

**MINUTES OF THE MEETING  
OF THE  
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION  
July 9, 2013**

**CALL TO ORDER**

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

**ROLL CALL & ATTENDANCE**

Planning Board Members present:

Mr. Nate Weisenburger, Chair  
Mr. Scot Davis, Vice Chair  
Mr. Marty Byrnes  
Dr. Heidi Pasek  
Ms. Sophia Sparklin  
Mr. Mark Striepe  
Mr. Wyman Taylor

Planning Board Members absent:

Ms. Cheryl Patton

Planning Staff Members present:

Mr. Craig Raymond, Director P&CD  
Ms. Jana Cooper, Planner II  
Ms. Phyllis Tryon, Sr. Administrative Assistant

Others present:

Mr. Dave Dobbs, City Engineer

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

**MINUTES**

Chair Weisenburger asked if there were any comments or corrections to the minutes of the public hearing and regular meeting held on June 11, 2013. Seeing none, the minutes were approved as submitted.

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

## **BOARD ACTIONS NOT REQUIRING PUBLIC HEARING**

### **Great Bear Subdivision No. 2 – Phase 1, Final Plat East of U.S. Highway 87, in north portion of the City of Great Falls**

Jana Cooper, Planner II, said that this agenda item does not require a public hearing; the agenda incorrectly stated it was a public hearing item. She entered the staff report into the record. The applicant, Dali, LLC, is requesting approval of the final plat of Great Bear No. 2 Subdivision - Phase 1. The proposed subdivision is  $\pm 60$  acres and consists of eight heavy industrial zoned lots generally located northwest of the existing malting plant. The subject property is vacant, undeveloped land, with vacant undeveloped land to the north, east and west, and with the Malteurop malting plant to the southeast. South of the subject property is the proposed ADF International steel fabrication plant. The subject property is currently in the city and zoned I-2 Heavy Industrial. The proposed lots will retain I-2 zoning.

Ms. Cooper said that the subject property currently consists of two lots, Lots 4 and 5. Lot 5 is the northerly lot and consists of 54.863 acres. This lot was annexed in 2007 by Montana Megawatts I LLC and was proposed to be a natural gas-fired electric generator site. That project was never initiated and ultimately the land was purchased by the applicant.

Lot 4 of the subject property consists of 5.225 acres that was annexed in 2005 as a part of the annexation for the International Malting Company, LLC (IMC), which is now Malteurop. Malteurop, which is located on Lot 2 of the IMC Addition, is a barley malting plant. Lot 4 is the access easement to all of the lots within the IMC Addition, and the southerly 100 feet of this lot is being dedicated as right-of-way for Great Bear Avenue as a part of the Final Plat.

Ms. Cooper said that the subject property is located in the Central Montana Agriculture and Technology Park (CMATP) Tax Increment Financing Industrial District (TIFID). The City Commission took action on July 2 regarding funding on some projects in that district.

The applicant is requesting the Final Plat of the subject property to subdivide Lot 5 into 8 Heavy Industrial zoned lots, 7 of which are smaller lots and the remaining portion being Lot 8. It is expected that Lot 8 would be further subdivided in future phases. Staff noted to the applicant a concern for the size of the proposed industrial lots on the west side of the proposed Innovation Street. These lots do meet the standards for this zoning but development will be limited due to other code requirements and concerns. The applicant has stated he will do boundary line adjustments or consolidate some of the lots in the future if necessary.

Public Works has a concern that there is no overall master plan for this project. In order to efficiently design for public improvements, it is helpful to have an understanding of the overall plan for an area. The applicant provided various general plans for future phases of the subdivision, but not an overall master plan; therefore, Public Works will have to make some assumptions on future needs for the development, which may cause additional cost to the applicant.

Ms. Cooper reviewed the Findings of Fact as contained in the staff report. She said that access to the subdivision is provided by U.S. Highway 87, and the Lot 4 is being dedicated as public right-of-way as part of the subdivision process and provides access from the highway. On July 2, 2013, Public Works received funding to pave Great Bear Avenue as part of the TIFID district.

The internal roadways within the subdivision are proposed to be dedicated as public right-of-way and maintained by the City. Public Works is requiring paving, curb and gutter on the internal roadways. Additionally, due to potential of large truck traffic, Public Works is requiring a 100-foot diameter temporary graveled cul-de-sac at the north terminus of Innovation Street.

Ms. Cooper reviewed information in the staff report on the utilities development for the proposed property. She said the sewer main shall be extended from the lift station along the north side of the Malteurop property to the southeast portion of the property. A portion of this extension is a requirement in Malteurop's annexation agreement. The City Commission approved funding for the sewer extension from existing funds in the CMATP TIFID on July 2, 2013. It is anticipated that these improvements will be completed this year. Ms. Cooper said that due to the lack of a master plan, the City may require additional over sizing of sewer extensions, which may be at additional cost to the developer.

The subject property is located in Neighborhood Council #3. A representative for the applicant attended the Council meeting on March 7, 2013. The Council asked questions about a proposed rail spur from Malteurop's property and if Montana Specialty Mills would be relocating to the Great Bear Industrial Park. The applicant's representative did not have information on the timing of the rail spur or if the Mills would be relocating. The Council did not vote on the proposed project.

Ms. Cooper concluded her review of the staff report and offered to answer any questions from the Board. Mr. Byrnes asked City Engineer, Mr. Dobbs, about the lack of a master plan and if the sewer lift station and storm drainage are affected. Mr. Dobbs said the biggest issue is water because there is one access into the property which is Innovation Street. He said that street has an 8-inch main proposed, but if more water is needed for a bigger industrial use, a separate main would need to be brought in. He said it is more of a developer problem than a City problem, and the applicant has been advised on the matter. Mr. Weisenburger asked if the letter from the Fire Department was advisory, and Ms. Cooper said it was. Mr. Byrnes asked if a looped fire main would be required for this development, and Mr. Dobbs said it is likely the City would require that in the future. He said the transmission main is 16-inch and it is possible to come off that main as needed to serve the site.

#### PUBLIC COMMENT

John Sturgeon, 121 2<sup>nd</sup> Street NW, said he is part of Neighborhood Council 3, and asked if there was new information on a rail spur. Mr. Dobbs said, to his knowledge, there would be no rail spur due to grade issues. However, he said Great Bear No. 1 (this proposed project is Great Bear No. 2) may have a rail spur in the future.

#### PLANNING ADVISORY BOARD DISCUSSION & ACTION

Chair Weisenburger asked for any discussion from the Board. Mr. Byrnes said the proposed lots meet minimum standards, but they are long narrow strips and he said it is poor planning when considering trucks and turning radius. He said this looks like it is being set up for a more commercial atmosphere instead of an industrial park. He said this proposal is missing a lot of things that should be planned. Ms. Cooper said staff encouraged the applicant to provide more of a master plan. She agreed that the lots were small, but said the applicant wanted the smaller, more affordable lot size with this development. She said it would be adequate for a contractor yard, and that lot lines can be adjusted in the future if the applicant desires. Mr. Byrnes asked

about landscaping screening. He said this is a corridor to Great Falls. Ms. Cooper said this is industrial usage, and typically, screening is required for properties adjacent to residential areas, which this is not. She said there are not high standards for industrial landscaping. Mr. Byrnes said that with the small lots, there will be more clustering, and he has concerns that this is not the right thing for this area.

Mr. Raymond said that when in the Final Plat process, staff will not change a recommendation from the Preliminary Plat unless there is a significant change in design and layout. Mr. Byrnes asked if things were moving forward as far as the roadway. Mr. Dobbs said that the City Commission approved three TIFID applications last Tuesday. One was to bring sewer to the east edge of Lot 5. He said they will piggy-back the projects to bring the sewer in, at least to the north end of Innovation Street, and hopefully have that done to serve ADF; they are shooting for the first of October. The second TIFID application is to design Great Bear Avenue, and they hope to have that done in October. They have also begun the process on the storm drain.

Mr. Dobbs said that although there is concern for the size of lots, there is a high pressure gas main on the west side of Innovation Street. He said there could be small welding and fabrication shops in this area. He said a strength of this design is that these lot lines can be vacated and adjusted depending on final use. Mr. Weisenburger asked if vacation of lot lines comes to the Planning Advisory Board, and Ms. Cooper said that is an administrative function.

Ms. Sparklin asked if the Board has the authority to propose a landscape screen. Ms. Cooper said conditions could not be added at this stage. However, staff can suggest it to the applicant. She said with the ADF development, there was some boulevard involved, and staff required additional landscaping that way. Mr. Striepe said he shares the concerns voiced by Mr. Byrnes and Ms. Sparklin, but he also feels it is important to have sites ready for small industrial uses, such as those that may want to piggy-back on the ADF development.

**MOTION:** The Planning Advisory Board recommends that the City Commission approve the Final Plat of Great Bear Subdivision No. 2 – Phase I, and the accompanying Findings of Fact, subject to the conditions listed in the staff report.

Conditions of Approval:

1. The Final Plat of Great Bear Subdivision No. 2-Phase 1 shall incorporate correction of any errors or omissions noted by staff.
2. The Final Plat of Great Bear Subdivision No. 2-Phase 1 shall dedicate the southerly 100-feet of Lot 4 of the International Malting Company, LLC Addition, which currently exists as an access and utility easement, as public right-of way to the City of Great Falls. Additionally, if TIF funding is not approved, the developer shall be responsible for the paving Lot 4 per a previous annexation agreement related to said Lot.
3. The Final Plat of Great Bear Subdivision No. 2-Phase 1 shall show the dedication of a drainage easement, which shall traverse said plat to accommodate an existing drainage channel. This easement shall be sized and designed as required by Public Works.
4. The final engineering drawings and specifications for the required public improvements to serve the subdivision shall be submitted to the City Public Works Department for review and approval prior to consideration of the Final Plat by the City Commission.

5. The final engineering drawings and specifications for storm drain improvements to serve the subdivision shall be submitted to the City Public Works Department for review and approval prior to consideration of the Final Plat by the City Commission.
6. As a condition for Final Plat approval the applicant shall:
  - A) install or provide a bond or other reasonable security for the installation of the public improvements referenced in Condition 2) above;
  - B) adhere to all provisions emanating from the resolution of Condition 4) above;
  - C) by separate agreement indemnify and hold City harmless for any damages that may be sustained as a result of adverse soil and/or groundwater conditions;
  - D) pay all applicable fees owed as a condition of development;
  - E) provide reasonable security for any transfer to another person or entity of the obligation for installing and paying for all remaining public infrastructure in future phases of Great Bear Subdivision No. 2; and,
  - F) dedicate to the City all necessary easements for public improvements necessary to install and maintain improvements, including sanitary sewer mains, water mains and storm drainage facilities to serve lots in subdivision and show these easements on the Final Plat.

Made by: Mr. Striepe

Second: Dr. Pasek

Mr. Byrnes said the opportunity was missed to make changes to this application with the preliminary plat and he does not think the Board did this project justice in the first round. However, he will vote in favor of this application in light of economic development.

VOTE: All being in favor, the motion passed.

## **COMMUNICATIONS**

### Next Meeting Agenda – July 23, 2013

- Talus Apartments (Tentative)

Ms. Cooper said this item is postponed and there are no current items for a meeting on July 23.

### Upcoming Planning Board Projects

- Skyline Heights Apartments – City Commission Public Hearing August 6, 2013
- Growth Policy Update – City Commission Public Hearing August 6, 2013
- West Ridge Addition, Phase VI – Final Plat on hold to work out engineering details

Ms. Cooper said the Skyline Heights Apartments was scheduled for a Board of Adjustment meeting on July 18 for a variance on the number of stories. The City Attorney was not in favor of the Planned Unit Development (PUD) zoning with three stories, and since the Planning Advisory Board had approved the proposed project with an underlying R-5 zoning, he said the proposed project can be moved forward with the R-5 zoning with a request for a variance on the number of stories. If the Board of Adjustment denies the application for a variance, Mr. Carroll can move forward with two stories, pending City Commission approval on August 6.

Project Status:

- Talus Apartments – Annexation / Zoning / Minor Subdivision
- Great Bear Subdivision No. 2 – Phase 2 – Preliminary Plat

**PUBLIC COMMENT**

There was no public comment.

**ADJOURNMENT**

There being no further business, Chair Weisenburger adjourned the meeting at 3:34 p.m.

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CHAIRMAN

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SECRETARY