

**MINUTES OF THE MEETING  
OF THE  
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION  
June 14, 2016**

**CALL TO ORDER**

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

**ROLL CALL & ATTENDANCE**

Planning Board Members present:

Scot Davis, Vice Chair  
Peter Fontana  
Anthony Houtz  
Keith Nelson  
Cheryl Patton  
Mark Striepe  
Michael Wedekind

Planning Board Members absent:

Nate Weisenburger, Chair  
Sophia Sparklin

Planning Staff Members present:

Craig Raymond, Director P&CD  
Tom Micuda, Deputy Directory P&CD  
Galen Steffens, Planner II  
Erin Borland, Planner I  
Connie Rosas, Sr. Administrative Assistant

Other Staff present:

Joseph Cik, Assistant City Attorney  
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.\*\**

Vice Chair Scot Davis asked if there were any comments or corrections to the minutes of the regular meeting held on May 24, 2016. Seeing none, the minutes were approved as submitted.

## **BOARD ACTIONS REQUIRING PUBLIC HEARING**

### **Skyline Heights Apartments: Minor Subdivision**

Ms. Borland entered the staff report into the record for the proposed minor subdivision of the existing Skyline Heights Apartments, which consists of two 12-plex apartment buildings and has a zoning of R-5 Multi-family medium density.

The subdivision would create two lots from the 1.11 acre parcel, with the proposed Lot 1A consisting of 0.59 acres and the proposed Lot 1B consisting of 0.52 acres. The current apartment buildings have a condominium association in place which would be dissolved before an Amended Plat would be recorded.

The proposed lots would conform with the R-5 Multi-family medium density zoning district standards for newly created lot size, lot width, lot width to depth proportion, and building height. Due to the configuration of the lots, the parking, parking lot maintenance, drive aisles, landscaping, and the stormwater detention pond would be shared between the owners. A Declaration of Covenants, Conditions, and Restrictions would be filed with the Amended Plat.

Ms. Borland said the proposed minor subdivision will require the establishment of a maintenance easement for the existing water and sewer service that goes through both lots to the public mains. The owners have also contributed their proportionate share for the future road improvements.

Information was provided to Neighborhood Council #3 at the June 2, 2016, meeting. The Council voiced their support of the proposed minor subdivision. Staff recommends approval of the project subject to the Conditions of Approval as listed in the staff report.

### **PUBLIC QUESTION AND ANSWER SESSION**

Mr. Wedekind asked what the purpose of dividing the parcel was. Ms. Borland stated the two owners would like to each have an apartment building and then eventually sell. There was clarification that though a condominium association is in place, the units cannot be sold individually, only the buildings as a whole.

Ms. Patton asked what the City's recourse would be if the property owners choose not to abide by the shared maintenance agreement. Mr. Raymond said if a complaint is filed with the City and there is a violation of City Code, enforcement action would be taken. However, if the agreement only is violated, the property owners would have to settle amongst themselves, as that is a civil action.

### **PUBLIC COMMENT**

Brad Livingston, 101 1<sup>st</sup> Ave North, Great Falls Chamber of Commerce, expressed his support for adding housing and growing the workforce in Great Falls.

### **BOARD DISCUSSION AND ACTION**

MOTION: That the Planning Advisory Board recommend the City Commission approve the

minor subdivision of Skyline Heights Apartments, 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. Fontana  
Second: Mr. Striepe

VOTE: All being in favor, the motion passed.

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

#### **West Bank Landing TIF Funding Application**

Mr. Raymond presented the staff report for the West Bank Landing Tax Increment Financing (TIF) Funding Application. The applicant is requesting reimbursement from the West Bank Urban Renewal TIF District for eligible development expenses that include road, water, sewer, and environmental clean-up. The total cost for development is roughly \$32.5 million for Phase 1 and 2; however, the total TIF reimbursement will not exceed \$2.6 million.

Phase 1 and 2 construction at West Bank Landing includes the following public benefits: environmental remediation, demolition of existing buildings, relocation of overhead power and telecom utilities, installation and extension of domestic water, sanitary and storm sewer, and new access roads, sidewalks and parking areas.

Mr. Raymond said the City Commission has an approved TIF application process; once the application has been received, City staff is assigned the responsibility of reviewing the funding request and making a recommendation to the Planning Advisory Board (PAB), which is a process that can take several months. The PAB considers the application and makes a recommendation to the City Commission; the City Commission then considers that recommendation and either approves or rejects the funding request.

The Deputy City Manager and City staff from Fiscal Services, Planning and Community Development, Park and Recreation, Public Works, along with legal counsel from Dorsey & Whitney, LLP, determined the project and the infrastructure improvements are eligible for the financing and would be beneficial to the public and result in the development of the District.

The City's reimbursement obligation will not arise until the project is completed. It will be a limited obligation for the City payable solely from the available tax increment, and no other City funds will be available or used to pay the obligation. Mr. Raymond reviewed maps of the TIF district, explained the regulations of the Montana Code Annotated regarding the TIF, and said the project is eligible under these regulations. In addition to these regulations, the City of Great Falls developed 12 specific criteria to aid in the determination. Mr. Raymond listed these criteria. After thorough evaluation, staff recommends the PAB recommend to City Commission approval of the West Bank Landing TIF Funding Application.

Mr. Fontana asked if the reimbursement to the developer was a specific request from the developer, or if a formula was applied to calculate the amount. Mr. Raymond said it depends on the development and what TIF funds are expected to be generated by the development once completed. Mr. Fontana asked if the clean-up would be funded in part by grants, and Mr.

Raymond said there is a Federal brownfield grant being utilized, in addition to private developer funds.

### **PUBLIC COMMENT**

Spencer Woith, 1725 41<sup>st</sup> St. South, representing the developer, expressed his excitement for the project, thanked the Board for their consideration, and offered to answer any questions they may have.

Jolene Schalper, 300 Central Avenue #406, Great Falls Development Authority, expressed her support for the application.

Brad Livingston, 101 1<sup>st</sup> Ave North, Great Falls Chamber of Commerce, applauded the developers for taking on this project, and expressed support for the development and TIF application.

### **BOARD DISCUSSION AND ACTION**

Ms. Patton said this project is extremely important to this community, and complimented the developers for moving forward and making this happen, as well as expressing her excitement about this project. Mr. Davis agreed, and also commended Mr. Woith for leading the construction.

Mr. Wedekind asked for clarification on how the City would be able to honor this obligation if there were not sufficient funds available. Mr. Raymond explained the City will not commit to reimburse unless the development generates enough increment to reimburse. Ultimately, if the project is not successful, the City is under no obligation to reimburse.

**MOTION:** That the Planning Advisory Board recommend the City Commission approve the West Bank Landing TIF Funding Application.

Made by: Ms. Patton  
Second: Mr. Wedekind

**VOTE:** All being in favor, the motion passed.

### **COMMUNICATIONS**

#### Next Meeting Agenda – Tuesday, June 28, 2016

- None

#### Project Status:

- None

#### Petitions & Applications Received:

- Dance Design Studio – Conditional Use Permit

**PUBLIC COMMENT**

Mr. Nelson asked what the timeline on 36<sup>th</sup> Ave NE was for completion. Mr. Dobbs said it is scheduled for bid this summer and for construction this fall.

**ADJOURNMENT**

There being no further business, Vice Chair Scot Davis adjourned the meeting at 3:33 p.m.

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CHAIRMAN

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SECRETARY