

**MINUTES OF THE MEETING
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION
March 23, 2021**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Dave Bertelsen at 3:00 p.m. The meeting was held via Zoom in the Gibson Room, at the Civic Center.

ROLL CALL & ATTENDANCE

Due to the COVID-19 health concerns, the format of the Planning Advisory Board/Zoning Commission meeting is being conducted in a virtual video-conferencing environment. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), public participation is welcomed and encouraged as follows:

- Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Gibson Room according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, March 23, 2021 to: jnygard@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the Planning Advisory Board/Zoning Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and will be so noted in the official record of the meeting.
- Call-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. We ask for your patience in the event there are technical difficulties.

Planning Board Members present electronically via Zoom:

Dave Bertelsen, Chair
Charles Pankratz, Vice Chair
Lindsey Bullock
Tory Mills
Samantha Shinaberger

Planning Board Members absent:

Kelly Buschmeyer

Planning Staff Members present:

Craig Raymond, Director Planning and Community Development
Tom Micuda, Deputy Director Planning and Community Development
Erin Borland, Planner III
Jamie Nygard, Sr. Admin Assistant

Other Staff present:

Sara Sexe, City Attorney
Steve Herrig, Director Park and Recreation

Mr. Raymond affirmed a quorum of the Board was present.

MINUTES

Chair Dave Bertelsen asked if there were any comments or corrections to the minutes of the meeting held on March 9, 2021. Seeing none, Mr. Pankratz moved to approve the minutes. Ms. Shinaberger seconded, and all being in favor, the minutes were approved.

BOARD ACTIONS REQUIRING A PUBLIC HEARING

Request for a Conditional Use Permit to allow a “Vehicular services” land use in the C-1 Neighborhood Commercial zoning district upon the property addressed as 620 57th Street South and legally described as South 132 feet of Lot 1, Block 5, Third Supplement to Sunrise Terrace Addition Part 3, Section 10, T20, R4E, P.M.M., Cascade County, Montana

Mr. Raymond stated that the applicant and consultant requested that the project be rescinded from the agenda and would be presented at a later meeting.

Request for a Conditional Use Permit to allow an “Indoor Sports and Recreation Center” land use in the Parks and Open Space (POS) zoning district for the property addressed as 900 29th Street South (Lions Park), and approval of a Non-Administrative Plat to aggregate multiple parcels and right-of-way proposed to be vacated.

Mr. Raymond stated that the project has received a lot of public comment raising a number of issues that are not related to what the Board is considering today. What is being presented is a land use recommendation to the City Commission, and the Planning Board has seven areas of criteria for the Basis of Decision that should be focused on today.

Erin Borland, Planner III, presented to the board. She stated that in October of 2016 the City adopted a new Park and Recreation Master Plan. The plan provides a detailed analysis of the community’s park and facility inventory as well as both facility and maintenance needs. One of the visionary recommendations was to construct a large multi-generational center that would replace the current recreation center as well as the Natatorium. The Natatorium was closed, and the City is moving forward on a new recreation facility. She stated that in June of 2020, the City Submitted an application to the former Office of Economic Adjustment, now the Office of Local Defense Community Cooperation (OLDCC), for a Defense Community Infrastructure Program (DCIP) grant. It gave the City an opportunity to team up with Malmstrom Air Force Base in order to apply for a 10 million dollar grant with a 10 million dollar match to build a new indoor aquatic and recreation center for the city. Ms. Borland stated that the main emphasis of the grant is to create a City and Malmstrom Air Force Base partnership. Malmstrom Air Force Base currently does not have a training facility so one of the main goals of the partnership is to create a training facility for Airmen to alleviate the cost of Temporary Duty (TDY) training for required water rescue. The facility would also improve the quality of life for Airmen and their families, as well as residents in the community, and to bring the community together as a whole. In September of 2020, the City was notified that they were approved for the 10 million dollars in grant money.

The City went forward with the RFP process to receive proposals. There were several different architects and engineering teams that submitted proposals to design the new facility. There were also several sites throughout the City that were looked at for potential development sites, and the City took suggestions from Malmstrom Air Force Base. Ultimately, the City Commission accepted the staff's recommendation to look at Lion's Park.

Ms. Borland stated that Lion's Park was established in 1952 by Resolution 4410. She stated that based on a park system inventory in 1961, the park was tentatively planned to have a swimming pool. She stated that the park is located between 27th Street South and 29th Street South and 8th Avenue South and 10th Avenue South. She stated that the park is approximately 14 acres with several amenities such as the Lions Club Memorial, tennis courts, a swing set and a pavilion. Ms. Borland presented Site Photos of Lions Park.

Ms. Borland stated that the applicant is requesting a Conditional Use Permit to allow an Indoor Sports and Recreation land use in the Parks and Open Space (POS) zoning district. Ms. Borland presented a Site Plan of the projected project in the park. She stated that the Recreation Center will be closer to the commercial area off of 29th Street South in order to try to reduce neighborhood impacts and keep as much open space as possible. The entrance will come off of 9th Avenue South with parking dispersed around the facility.

Ms. Borland also stated that there are Development Standards Based on Exhibit 20-4 for each zoning district, but that there are not any for the Parks and Open Space zoning district. As a result, staff looked at the Public Lands and Institutional zoning district standards as the most similar to the type of project being proposed. She presented a comparison between the two zoning districts.

Ms. Borland presented the Findings of Fact/Basis of Decision and stated that the full findings were in the Agenda Packet. The project is consistent with the following findings outlined in the Growth Policy:

- Social: The Social element recognized that the biggest asset the City has is its people and their well-being.
- Economic: An excellent opportunity to grow and develop the relationship with key partners in the community including the community's military partners.
- Physical: The project will enable the City to utilize and enhance a park with a facility that will benefit the whole community. The City will be able to utilize existing utilities and enhance the infrastructure system within both the park and surrounding area.

Ms. Borland stated that another Findings of Fact/Basis of Decision is the establishment, maintenance, or operation of the conditionally use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare. The project is consistent with the following findings:

- Allow for a new facility would fill voids in the city; replacing the closed natatorium; executing a partnership with Malmstrom Air Force Base to provide a training facility that is lacking in Great Falls
- Will give the community a new facility with many health benefits.
- Facility will enable the Park and Recreation Department to continue providing recreational opportunities to the community as well as increase opportunities due to greater programming capacity.

Ms. Borland stated that the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values with the neighborhood. The project is consistent with the following findings:

- The facility is strategically placed closer to the commercial uses of the area
- Parking has been designed to disperse the parking throughout the site, minimize large areas of asphalt and preserve as much greenspace as possible
- The facility is placed in an area that would not interfere with other elements of the park such as the memorial, trails, and the pavilion

Ms. Borland stated the Findings of Fact/Basis of Decision that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. The project is consistent with the following findings:

- Access is to come off of 29th Street South in order to anticipate the majority of the traffic coming from 10th Avenue South and to reduce the amount of traffic dispersing into the adjacent neighborhood
- Parking facilities have been provided to minimize on-street parking in the neighborhood
- Traffic Analysis: Installation of nearby ADA ramps, monitoring of on-street parking activity along 29th Street South, as well as traffic count collection at various intersections along the 29th Street South corridor.

Ms. Borland stated that after the traffic analysis was done, it was found that the existing street network does have sufficient capacity to accommodate the traffic that will be generated by the proposed development. The pedestrian access is ideal in the park and the safety and congestion on 29th Street South as well as 10th Avenue South will be dependent on driver behavior. The Public Works Department will go out again and get new data, once the facility is built.

Ms. Borland also gave a presentation of the requested Non-Administrative Plat. She stated that one parcel will contain the majority of the park, including the proposed Indoor Aquatic and Recreation Center development, and the second one will accommodate a future lease parcel if the City chooses to facilitate a commercial development to supplement the new recreation center. She stated that the City is not going to vacate the alley (10th Alley South) between the 28th Street South right-of-way and 29th Street South since the alley is needed for access to the existing commercial properties on the South and for access for a future facility.

Ms. Borland presented the Findings of Fact/Basis of Decision for the Non-Administrative Plat. Effect on Local Services. The project is consistent with the following findings:

- Existing sewer mains running east and west through the park are located in the platted alleys that are proposed to be vacated
- Existing water main that is located in the platted avenue running east and west that is also proposed to be vacated
- A portion of the water main will be relocated to accommodate the proposed location of the building
- One of the existing sewer mains will be tapped into to provide service for the proposed Indoor Aquatic and Recreation Center
- All proposals for the alterations of the mains will be reviewed and approved through the Public Works Department

Ms. Borland stated that the subject properties are located in Neighborhood Council #4. The applicant and design team did present information as well as the Conditional Use Permit request to the Council on February 11, 2021. The Council did vote to approve the Conditional Use Permit. The applicant also attended another Neighborhood Council Meeting on March 11, 2021 to provide an update. She stated that staff does recommend approval of the Conditional Use Permit and the Non-Administrative Plat with the following conditions:
Conditions of Approval for Conditional Use Permit:

- Development Stands: The proposed project shall be developed in compliance with the Development standards as set forth in Exhibit 20-4 in the Land Use Chapter of Title 17- the Land Development Code. The proposed project will follow the standards for the PLI Public Lands and Institutional zoning district.
- Parking: The minimum required parking on site will be set at 130 spaces with the possibility of expanding up to 180 spaces within the project area.
- Landscaping: The City's landscaping requirements will be as follows: Ten boulevard trees will be required along the project's 29th Street frontage, but placement shall be allowed within both the boulevard and project area. The off street vehicular area landscaping requirements may be met through additional landscaping provided outside the boundary of the proposed parking area. The rate of planting required shall be 25 trees and 100 shrubs including perennial substitutions at a ratio of 2:1.

PETITIONER'S PRESENTATION

Timothy Peterson, LPW Architecture, presented an overview of the site location selection. He stated that the original site was going to be on 57th Street but the building foundation for development on the lot was going to be over \$2 million and the facility would be a much smaller footprint than was needed. They looked at North Kiwanis Park, but Malmstrom thought the park was too far away from the base and asked the City to look at Lions Park because of the accessibility from 10th Avenue South. Mr. Peterson stated that there are six parks within a one mile radius around Lions Park They also contacted the school district and they said that there are 962 school aged children within that one mile walking distance.

Mr. Peterson presented the project parameters and stated that the project timeframe is unusually condensed due to the Department of Defense grant. The building needs to be shovel ready for construction activity by September 1, 2021. The total grants that were submitted were 130 nationwide and of those, 16 were shortlisted and awarded the funds. The design team was selected after the award of the grant and began due diligence. The project has been presented at Neighborhood Council Meetings on three occasions. Updates about the project are presented to the City Commissioners bi-weekly. The design team did get input from swim groups, a Malmstrom spouses club, green energy group, runners, kayakers, coaches, and referees. The information has been published on the City FAQ site, in the Electric, the Great Falls Tribune, and on KRTV.

Mr. Peterson presented a project schedule and stated that the pace of the project is stipulated by the Department of Defense Grant. The bidding for the job will start in late July 2021.

Mr. Peterson presented the considerations for the Lion's Park Site:

- Accessibility is more centralized and promotes greater community access,
- Malmstrom Air Force Base recommends the location as compared to North Kiwanis Park and felt it offered better access for Airmen

- Parking overflow accessibility is available using the Lincoln Elementary School Parking lot on the weekends
- Site development leaves 8 acres of park land
- The City acquired 10 acres of additional undeveloped land on the east side of Great Falls
- Use of the facility will likely deter criminal activity in Lions Park
- Commercial properties on three sides of the park
- Design is driven by programming that will help generate sustainable revenue

Jana Cooper, TD&H Engineering, presented the project's Site Plan showing alternatives that were evaluated during the design process. One of the accesses evaluated was from 8th Avenue South, but adding that street access to the project would cut through a large part of the Lion's Park greenspace. Access from 10th Avenue South was also analyzed. The Montana Department of Transportation was open to the option, but was concerned with safety and illegal maneuvers associated with motorists turning left out onto 10th Avenue South. MDT also wanted to make sure that no new storm water was added onto 10th Avenue South. The Montana Department of Transportation told the design team that they have no plans to modify the 29th Street South and 10th Avenue South intersection with a traffic signal. The design team also felt that they would not have time to get an access onto 10th Avenue South approved before the September 1, 2021 shovel ready date, as the process would take longer. Ms. Cooper also presented the Site Plan option that was evaluated showing an increased northern buffer along 8th Avenue South and reduced parking on the northern side of the project site - 140 parking spaces. There could be potential for patrons to park out in the neighborhood if there is less parking, and the layout of the parking lot created a dead-end so for vehicular and fire access.

Ms. Cooper presented the preferred Site Plan. The primary access will be off of 9th Avenue South. There will be two secondary access points that both align to the alleys north and south of the building. The parking lot will be 155 spaces. Six spaces will be ADA spaces and there will be bus drop off for events. There will still be a large separation between the neighborhood to the north of about 100 feet and the plan does provide continuous park land without bisecting. The parking lot will be designed to blend in with the park. Trash will be located on the south side of the building off of the alley access. There is sewer and water accessible for use. The landscaping design will be protecting twelve trees in the park. Fourteen trees will be removed and two trees will be relocated. There will be twenty five new trees planted. There is a splash pad and half-court basketball court planned for outside amenities. There will be spaces for food trucks. The swings do fall in the building area, so they will be relocated closer to the playground. There is a new restroom that is planned in the park and an update to the pavilion by the Lions Club that are not a part of the proposed project. The design team feels that it is the best overall plan to serve the community.

Dani Griebe, LPW Architecture, presented renderings of the proposed facility 1st floor plan which will be about 35,000 square feet and the 2nd floor plan which will be about 10,000 square feet. She presented some proposed parking lot views of the project and views from all sides of the proposed facility. She stated that they are currently in the Design Deliverable Phase and they are expecting to submit the full package on May 1, 2021. At that point, there will be an updated project cost estimate and the project is currently within budget.

PUBLIC QUESTIONS

Robert Alfred, 3000 Lower River Road #16, noted that his family owns the business at 2815 10th Avenue South. He wanted to know how the project will affect his business as well as the parking for customers at the businesses around his. He indicated that he had met with the City and noted that the City will probably need to put up a barrier for the existing garbage dumpster that is located in the alley that is proposed to be widened.

Lance Johnson, 2815 8th Avenue South, is concerned about traffic and parking. He stated that there are wrecks all the time in the area and that there is not one stop sign or yield sign on 29th Street South by the park. He thinks that the City should not wait to see what happens with the traffic before anything is done.

Rebecca Scott, 2819 7th Avenue South, expressed concern about traffic speed. It is already a problem now. She wanted to know about the lighting around the facility as well. She also noted that litter was a problem as well as tree vandalism. She also wanted to know who will be responsible for these issues as it has been a struggle to get problems resolved between the Lions Club and the City. Now Malmstrom Air Force Base is being put in the mix.

Burke Tyree, 2819 8th Avenue South, asked if the project was already approved for Lions Park and wanted to know if the City looked at the Opportunity Zones within the City. He stated also that the traffic is bad and needs to be looked at.

Eric Webster, 2805 8th Avenue South, asked about putting a cut across 28th Street and 10th Avenue South to alleviate some of the traffic concerns.

Doug Mahlum, 1800 Benefis Court, Peak Health and Wellness, asked how using the existing Great Falls Park District funds and bonding against it will affect the repair and maintenance of existing parks and will it be taking place.

Marty Steiner, via telephone, 515 27th Street South, asked about increase in traffic because the Benefis Women's and Children's facility is going to be right in the same area across 10th Avenue South. He wanted to know if 29th Street South could be widened into the park to accommodate the increased amount of traffic.

BOARD QUESTIONS

Tory Mills asked if there will be an opportunity for people that have opinions about the construction to voice their concerns at a later date. He also asked about the new parcel being created with the subdivision that would potentially be leased. He wanted to know if the parcel would be used for a restaurant.

Mr. Raymond responded to the Opportunity Zone question and stated that it would not have been considered for this City project primarily because of the type of benefit the Opportunity Zone represents is a benefit for private financing for private individuals. The only Opportunity Zone created is located in the downtown area of Great Falls.

Ms. Borland responded to the questions about the traffic. She stated that the traffic analysis is located in the Agenda Packet and stated that it would be put on the Park and Recreation FAQ website. The study took a look at existing traffic conditions on adjoining roads, and data was

collected by the City's Public Works Department. There are traffic generation numbers in the analysis from the consultant as well as the numbers from the ITE [Institute of Traffic Engineers] manual which were analyzed by the City's Senior Transportation Planner. In looking at the activity in the area, it was decided after all of the analysis that the streets would be able to handle the traffic increases generated by the project. There are specific guidelines recommended in the analysis such as that a 4-way stop sign may need to be installed at the intersection at 8th Avenue South and 29th Street South and the area will be monitored for that. Speed was looked at on 8th Avenue South and 28th and 29th Street South. The 85percentile speed, average speed of 85% of all vehicles, was 26 miles per hour. It should continue to be monitored though and speed limit signs can be installed in the area. On-street parking is open to the public and if there begins to be problems she asked the public to let the City know.

Jana Cooper, the landscape architect for the project, addressed the access onto 10th Avenue South and stated that they met with MDT regarding the access. MDT was adamant about not allowing any left hand turns from the property onto 10th Avenue South.

Mr. Herrig responded to Mr. Mills question about the lease property being created by the subdivision request. He stated it could be a revenue stream, but at the current time there are no plans for the commercial property. Ms. Borland stated that when something comes forward on the proposed commercial lot, they would have to go through the public process to get it zoned and approved.

Mr. Herrig addressed the lighting questions and stated that the park is currently closed at sundown. If issues are happening in the park after that, the Police Department should be notified. He stated that the facility will be open in the evenings, so that should assist with safety. He stated that there will be cameras outside the building that should deter vandalism. Lighting will be on the outside and should not spill out into the neighborhood. He stated that in regards to the bond, they are within their parameters and will still be attacking the maintenance needs in the park, but just at a lower level.

Mr. Peterson expanded on the lighting question and stated that the City does have requirements for down lighting, so it should not spill out into the neighborhood at all. He also responded to Mr. Mills question about the construction and stated that it is not the typical process to bring in citizens to talk about how a building is constructed but said that Mr. Mills could come into their office any time and talk to the design team about his ideas. He said that there would be time at the City Commission meeting as well to add any comments.

PROPONENTS

Robert Alfred, 3000 Lower River Road #16, is encouraged by the lighting and security that will be provided with the project as they have had two break-ins in their office and have people sleeping in the area under trees.

Doug Mahlum, lives in Big Fork but does have a business at 1800 Benefis Court, Peak Health and Wellness, thinks that Great Falls needed to replace the Natatorium and aging basketball

courts. He stated their main concern is making sure the project is successful and making sure that everyone in Great Falls can benefit from the project.

Ms. Borland read two emails that were received from Mr. Mahlum earlier in the day that will be attached on the website as part of the official record.

Nathan Reiff, via phone, 405 3rd Street NW Suite 203, stated that the Great Falls Development Authority supports the Conditional Use Permit and Non-Administrative plat. They feel it is a great project that will benefit the community and the neighborhood around it.

OPPONENTS

Philip Faccenda, via phone, stated that he is an architect and a property owner two blocks away from Lions Park and sees several problems with the Conditional Use Permit. He stated that it is a passive park and an asset to the neighborhood. It is the only unobstructed park of its size. He stated that the rendering can be misleading and that the building is too tall and way out of scale with the surrounding neighborhood and the surrounding commercial structures. He stated that there was not much thought given to the location and stated that it was very easy to see upon examination of USGS depth to bedrock map from 1965 that the first three sites selected for the new facility were not anywhere close to being conducive to this kind of development. The park is going to lose 14 mature trees and a third of the park area in the proposed project. In addition to the disturbance for the building, there will be two retention ponds and there will be an asphalt parking lot that is going to act like a heat sink. He is concerned because this property is on 9th Avenue South and the traffic is horrible as the street is very narrow and there will be more traffic now as people will use 9th Avenue South as a means to get to the Aquatic Center. He stated that commercial encroachment is already an issue for the neighborhood because of its proximity to 10th Avenue South, and he doesn't see how the closeness to 29th Street South with the proposed parking lot is anywhere close to being ideal. He stated that he is in favor of the Aquatics and Recreation Center, just not on the Lions Park property.

Marty Steiner, via phone, 515 27th Street South, is in support of the project, but just not at the Lion's Park location. It is a big building and with the new clinic being built across the street the traffic will be out of control. He is concerned about the safety for the children in the neighborhood and the traffic.

BOARD DISCUSSION AND ACTION

Mr. Bertelsen stated that he can appreciate neighbors' concerns as far as traffic but when you are looking at a project of this size, it is difficult to locate. He thinks Lions Park, with its size, and still being able to offer well over 50% of the park space relatively untouched, and being in proximity to 10th Avenue South, is a good compromise. The project itself lends greatly to increase the visual appeal of the park from the road and it presents a great partnership between the Department of Defense and Malmstrom Air Force Base.

Ms. Shinaberger stated that she works in the healthcare corridor and that there is quite a bit of traffic on 29th Street South headed north around 5:00 P.M. There are a lot of people that are trying to cross or turn left at the intersection onto 10th Avenue South and so it does get really congested. She would recommend that the City look into it.

MOTION: That the Zoning Commission recommend the City Commission approve the request for the Conditional Use Permit for the subject property as legally described in the Staff Report and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.

Made by: Mr. Mills
Second: Ms. Shinaberger

VOTE: All in favor, the motion carried

MOTION: That the Planning Advisory Board recommend the City Commission approve the Non-Administrative Plat for the subject property as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.

Made by: Ms. Shinaberger
Second: Mr. Pankratz

VOTE: All in favor, the motion carried

COMMUNICATIONS

Mr. Raymond stated that the first Agenda Item that was scheduled for the meeting will be scheduled for next month.

PUBLIC COMMENT

NONE.

ADJOURNMENT

There being no further business, Chair Bertelsen adjourned the meeting at 5:08 p.m.

CHAIRMAN

SECRETARY