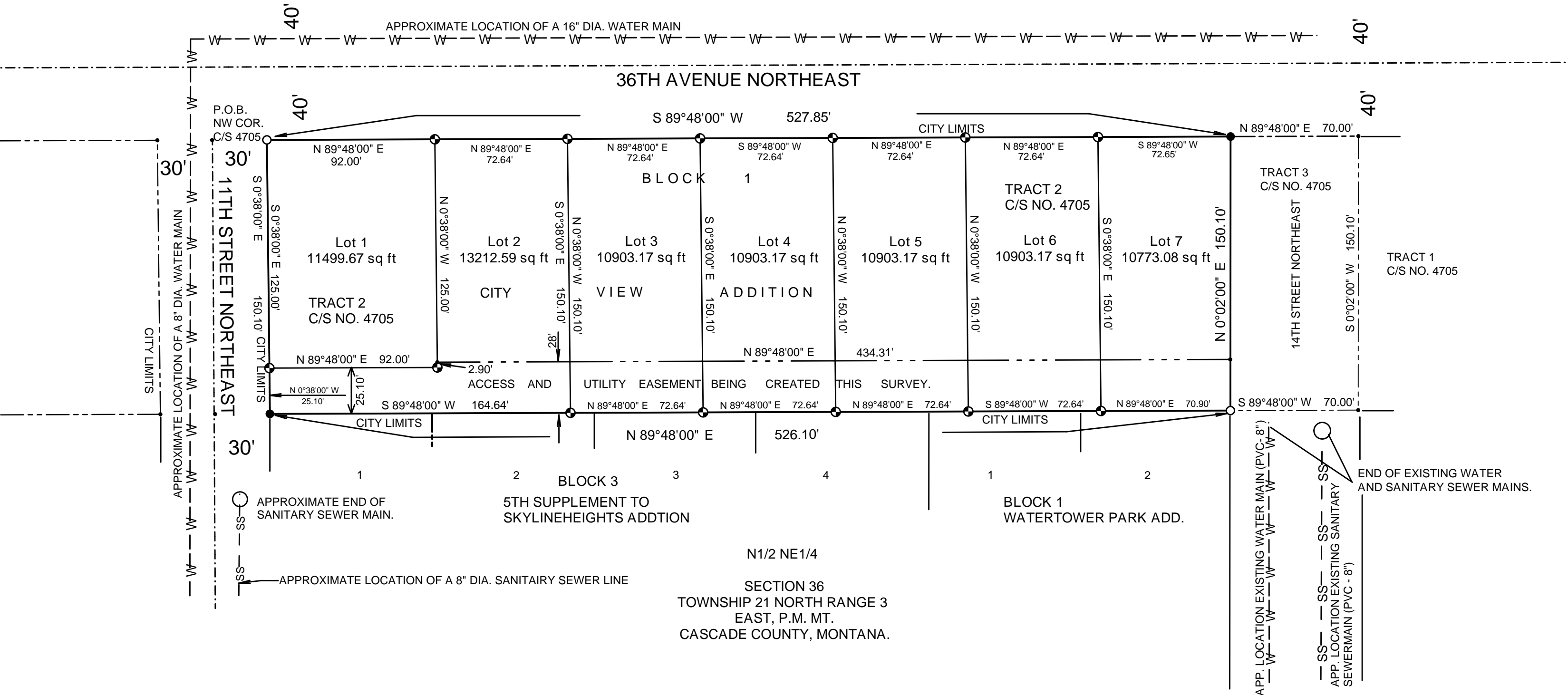
_____, Date: _____
Jamie Bailey, County Treasurer of Cascade County, Montana.

BY: _____
Deborah Liedle

CERTIFICATE OF REGISTERED LAND SURVEYOR.

I, Michael E. Henen, Registered Professional Land Surveyor, Montana License No. 9523 L.S., do hereby certify that in May of 2014, I performed the land survey and created the accompanying plat as shown hereon, and that all was done in accordance with the provisions set forth in Sections 76-3-402 and 403, M.C.A., and that all monuments shown are of the character and occupy the position shown thereon.

_____, Date: _____
Michael E. Henen R. P. L. S.
Montana License No. 9523 L.S.



DATE: 06/10/2014

LEGEND	
⊙ = SET 5/8" REBAR W/O P.C. "M HENEN 9523 L.S"	
○ = FOUND REBAR WITH CAP.	
● = FOUND 5/8" REBAR W/CAP 5206 ES.	
BASIS OF BEARING = CERT. OF SURVEY 4705.	



2822 1st Ave. South, Great Falls, MT. 59401
TELEPHONE: (406) 453-7820
HENENLANDSURVEY@QWESTOFFICE.NET

HENEN
LAND SURVEYING

"Three generations
of Land Surveyors"

SURVEY OF		C/S #4705	
PROJECT NAME:		JANETSKI 4 PLEX PCS	
1/4	SEC.	TWN.	RG.
NE	36	21 N.	3 E.

FINDINGS OF FACT

City View Subdivision, Tract 2 in the N½ NE¼ Section 36, Township 21 North, Range 4 East,
PMM, Cascade County, Montana

(PREPARED IN RESPONSE TO 76-3-608(3)MCA)

PRIMARY REVIEW CRITERIA:

Effect on Agriculture: The subject property is not being used for agricultural purposes. Dry land crop production in the immediate vicinity has decreased due to residential development. Approval of the subdivision will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity.

Effect on Local Services: Lots in the subdivision will connect to City water and sewer mains. The developer will pay the cost of extending these utility mains. The City should not experience an appreciable increase in maintenance and operating costs. The occupants of the 4-plexes within the subdivision will pay regular water and sewer charges. The subdivision will receive law enforcement and fire protection service from the City of Great Falls. The nearest fire station is ±3 miles from the subdivision site. Providing these services to the 4-plexes in the subdivision is expected to be a negligible cost to the City. Increased tax revenues from improved properties may cover increased costs.

A private drive aisle will be constructed along the south property line to serve the proposed 4-plexes, and the maintenance of that drive aisle will be the shared responsibility of the future property owners. The subdivision will have a negligible impact on the cost of abutting public road maintenance. The developer will have the responsibility to install curb, gutter, sidewalks and any necessary paving of the roadways adjoining the subdivision. The developer shall escrow funds for future improvement to 36th Avenue Northeast.

Effect on the Natural Environment: The subdivision, which consists of 7 lots, is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Surface drainage from the subdivision will generally flow to the northwest of the subject property. The developer has worked with the City Public Works Department in order to dedicate Lot 1 of the subdivision to the City for construction of a detention pond for storm water drainage from the development as well as off of 36th Avenue Northeast.

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

Effect on Public Health and Safety: Based on available information, the subdivision is not subject to abnormal potential natural hazards such as flooding, wildfire, avalanches or rockslides,

nor potential man-made hazards such as high voltage power lines, high-pressure gas lines, high traffic volumes, or mining activity.

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

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

EASEMENT FOR UTILITIES

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

LEGAL AND PHYSICAL ACCESS

All lots abut 36th Avenue Northeast, a public right-of-way. However, physical access to the lots will be a through 20-foot wide drive aisle that goes from 11th Street Northeast to 14th Street Northeast, across the south property line of each lot. This will be a private road, maintained by the property owners, that connects to the aforementioned public right-of-ways maintained by the City of Great Falls.

City View Apartments – 36th Ave NE

Traffic Analysis

Existing Conditions: The proposed development consists of 7 lots located on 36th Ave. NE, between 11th and 14th Streets NE. Six lots are proposed to have 4-plexes (24 total housing units) with garages constructed on them. 36th Ave. NE is classified as a Collector roadway, while the streets abutting the development are Local roadways. The function of a Collector 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 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.

Future Improvements: While the abutting segment of 36th Ave. NE has a rural, sub-standard cross-section, it is expected to be upgraded to urban roadway standards as development occurs and funding becomes available. The extension of 14th St. NE has funding and will be constructed by the City of Great Falls as an urban local roadway with curb, gutter and sidewalks during the 2014 construction season.

Trip Generation: Using a trip generation rate from the ITE Trip Generation Manual, a development of this size and type (Low-Rise Apartments) 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 158 trips per day.

Area Traffic Counts: Traffic Counts are taken bi-yearly at locations. Nearby Annual Average Daily Traffic (AADT) counts for vehicle trips per day are:

36 th Ave NE, west of Bootlegger Tr.	3,501
8 th St NE, between 27 th and 28 th Sts NE	3,740

Trip Distribution: Because the most convenient access route is along 36th Ave. NE from and to the east, it is estimated that 65% of the traffic would travel to the east, with the remaining 35% either using 36th Ave. NE, westward, or taking a more circuitous route on 14th or 11th St. NE to the south and then west. Further traffic dispersion would occur onto 9th/8th St. NE, or continue west on 36th Ave NE.

While some of the trips generated by the proposal would take 9th/8th St. NE, the volume is not anticipated to adversely impact the operation of the roadway. Taking the 35% alluded to above, a maximum 55 vehicles per day would use the roadway – but likely less, since a portion of the traffic would use 36th Ave. NE further west, depending upon the origin or destination. As stated above, the majority of the trips are expected to use 36th Ave. NE to the east (65% of trips, or, approximately 103 vehicles per day). The anticipated impact of the development upon 36th Ave. NE is reviewed in more detail below.

Impact upon Traffic Flow and Delay on 36th Ave. NE: The 2012 traffic volume on 36th Ave. NE 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; 1st Ave. N at 37th Street; 8th Ave. N at 8th Street; 13th Street south of 24th Ave. S; and, 32nd St., south of 10th Ave. S.

Anecdotally, the intersection of 36th Ave. NE and Bootlegger Trail has been noted as the area intersection with the longest 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. Even if all the traffic generated by the development headed east on 36th Ave. NE during the peak hour, this would only equate to 11 additional trips distributed over the hour – or, on average, one every 5½ minutes. With such little traffic being distributed over 60 minutes, there would be little to no observed impact upon congestion at the intersection of 36th Ave. NE and Bootlegger Trail.

Driveway Access: The developer has proposed garage access from a common driveway shared by all the lots, running east-west along the rear of the lots from 11th St. NE to 14th St. NE. The driveway will function like an alley and will be 20 feet wide, which is the standard width for a public alleyway. This is an ideal location for a driveway, eliminating unsafe backing movements that would occur if driveways were provided off of 36th Ave. NE. In addition, the private drive reduces the number of possible curb cuts from a maximum of six (one for each lot), down to two. This reduces the number of potential points of conflict between vehicles entering/exiting the development and vehicles already upon the street. Finally, it maximizes the safety of pedestrians by also reducing the number of points of conflict between sidewalk users and vehicles entering/exiting the development.

The through-driveway will act as a private alleyway, providing 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. The two driveway accesses will serve to better disperse traffic to lessen congestion at any particular access point. Finally, the private driveway will provide for a more attractive streetscape, allowing the on-site paving, garages and residential dumpsters to be out of sight in the rear of the lots.

Pedestrian and Bicycle Facilities: Pedestrian access and circulation will be improved through the construction of sidewalks along the adjoining streets. If improvements to 36th Ave. NE are delayed beyond the development of the site, staff would recommend the cost for sidewalks along 36th Ave. NE be escrowed by the developer and 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.

May 7, 2013

Great Falls Planning Advisory Board/Zoning Commission

RE: Pheasant Run Builders (Damon Carroll)
Annexation of ± 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,

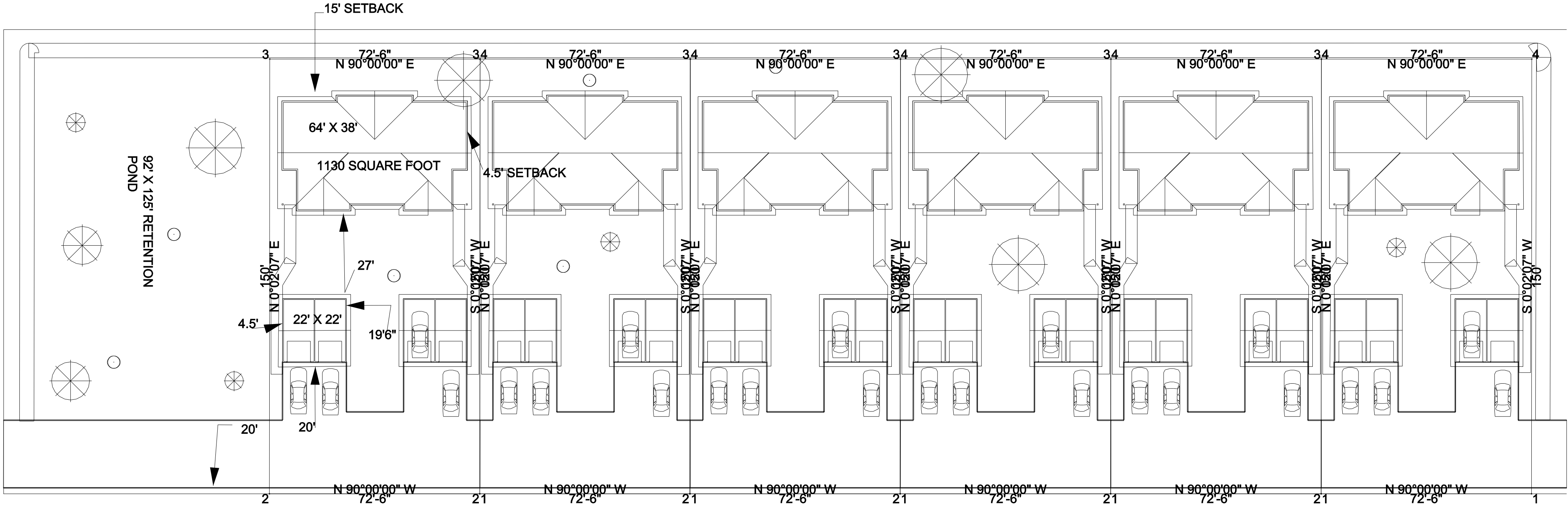
A handwritten signature in blue ink, appearing to read 'Damon Carroll', with a long, sweeping horizontal line extending to the right.

Damon Carroll
Pheasant Run Builders

NORTH

36TH AVE NE

11TH STREET NE



14TH STREET NE

General Notes

No.	Revision/Issue	Date

Orientation:	Stamp:

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER.

SIGNATURE HOMES
GREAT FALLS, MONTANA

Project Name and Address:
SIGNATURE HOMES 4 PLEX
1100 36TH AVE NE

Client:
SIGNATURE HOMES

Drawing: SITE PLAN
Scale: Date: NOVEMBER 2013

Drawn By: J.P.O.	Sheet: A1
Checked By:	
Approved By:	