

**MINUTES OF THE MEETING  
OF THE  
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION  
December 11, 2012**

**CALL TO ORDER**

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Bill Roberts at 3:00 p.m. in the Commission Chambers of the Civic Center.

**ROLL CALL & ATTENDANCE**

Planning Board Members present:

Mr. Bill Roberts, Chairman  
Mr. Scot Davis  
Dr. Heidi Pasek  
Ms. Cheryl Patton  
Mr. Wyman Taylor  
Mr. Thor Swensson, Vice Chairman  
Mr. Nate Weisenburger

Planning Board Members absent:

Mr. Marty Byrnes

Planning Staff Members present:

Mr. Mike Haynes, AICP, Planning & Community Development Director  
Ms. Jana Cooper, Planner II  
Ms. Galen Amy, Planner  
Mr. Andrew Finch, Senior Transportation Planner  
Ms. Phyllis Tryon, Sr. Administrative Assistant

Others present:

Ms. Patty Cadwell, Neighborhood Councils Coordinator  
Mr. Dave Dobbs, City Engineer

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

*\*\*Action Minutes of the Planning Advisory Board/Zoning Commission. Please refer to the audio/video recording of this meeting for additional detail.\*\**

**ELECTION OF CHAIR AND VICE CHAIR FOR 2013**

Chairman Roberts requested that the Chairman of the Nominating Committee make a report to the Board. Mr. Davis stated that the Nominating Committee unanimously (3-0) recommends Thor Swensson be nominated to serve as Chairman of the Planning Advisory Board and Zoning Commission for calendar year 2013. Chairman Roberts called for any other nominations for Chairman for 2013. Seeing none, he called for the vote. All being in favor, Thor Swensson was elected Chairman for 2013.

Mr. Davis stated that the Nominating Committee unanimously (3-0) recommends that Nathan Weisenburger be nominated to serve as Vice Chairman of the Planning Advisory Board and Zoning Commission for calendar year 2013. Chairman Roberts called for any other nominations for Vice Chairman. Seeing none, he called for the vote. All being in favor, Nathan Weisenburger was elected Vice Chairman for 2013.

## **BOARD ACTIONS REQUIRING PUBLIC HEARING**

### **ADF Group – Annexation, Zoning East of U.S. Highway 87, North of the City**

Jana Cooper, Planner II, reviewed the staff report for the application from ADF Group, which is requesting annexation of ±100 acres from Cascade County to the City of Great Falls and rezoning the subject property from existing County I-2 Heavy Industrial to City I-2 Heavy Industrial. Ms. Cooper entered the staff report into the record. The subject property is vacant land currently used for dry land farming and is located west of the International Malting Company (IMC) and east of U.S. Highway 87 on the north side of Great Falls.

ADF Group is proposing to develop a steel fabrication complex to be located on the property. Adjacent to the proposed 100,000 square foot assembly building, ADF proposes to set up a large structural steel fabrication and pre-assembly yard. Their goal is to begin work on infrastructure and break ground on construction of the new facility in the spring of 2013. They plan to be operating the facility by the second half of 2013, with other expansion phases to be considered in future years.

The proposed development is in partnership with the Great Falls Development Authority and Great Falls College MSU. The College's role is to fill local workforce needs by providing training for high-quality fitters and welders. The developers have indicated they will employ ±300 employees. The Montana Department of Transportation (MDT) has constructed turning and acceleration lanes on U.S. Highway 87 at the entrance to the roadway that will be used by the proposed industrial development. The applicant will work with MDT and comply with any requirements imposed by MDT. Due to increased traffic on the access roadway, it is recommended, although not required, that the roadway be paved to reduce dust and frequency of maintenance.

There is an existing 16-inch water transmission main located adjacent to the west and north sides of the site along U.S. Highway 87 and the access roadway to the IMC. The City Public Works Department and the Montana Department of Environmental Quality will be reviewing the preliminary and final water system design reports and plans; if deemed necessary by the City, the applicant may be required to extend additional water mains at a later time within the development. There is an existing sanitary sewer trunk main and sewage lift station located on the east side of the IMC property. A sewer main will be extended from this main along the north side of the IMC property to the northeast corner of the site. Public Works will review the plans and if necessary, the applicant may be required to extend additional sanitary sewer mains at a later time within the development.

There is an existing Tax Increment Financing District, Central Montana Technology and Agriculture Park, which includes property to the north and east of the subject property. The applicant has stated their intent to request this existing TIFD be expanded to include the subject property.

The applicant gave a presentation on the proposed development to Neighborhood Council 3 on December 5, 2012. The Council voted in support of the project at the meeting and there were general questions for the applicant. Staff has not received any other public comment.

Staff has not received any other public comment. Staff recommends approval of the proposed project to include Conditions of Approval, as stated with the Recommendations.

#### PETITIONER'S PRESENTATION

The Petitioner did not wish to make a presentation.

#### COMMENTS BY PROPONENTS

Brett Doney, Great Falls Development Authority, 300 Central Avenue, said GFDA concurred with City staff's recommendation and thanked City staff, County staff and MDT for their work on this project. He said this is a great location for the project.

Joe Aline, 1016 34<sup>th</sup> Avenue NE, said he is one of the landowners of the subject property. He commended the City Engineer and staff for having the foresight to establish utilities and turn lanes for this industrial area. He said this will be a good addition to the City, and will help Great Falls grow.

Ron Gessaman, 1006 36<sup>th</sup> Avenue NE, said he agreed with Mr. Doney. He said he is a member of Neighborhood Council 3 and that there was specific information shared at the NHC meeting on December 5 that is not included in the project staff report. He said NHC 3 liked the fact that ADF Group was transparent in their plans.

#### COMMENTS BY OPPONENTS

There were no comments by opponents.

#### PUBLIC COMMENT

There was no public comment.

#### PLANNING ADVISORY BOARD DISCUSSION & ACTION

Chair Roberts asked if there was any further discussion. There was none.

**MOTION: Recommendation I:** That the Planning Advisory Board recommend the City Commission approve annexation of the subject property legally described as Lot 1A, International Malting Company, LLC Addition, located in Section 30, Township 21 North, Range 4 East, P.M.M. Cascade County, Montana, subject to the Zoning Commission adopting Recommendation II and the applicant fulfilling the listed Conditions of Approval.

Conditions of Approval:

1. Final build-out of the project shall be in substantial compliance with the final approved site plan documents, drawings and renderings dated 11/07/2012.
2. The final engineering drawings and specifications for the required public improvements to serve the subject property 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. 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.
5. 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.

Made by: Mr. Weisenburger  
Second: Mr. Taylor

VOTE: All being in favor, the motion passed.

**MOTION: Recommendation II:** That the Zoning Commission recommend the City Commission approve rezoning the subject property legally described as Lot 1A, International Malting Company, LLC Addition, located in Section 30, Township 21 North, Range 4 East, P.M.M. Cascade County, Montana from the existing County I-2 Heavy Industrial District to City of Great Falls I-2 Heavy Industrial, subject to the Planning Advisory Board adopting Recommendation I (above) and the listed Conditions of Approval being fulfilled by the applicant.

Made by: Mr. Davis  
Second: Mr. Swensson

VOTE: All being in favor, the motion passed.

Ms. Cooper advised the applicant of the next procedural steps.

### **AgriTech Park Addition – Zoning 18<sup>th</sup> Avenue North and 67<sup>th</sup> Street North**

Michael Haynes, Director of Planning & Community Development, reviewed the City staff report on the application for the final plat and Planned Unit Development (PUD) zoning of AgriTech Park Addition, a proposed rail-served heavy industrial park generally located at 18<sup>th</sup> Avenue North and 67<sup>th</sup> Street North. Mr. Haynes entered the staff report into the record. The existing zoning for the subject property is County I-2 Heavy Industrial and County AG (Agricultural). The application is for 10 proposed lots on ±196 acres.

Mr. Haynes reviewed the history of the proposed project development and concerns raised at public hearings before the Planning Advisory Board/Zoning Commission and City Commission, as well as concerns raised by the Interim City Attorney. The Interim City Attorney was particularly concerned with voluntary enforcement of Codes, Covenants, and Restriction's proposed by the Applicant, and whether conditions of approval in the Annexation Agreement could be enforced on end-users. Mr. Haynes suggested at that time that concerns regarding enforcement could be resolved by zoning the subject property PUD and thereby having a zoning ordinance that would be enforceable in the same way as standard zoning regulations.

Mr. Haynes explained the PUD zoning excludes helipads and motor vehicle graveyards, and establishes a maximum lot coverage of 70%. The applicant has committed to a 50-foot building setback from 18<sup>th</sup> Avenue North and 67<sup>th</sup> Street North, and to a 150-foot no-build zone along the north boundary of the property. There are height limits which step up from the north boundary to the south boundary. Any disturbed land within the 150-foot buffer will be planted with native species. Mr. Haynes said that where commercially viable, dark sky lighting will be used as well as paint colors that blend in with the environment. Monument signs will be no greater than 12 feet in height, and outdoor storage will be screened from view from adjacent rights-of-way. Finally, the applicant has committed to donating \$250 per per acre at closing the first time each lot is sold in the subdivision to Recreational Trails, Inc. for trail maintenance.

Mr. Haynes reviewed items pertaining to the Annexation Agreement, noting that the agreement addresses such items as stormwater management, which was a concern for the City Commission due to issues with Whitmore Ravine. Staff recommends approval of this application. Mr. Haynes concluded his presentation and offered to answer any questions from the Board.

### PETITIONER'S PRESENTATION

Brett Doney, GFDA, 300 Central Avenue, said GFDA concurs with staff recommendations and said they wanted to build a park that makes the entire City proud.

### PROPOSERS

There were no proposers.

### OPPOSERS

Ron Gessaman, 1006 36<sup>th</sup> Avenue NE, said he was in complete disagreement with Mr. Doney. He said the project was not in a good spot. He said ADF Group did not choose AgriTech Park as a location because of the contour of the land, and because it was difficult to get to and make shipments from. He said he didn't find any difference between a PUD designation and I-2 zoning. Mr. Gessaman said the city could end up with a horse slaughtering plant at the subject property, which would be unattractive to newcomers to the city. He said he remains opposed to this proposed project.

### PUBLIC COMMENT

There was no public comment.

### PETITIONER'S CLOSING

Mr. Doney stated GFDA does not steer companies to a site; companies select their own location. He said that ADF Group is looking at moving structures as long as 214 feet, which was difficult at the AgriTech Park location.

### PLANNING ADVISORY BOARD DISCUSSION AND ACTION

Chair Roberts called for any Board comments. Ms. Patton stated that the Interim City Attorney made a good call in sending this project back for further discussion and that a PUD designation puts the City in a much better position.

**MOTION: Recommendation I:** That the Planning Advisory Board recommend the City Commission approve the Final Plat of AgriTech Park Addition, located in Lots 8 & 9, the SW ¼ and

SE ¼, Section 34, T21N, R4E, P.M.M., City of Great Falls, Cascade County, Montana, based on the Findings of Fact, the following Conditions of Approval being fulfilled by the Applicant:

Conditions of Approval:

1. The final plat of AgriTech Park Addition shall incorporate correction of any errors or omissions noted by staff.
2. The final engineering drawings and specifications for the required public improvements to serve AgriTech Park Addition 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 (see Exhibit F of the staff report).

Made by: Mr. Taylor  
Second: Mr. Davis

VOTE: All being in favor, the motion passed.

**MOTION: Recommendation II:** That the Zoning Commission recommend the City Commission establish a City zoning classification of PUD – Planned Unit Development (Ordinance 3097) on AgriTech Park Addition, located in Lots 8 & 9, the SW ¼ and SE ¼, Section 34, T21N, R4E, P.M.M., City of Great Falls, Cascade County, Montana, subject to the Planning Advisory Board adopting Recommendation I and the Conditions of Approval being fulfilled by the Applicant:

Made by: Ms. Patton  
Second: Dr. Pasek

VOTE: All being in favor, the motion passed.

Mr. Haynes advised the applicant of the next procedural steps.

## MINUTES

Chair Roberts asked if there were any changes to be made to the minutes of the public hearing and regular meeting held on November 13, 2012. Seeing none, the minutes were approved as submitted.

### BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

#### 2011-2015 Transportation Improvement Amendment #1

Andrew Finch, Senior Transportation Planner, reviewed the staff report for the 2011-2015 Transportation Improvement Amendment #1. Mr. Finch entered the staff report into the record. Mr. Finch explained that the Transportation Improvement Program (TIP) is a five-year capital improvement program for transportation planning in the Great Falls area. It includes projects financed with U.S. Department of Transportation, Montana Department of Transportation (MDT), and City and County funds. The TIP also includes pedestrian elements and transit bus purchases, and additionally, in the past has included such actions as purchasing street sweeping equipment.

Adjustments are occasionally called for to the TIP to keep it up to date. Mr. Finch reviewed the changes being added with this amendment to the 2011-2015 TIP as noted in the staff report. He also explained that the Transportation Advisory Committee recommended additional Air Quality Improvement Funds be used on a project to reconstruct Bootlegger Trail in the amount of \$460,000.

If approved by the Policy Coordinating Committee (PCC) and the Planning Advisory Board, this amount would be included in Amendment #1.

Mr. Finch concluded his review of the staff report and offered to answer any questions from the Board.

MOTION: That the Planning Advisory Board approve Amendment #1 to the FFY 2011-2015 Transportation Improvement Program, with the additional inclusion of \$460,000 in MACI Program funds to the Bootlegger Trail reconstruction project, if also approved by the Policy Coordinating Committee.

Made by: Mr. Weisenburger  
Second: Dr. Pasek

VOTE: All being in favor, the motion passed.

### **Balloting for New Planning Advisory Board Members**

Mr. Haynes explained the procedure for balloting for two new Planning Advisory Board members as a recommendation to the City Commission at their meeting on January 2, 2013. Having collected and tallied the ballots, Mr. Haynes reported at the end of the meeting that the Board had selected Sophia Sparklin and Mark Striepe to recommend as new Board members to the City Commission.

### **COMMUNICATIONS**

#### Upcoming Planning Board Projects

- Land Development Code Amendment
- Panda Express Minor Subdivision
- Great Bear Phase II – Preliminary Plat, on hold

Chair Roberts asked the location for the proposed Panda Express restaurant. Ms. Cooper stated it is proposed to be located at the Home Depot parking lot.

#### Project Status:

- Optimum CUP – City Commission Public Hearing Dec. 18
- AgriTech Park – City Commission 1<sup>st</sup> Reading Dec. 18
- Calumet & Gendco rezoning – City commission 1<sup>st</sup> Reading Dec. 18
- Praise Tabernacle – City Commission 1<sup>st</sup> Reading Dec. 18
- 6<sup>th</sup> Street NE Closure – on hold by applicant

#### Meeting/Obligation Calendar, December 7 – December 21, 2012

A copy of the calendar is attached and incorporated herein by reference, and was received without comment.

#### Petitions & Applications Received

- None

#### Good & Welfare

The next regularly scheduled meeting of the Planning Advisory Board/Zoning Commission is December 25, 2012. Due to the Christmas holiday, that meeting is cancelled. The next meeting will be held January 8, 2013.

**PUBLIC COMMENT**

Chair Roberts thanked the Board and staff for the pleasure of working with everyone during his tenure on the Planning Advisory Board. He wished everyone a Merry Christmas and Happy New Year, and good luck in all their deliberations in the coming year. Ms. Patton thanked Chair Roberts for his leadership and many years of service to this Board and to the City of Great Falls in a variety of positions. She wished him well in the future. Mr. Haynes also thanked Chair Roberts for his years of service.

**ADJOURNMENT**

There being no further comments, the meeting was adjourned by Chair Roberts at 4:00 p.m.

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CHAIRMAN

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SECRETARY