

# PLANNING ADVISORY BOARD ZONING COMMISSION

**FEBRUARY 12, 2013**

*Case Number*

ANX2013-1  
ZON2013-1

*Applicant*

Damon Carroll

*Owners*

Damon Carroll

*Property Location*

Southeast corner of 36th Avenue NE and 14th Street NE

*Parcel ID Number*

2608240

*Requested Action*

**Annexation** of  $\pm 1.82$  acres from Cascade County to the City of Great Falls.

**Rezone** the subject property from existing County Suburban Residential 1 to City of Great Falls R-6 Multi-family high density

*Neighborhood Council*

Neighborhood Council #3

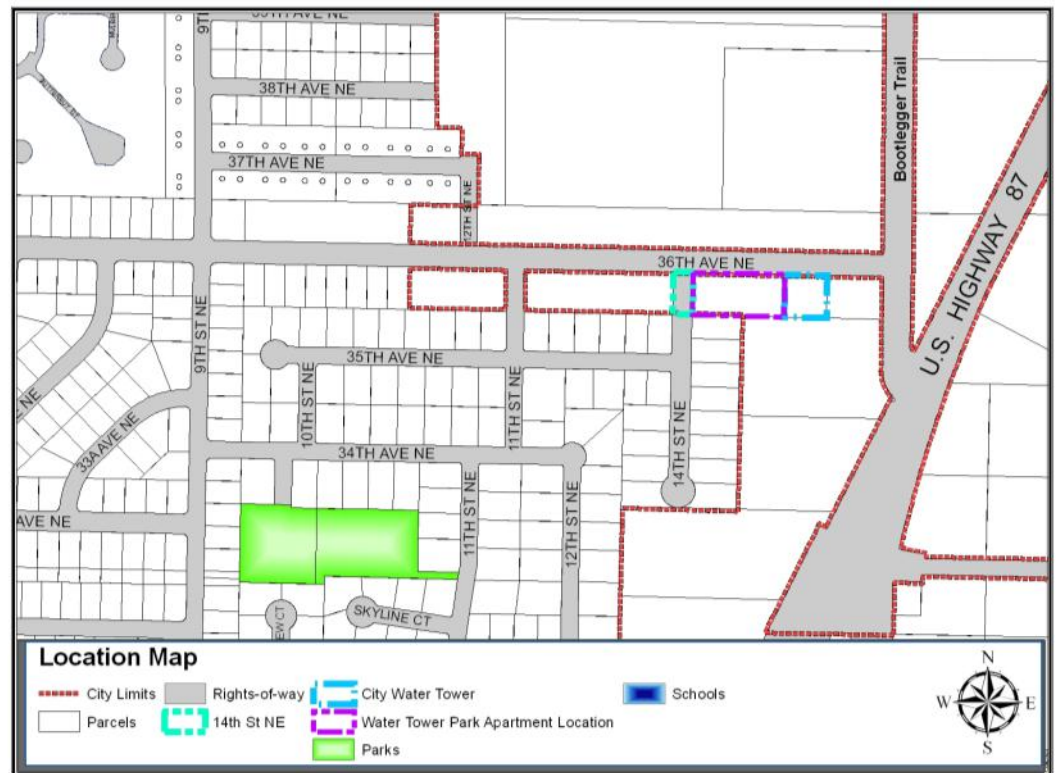
*Recommendation*

Approval of the request with Conditions.

*Project Planner*

Jana Cooper, RLA

## WATER TOWER PARK APARTMENTS: ANNEXATION & ZONING



### Project Description

The subject property is generally located east of 14th Street Northeast and south of 36th Avenue Northeast.

The applicant is requesting approval of annexation of  $\pm 1.1$  acres and the abutting portion of 14th Street Northeast consisting of  $\pm 0.2$  acres into the City of Great Falls and establishing City zoning of R-6 Multi-family high density zoning district. The applicant is requesting the annexation and zoning in order to construct a 36-unit multi-family housing development on the site.

In conjunction, the City is proposing an-

nexation of the City-owned water tower located on the eastern adjacent lot and consisting of  $\pm 0.52$  acres. The City is proposing annexation in order to incorporate the City owned property.

### Background

- Legal Description: Tract 1 and Tract 3, Certificate of Survey 4705, and Mark 14R all located in the N1/2 NE1/4, Section 36, T21N, R3E, P.M.M. Cascade County, MT
- Property Area: Total =  $\pm 1.82$  acres
  - Tract 1 =  $\pm 1.1$  acres
  - Tract 3 =  $\pm 0.2$  acres
  - Mark 14R =  $\pm 0.52$  acres

## Agency Comment

Representatives from the City's Public Works, Fire Department, and Parks and Rec. have been involved in the review process for this application. All comments made by the above parties have been addressed by the applicant or in the conditions of this report.

## Existing Conditions

The existing site information for the said property includes:

**Existing Use:** Vacant Undeveloped Land

**Existing Zoning:** The subject property is currently located in Cascade County and zoned Suburban Residential 1.

**Adjacent Land Use:** The property is located outside, but adjacent to, the City's boundary. North of the subject property are mini-storage units which were developed in the County. East of the water tower is vacant, undeveloped land located in Cascade County. The area south of the subject property is located in the City and consists of a developing single-family subdivision Water Tower Park Addition which is zoned R-2 Single-family medium density district. West of the subject property is vacant undeveloped land, which is located in the County and zoned Suburban Residential 1 district, which is likely to be annexed and developed in the future. See Exhibit A - Aerial Photo and Exhibit B - Vicinity/Zoning Map for the zoning of the surrounding properties.



View north of subject property and existing mini-storage units beyond.



View east toward subject property and the City's water tower.



View south of subject property and Water Tower Park Addition beyond.



View south of subject property and Water Tower Park Addition beyond.

# EXHIBIT A - VICINITY / ZONING MAP

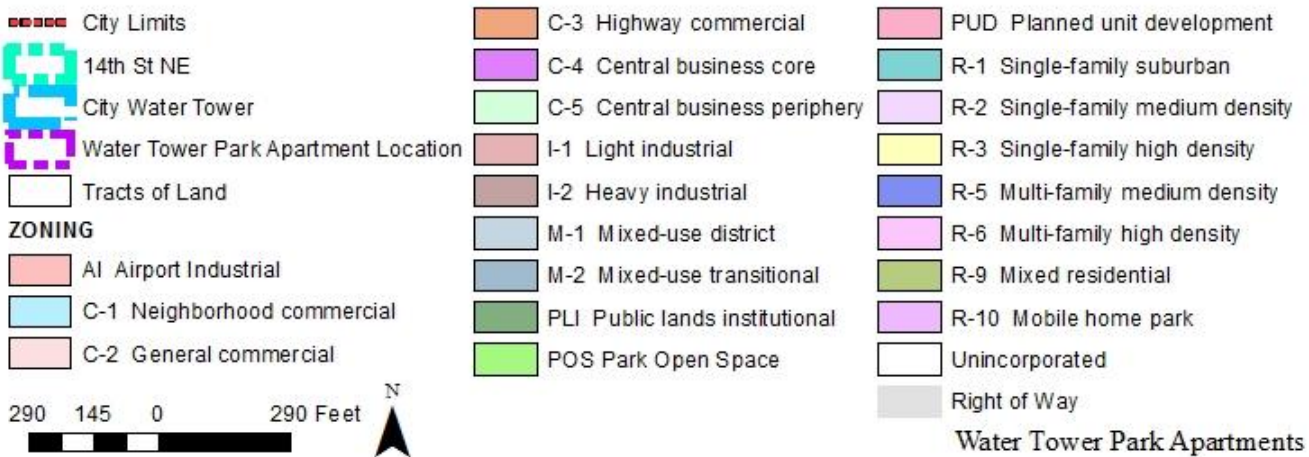
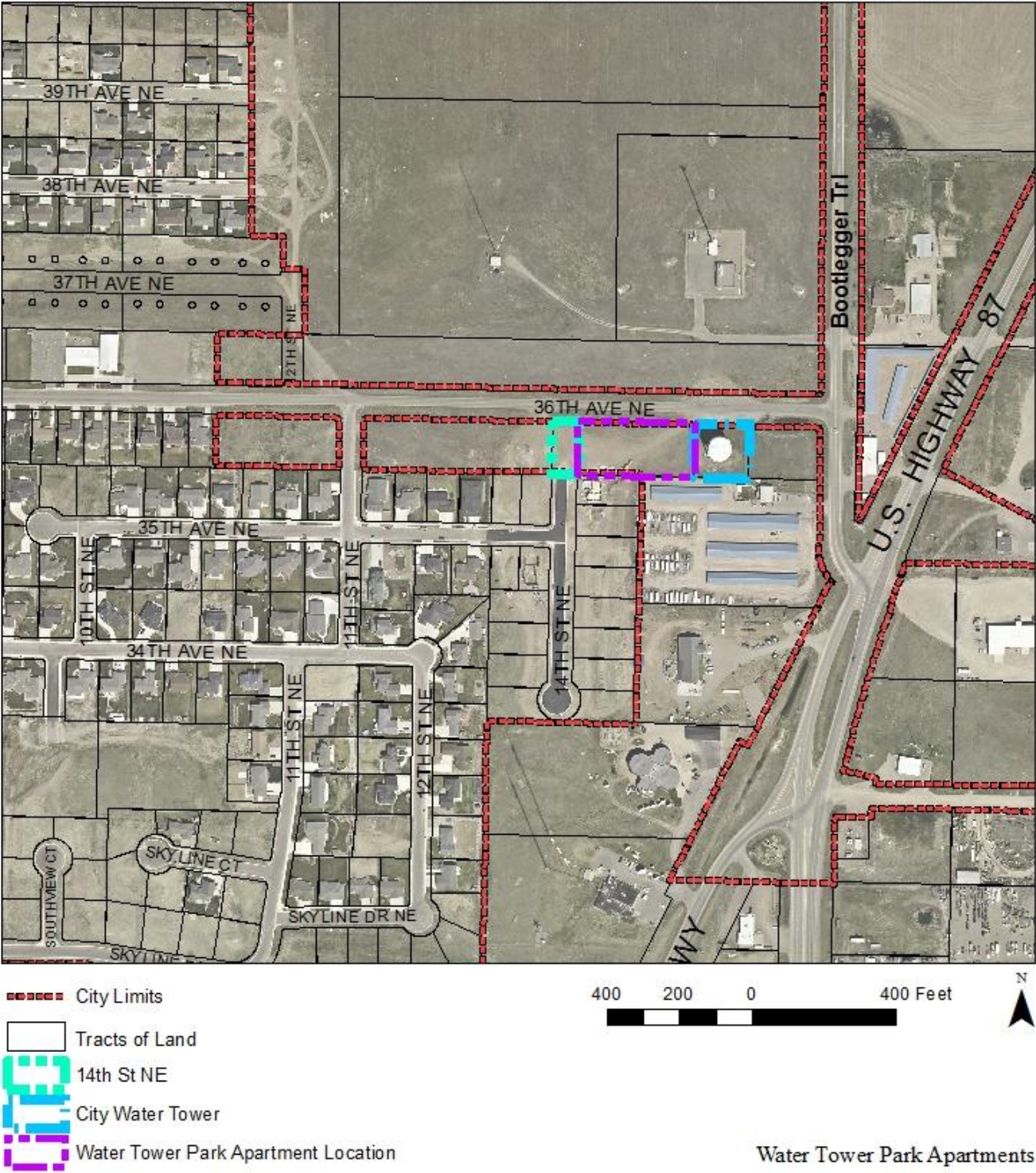




EXHIBIT B - AERIAL PHOTO



## Project Overview

The applicant and City are proposing annexation and establishing zoning on their property. There are no new development plans for the City-owned property. The applicant is proposing to establish two 18-unit multi-family buildings adjacent to the southern property line with the parking for the development adjacent to 36th Avenue Northeast.(Exhibit D - Proposed Site Plan).

## Annexation Request

The applicant, Damon Carroll, is requesting annexation of  $\pm 1.1$  acres from Cascade County into the City of Great Falls. The subject property is currently vacant undeveloped land. The applicant is making the request in order to develop a 36-unit multi-family rental housing development.

In addition, to the subject property, per MCA, the abutting portion of 14th Avenue Northeast, comprised of  $\pm 0.2$  acres, must also be annexed as a part of the request.

In conjunction the City is proposing annexation of  $\pm 0.52$  acres from Cascade County into the City of Great Falls. There is an existing water tower located on said property.

In total  $\pm 1.82$  acres will be annexed into the City.

## Rezone Request

The parcel of land, owned by the applicant, Damon Carroll, upon annexation, shall be zoned R-6 Multi-family residential high density zoning district. According to the Land Development Code, the “R-6” Multi-family residential high density residential zoning classification is:

Intended to accommodate multi-family units of the highest density allowed in the City. These districts are typically found close to work and leisure, and are close to the downtown.

The proposed 36-unit rental housing development is consistent with the R-6 zoning standards. Neighboring land uses include mini-storage units to the north, single-family residential to the south, the water tower to the east, and undeveloped land to the west. The proposed multi-family units will serve as a transition between the single-family homes and the commercial uses.

The  $\pm 0.52$  acre City-owned water tower property, upon annexation shall be zoned PLI - Public Lands and Institutional. According to the Land Development Code, the PLI zoning classification is:

Intended to include areas of significant public lands including public schools and significant public and quasi-public institutional uses or facilities.

The City does not have plans to redevelop the property.

## Improvements

### **Street Improvements**

The applicant will be required to improve 36th Avenue Northeast across its frontage from 14th Street Northeast to its eastern property boundary. The City will improve 36th Avenue Northeast across the frontage of the water tower property. The roadway will be improved to the City standards including paving, curb and gutter, and sidewalks. The owner and City will be reimbursed for the northern half of the roadway by the property owner to the north at such time as the property is annexed into the City. The timing of the roadway improvements has not been determined.

The City received escrow money as a part of Watertower Park Addition to improve 14th Street Northeast to City standard; this street will be completed in conjunction with this project.

### **Utilities**

The City water (8”) and sewer main (8”) shall be extended in 14th Street Northeast from their existing location to 36th Avenue Northeast. The City received escrow money as a part of Watertower Park Addition to make these extensions. The applicant will need to extend the storm drain from its existing location north as required by Public Works.

### **Stormwater Management:**

The proposed development will have impervious surfaces of more than 15,000 square feet; therefore, the developer is required to provide a stormwater management plan in compliance with the City of Great Falls Storm Design Manual and City standards. The plan will be reviewed and approved by the Public Works Department prior to the issuance of building permits for the development.

## **Traffic Analysis**

The proposed multi-family development is adjacent to 36<sup>th</sup> Avenue Northeast and the proposed extension of 14<sup>th</sup> Street Northeast. A development of this size and type would be expected to generate an average of 6.59 trips per occupied dwelling unit on a weekday, for a total estimated daily trips of 238 trips per day. The most recent traffic volume on 36<sup>th</sup> Avenue North was measured at 3,220 average vehicles per day. This is a relatively low volume for a two-lane arterial roadway; as such, 36<sup>th</sup> Avenue Northeast has sufficient capacity to accommodate the additional vehicle trips.

The developer has two access points to the site: through a driveway on 36<sup>th</sup> Avenue Northeast and a driveway on 14<sup>th</sup> Street Northeast. Because traffic volumes on 36<sup>th</sup> Avenue Northeast are expected to continue to grow as this area develops and expands, the potential for accidents increases with the number of access points on the Avenue.

Pedestrian access and circulation both along the rights-of-way and on the site should provide safe, separated access to and from the site – including from the parking lot and the sidewalk on 14<sup>th</sup> Street Northeast to the entrances to the buildings. If improvements to 36<sup>th</sup> Avenue Northeast are delayed beyond the development of the site, staff would recommend the cost for sidewalks along 36<sup>th</sup> Avenue Northeast be escrowed by the developer and constructed at the same time as the street.

## **2005 City of Great Falls Growth Policy:**

The project is consistent with the 2005 Great Falls Growth Policy both in policy and intent. The project will provide more diversity in terms of rental choices and housing stock, meeting an existing demand and need in the City. According to the existing Growth Policy, new construction of multi-family housing units has greatly fluctuated in the past. Other data shows that the City has a disproportionate amount of aging housing stock. Given these conditions, the introduction of a new multi-family project, with amenities, is very much desired and will complement the introduction of more primary job opportunities in this portion of the City.

Further, the project is consistent with Land Use Goals and Policies to:

- Support and encourage a compatible mix of land uses in newly developing areas.
- Encourage mixed land uses in new and redeveloping areas to achieve a high degree of self-containment, reduce auto dependence, and foster a strong live-work-play pattern of activity within neighborhoods.

Finally, the project is consistent with Housing Goals and Policies to:

- To provide a diverse supply of safe and affordable housing for residents of all ages, needs, and income levels.
- To conserve and enhance the character, quality, and livability of the community by preserving and improving distinctive neighborhoods that offer diverse housing opportunities.
- Housing variety should be available in (differing) housing areas to provide all residents with location and price/rent choices.
- The City should strive to allow diverse housing opportunities to meet the needs of current and future population. Variety in dwelling types, sizes and prices in new developments should be promoted.

## **Neighborhood Council Input**

The applicant gave a presentation to Neighborhood Council #3 on February 7, 2013. The Neighborhood Council did not vote for or against the project, there were multiple neighbors at the meeting both in support and against the project. The major concerns from the neighborhood were related to traffic on 36<sup>th</sup> Avenue Northeast and Bootlegger Trail, availability of parking on-and off-site and a minor concern for weather or not the project would lower property values. Staff received additional comments related to the project including a concern about the amount of required parking and traffic on 36<sup>th</sup> Avenue Northeast.



## Recommendation

The Planning Advisory Board has the responsibility to review and make recommendations on annexations. The Zoning Commission has the responsibility to review and make recommendations on rezoning requests. As such, each of the two recommendations presented below are to be considered and acted upon separately by the specified Board or Commission:

**Recommendation I:** The Planning Advisory Board recommends the City Commission approve annexation of the subject property as legally described in this staff report and the abutting portion of 14th Avenue Northeast, subject to the Zoning Commission adopting Recommendation II (below) and the applicant fulfilling the listed Conditions of Approval.

**Recommendation II:** The Zoning Commission recommends the City Commission approve rezoning the subject property as legally described in this staff report from the existing County Suburban Residential 1 to a R-6 Multi-family residential high density and PLI - Public Land and Institutional, subject to the Planning Advisory Board adopting Recommendation I (above).

## Conditions of Approval

1. Final build-out of the project shall be in substantial compliance with the final approved site plan documents, drawings as approved by the City Commission.
2. The final engineering drawings and specifications for the required public improvements to serve Water Tower Park Apartments 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. Applicant shall submit proposed project drawings including architectural, landscape, signage and lighting plans as required for review and approval by the Design Review Board prior to submittal of permit plans.
5. 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.
6. 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.

## Review/Approval Process

### **Next Steps**

1. The Planning Advisory Board recommendation will be presented to the City Commission.
2. City Commission will approve or deny the Annexation and Zoning.
3. If approved, the applicant will submit any required documents for review and then file the required documents with the Cascade County Clerk and Recorder's Office.

Cc: Jim Rearden, Public Works Director

Dave Dobbs, City Engineer

Patty Cadwell, Neighborhood & Youth Council Coordinator

Damon Carroll, Water Tower Park Apartments, pheasantrunbuilders@gmail.com

## EXHIBIT C - APPLICATION

<p><b>CITY OF GREAT FALLS</b>  <b>PLANNING &amp; COMMUNITY DEVELOPMENT DEPT.</b>  <b>P.O. BOX 5021, GREAT FALLS, MT, 59403-5021</b>  <b>406.455.8415 • WWW.GREATFALLSMT.NET</b></p> <p style="text-align: center; background-color: #cccccc; font-weight: bold; margin: 5px 0;">DEVELOPMENT APPLICATION</p> <p><u>Water Tower Apartments</u>  Name of Project / Development:</p> <p><u>Damon Carroll</u>  Owner Name:</p> <p><u>215 Russell Ranch L AF 59405</u>  Mailing Address:</p> <p><u>406-797-0519</u>      <u>CarrollHoldings@gmail.com</u>  Phone:      Email:</p> <p><u>Damon Carroll</u>  Representative Name:</p> <p>_____  Mailing Address:</p> <p>_____  Phone:      Email:</p>	<p>Submittal Date: <u>12.18.12</u></p> <p>Application Number: _____</p> <p>Paid (Official Use ONLY): <input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/> Annexation: \$400</p> <p><input checked="" type="checkbox"/> Establish City Zoning: \$700</p> <p><input type="checkbox"/> Zoning Map Amendment: \$700</p> <p><input type="checkbox"/> Conditional Use Permit: \$700</p> <p><input type="checkbox"/> Planned Unit Development: \$700</p> <p><input type="checkbox"/> Subdivision Preliminary Plat: \$800</p> <p><input type="checkbox"/> Subdivision Minor Plat: \$600</p> <p><input type="checkbox"/> Subdivision Final Plat: \$300</p> <p><input type="checkbox"/> Amended Plat (6 or more lots): \$600</p> <p><input type="checkbox"/> Vacate Public Right of Way: \$200</p>
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PROPERTY DESCRIPTION / LOCATION:

TRACT 1 COS 4705 N 1/2 NE 1/4 Section 34 T21N R3E

Mark/Lot:      Section:      Township/Block:      Range/Addition:

N/A

Street Address:

ZONING:      LAND USE:

Conky SR1      B-1c      Vacant      Multi-family

Current:      Proposed:      Current:      Proposed:

I (We) the undersigned understand that the filing fee accompanying this application is not refundable. I (we) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application. I (we) further understand that other fees may be applicable per City Ordinances.

I (We) also attest that the above information is true and correct to the best of my (our) knowledge.

Damon Carroll      12-18-12

Property Owner's Signature:      Date:

\_\_\_\_\_  
Representative's Signature:      Date:



