

**MINUTES OF THE MEETING
OF THE
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION
May 27, 2014**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by ~~Vice Chair Scot Davis~~ 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. Anthony Houtz
Dr. Heidi Pasek
Ms. Cheryl Patton
Ms. Sophia Sparklin
Mr. Wyman Taylor

Planning Board Members absent:

Ms. Dana Ball
Mr. Mark Striepe

Planning Staff Members present:

Mr. Craig Raymond, CBO, Director P&CD
Ms. Galen Amy, Planner II
Ms. Phyllis Tryon, Sr. Administrative Assistant

Other Staff present:

Dave Dobbs, City Engineer

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

MINUTES

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

Chair Weisenburger asked if there were any comments or corrections to the minutes of the regular meeting held on May 13, 2014. Seeing none, the minutes were approved as submitted.

**BOARD ACTIONS REQUIRING PUBLIC HEARING
City View Subdivision - Preliminary Plat
36th Avenue NE between 11th and 14th Street NE**

Galen Amy, Planner II, presented the staff report for the application by Damon Carroll and Lee Janetski for City View Subdivision on 36th Avenue NE between 11th and 14th Street NE. Ms. Amy entered the staff report into the record. The subject property is ±1.82 acres located in the County and zoned SR1-Suburban Residential I. The proposed zoning on this vacant, undeveloped property is R-5 Multi-family medium density. The applicant is requesting to establish one lot of the subject property as a detention pond and the six remaining lots as 4-plexes with garages.

Immediately east of the subject property, the Skyline Heights Addition property is located, where the applicant has approval to build a 24-unit apartment complex. Across the street to the north is mini-storage. South of the subject property is single-family residential and northwest across 36th Avenue NE is the Northview Planned Unit Development.

Ms. Amy provided background information on this proposed project. City Commission approved the Skyline Heights Apartments development immediately east of the subject property on October 1, 2013. 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 that would restrict the type of structure and density of development. A copy of that covenant is included as Exhibit F in the staff report, and Ms. Amy said the owner/applicant has followed this covenant for the proposed project.

Ms. Amy said that traffic for the proposed project will come off 36th Avenue NE and utilize a 20-foot-wide drive aisle which goes along the southern portion of the property and connects to 14th Street NE.

The subject property is located in Neighborhood Council 3, and the applicant presented information on the proposed project to the Council on April 3, 2014. The Council made a recommendation to support the application. Ms. Amy said staff has received a number of phone calls from residents with questions, with some voicing concerns about the project.

Ms. Amy reviewed the Conditions of Approval as presented in the staff report and concluded her presentation. She offered to answer any questions from the Board. Ms. Patton asked how many square feet is proposed per lot. Ms. Amy said each lot will be 10,875 square feet, and the detention pond will be 11,500 square feet (92 feet x 125 feet). Ms. Sparklin asked for clarification on the term, "opposing lot" as written in the covenant. Ms. Amy said it refers to Tract 2, which is the subject property. Ms. Patton said the proposal for this project appears to be for 24 units on the subject project, the same as there are for Skyline Heights Apartments, which makes the density basically the same. Ms. Amy agreed, but added that the style is more like single-family residential in appearance, which breaks up the look of the density.

There were no further questions from the Board.

PETITIONER'S PRESENTATION

Damon Carroll, 564 10-Mile Lane, Cascade, said he is requesting the Board's approval of this subdivision. He said it has been a long three years on the Skyline Heights Apartments and now this development, and he asked the Board to look at the facts. He said they have done a lot, probably more than most developers would be willing to do, to meet this neighborhood in the middle. He said he put deed restrictions on lots and has given up ground for storm drain, and he feels they are doing what they should to make peace with the neighbors. The facts are that a big problem in that area of development is storm water, the mini-storage units have added to that problem, and he is working with the City on these issues. He said it was agreed by some of the neighbors in that area that 4-plexes would be acceptable for this proposed development.

Mr. Carroll said that with new employment opportunities in the City, people need to be able to rent nice apartments. He said they will build a quality product, and offered to answer any questions from the Board.

Ms. Patton asked if the Skyline Heights Apartments are under construction yet. Mr. Carroll said they have had to take care of the storm drain first, they have broken the original building plans into two buildings, and they have changed the plans so as to drop the buildings a full story into the ground. He said they hope to break ground soon. Ms. Sparklin asked for clarification on how much of the area the detention pond will serve. Mr. Damon said it will include not only the project developments, but also the improvements on 36th Avenue NE.

He added that the residential design of the 4-plexes was well received at the Neighborhood Council meeting.

PROPONENTS

Brett Doney, Great Falls Development Authority (GFDA), 300 Central Avenue, said GFDA is concerned that it is time to move this project into construction due to additional work force needs in the City. He said the niche in Montana is that it is a great place to raise a family, as well as being affordable, and many people need rental housing. He said this 4-plex project is a nice way to transition from the 12-plexes to the single-family residential. He said even with a 3.8% unemployment rate, the housing construction market in Great Falls is slow, as well as the commercial projects, while the rest of Montana cities are seeing strong activity. He said these applicants have been incredibly patient working through all the issues, and the project needs to move forward.

Lee Janetski, 83 Sun River Road, Great Falls, said if you ask what is the best use for this land and start by eliminating what isn't the best use, you come to this proposed use as the best use, which is also a solution to the problem of storm water in the area.

OPPONENTS

There were no opponents.

PUBLIC COMMENT

There was no public comment.

PETITIONER'S CLOSING

The petitioner did not wish to close.

PLANNING ADVISORY BOARD DISCUSSION AND ACTION

MOTION: Recommendation I: The Planning Advisory Board recommends the City Commission approve the Preliminary Plat of City View Subdivision, legally described in the staff report, and the accompanying Findings of Fact, subject to the Zoning Commission adopting Recommendation II, and subject to the following Conditions of Approval being fulfilled by the applicant.

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.

Made by: Ms. Sparklin
Second: Mr. Taylor

Chair Weisenburger asked if there was any further discussion. Ms. Patton asked Mr. Dobbs if the City was satisfied and getting what it needs from these two developments (Skyline Heights Apartments and the City View project). Mr. Dobbs said the City is coming out well with this. He said the detention pond will serve the subdivision as well as 36th Avenue NE, which is slated for improvements, and the area to the east, which is Skyline Heights Apartments as well as the City water tank property. He said he didn't think there was any better way to take care of the storm water problem, and this is a very good solution.

VOTE: All being in favor, the motion passed.

ZONING COMMISSION ACTION

MOTION: Recommendation II: The Zoning Commission recommends the City Commission approve rezoning property within City View Subdivision from the existing County Suburban Residential 1 to R-5 Multi-family medium density, upon annexation to the City, subject to the Planning Advisory Board adopting Recommendation I.

Made by: Ms. Patton
Second: Mr. Davis

VOTE: All being in favor, the motion passed.

COMMUNICATIONS

Next Meeting Agenda – June 10, 2014

- None

Project Status:

- River City Casino – Conditional Use Permit
 - City Commission Public Hearing – June 3, 2014
- 315 21st Ave S – Cary property Annexation and Zoning
 - City Commission Public Hearing – June 17, 2014
- 905-909 5th Ave South – Minor Subdivision, Rezone, CUP
 - City Commission Public Hearing – June 17, 2014
- Hilton Garden Inn – Rezone & Vacate ROW
 - City Commission Public Hearing – June 17, 2014

Petitions and Applications Received:

- Charter Communications – Telecommunication Facility Conditional Use Permit
- New Castle Addition – Rezone & Vacate ROW

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

There being no further business, Chair Weisenburger adjourned the meeting at 3:37 p.m.

CHAIRMAN

SECRETARY