

PLANNING ADVISORY BOARD ZONING COMMISSION

MAY 14, 2013

Case Number

ANX2013-4
ZON2013-5

Applicants

Damon Carroll
City of Great Falls

Owners

Damon Carroll
City of Great Falls

Property Location

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

Parcel ID Number

2608240 & 2608050

Requested Action

Annexation of ± 1.82 acres from Cascade County to the City of Great Falls

Rezone the subject property from existing County Suburban Residential 1 and B-2 General Business to City of Great Falls PUD - Planned Unit Development and PLI - Public Lands and Institutional

Neighborhood Council

Neighborhood Council #3

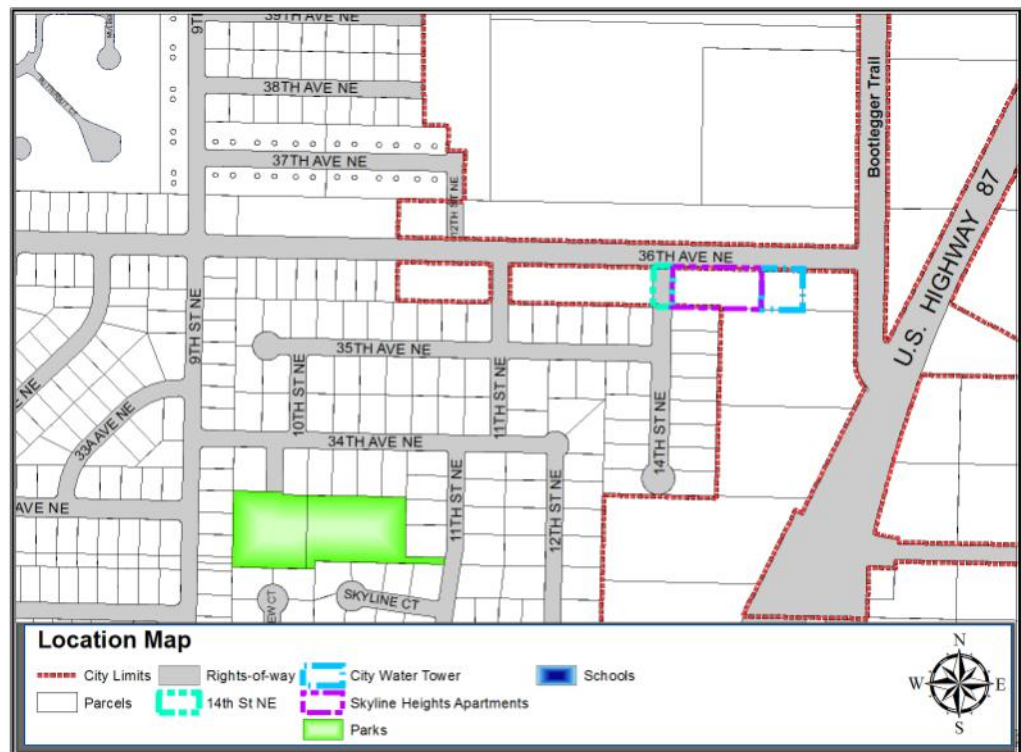
Recommendation

Approval of the request with Conditions

Project Planner

Jana Cooper, RLA

SKYLINE HEIGHTS APARTMENTS & WATER TOWER: 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 ± 1.1 acres and the abutting portion of 14th Street Northeast consisting of ± 0.2 acres into the City of Great Falls and establishing City zoning of PUD - Planned Unit Development zoning district. The applicant is requesting the annexation and zoning in order to construct a 24-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 ± 0.52 acres. The City is proposing annexation in order to incorporate the City owned property.

An application was originally submitted for a 36-unit multi-family housing development on the subject property with a proposed zoning of R-6 Multi-family high density. That application was heard by the Planning Advisory Board/Zoning Commission on February 12, 2013 with a recommendation of denial to the City Commission. The applicant withdrew that application and has since resubmitted with the new proposal.

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 = ± 1.82 acres
 Tract 1 = ± 1.1 acres Tract 3 = ± 0.2 acres Mark 14R = ± 0.52 acres

Agency Comment

Representatives from the City's Public Works, Fire Department, and Park 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 are listed as conditions of approval in this report.

Existing Conditions

The existing site information for said property includes:

Existing Use: Vacant Undeveloped Land, (City) Municipal Water Supply Tower

Existing Zoning: The subject property is currently located in Cascade County and zoned SR-1 Suburban Residential 1 and B-2 General Business.

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 a privately owned garage/shop located in Cascade County. The area south and southwest of the subject property is located in the City and consists of a developing and established single-family subdivision, which is zoned R-2 Single-family medium density district. West of the subject property is vacant undeveloped land, 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 south of subject property and existing mini-storage units and single-family homes beyond.



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



View southwest of subject property and single-family homes beyond.



View southeast of the subject property including the water tower and mini-storage units beyond.

EXHIBIT A - VICINITY / ZONING MAP

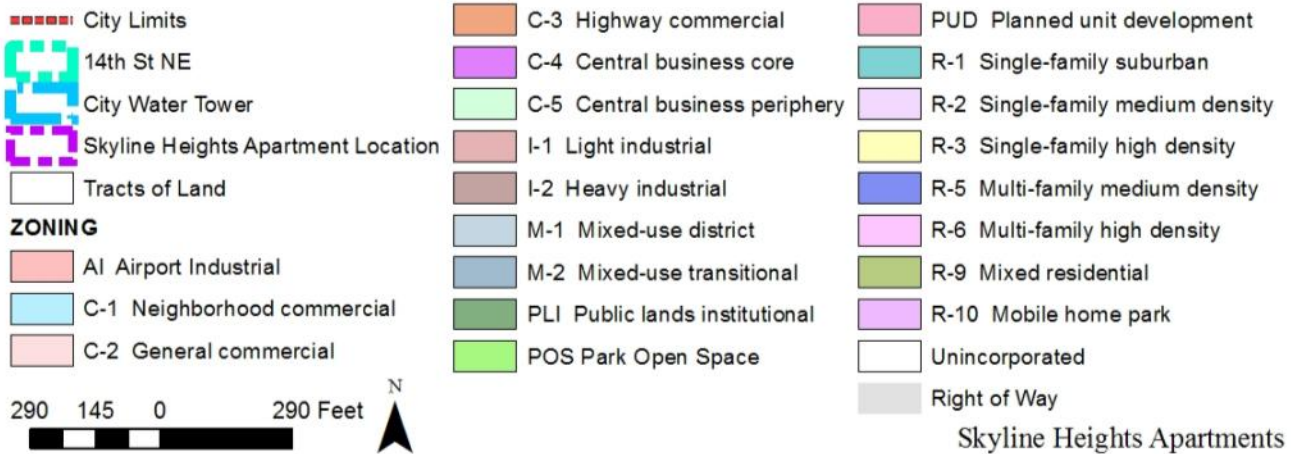
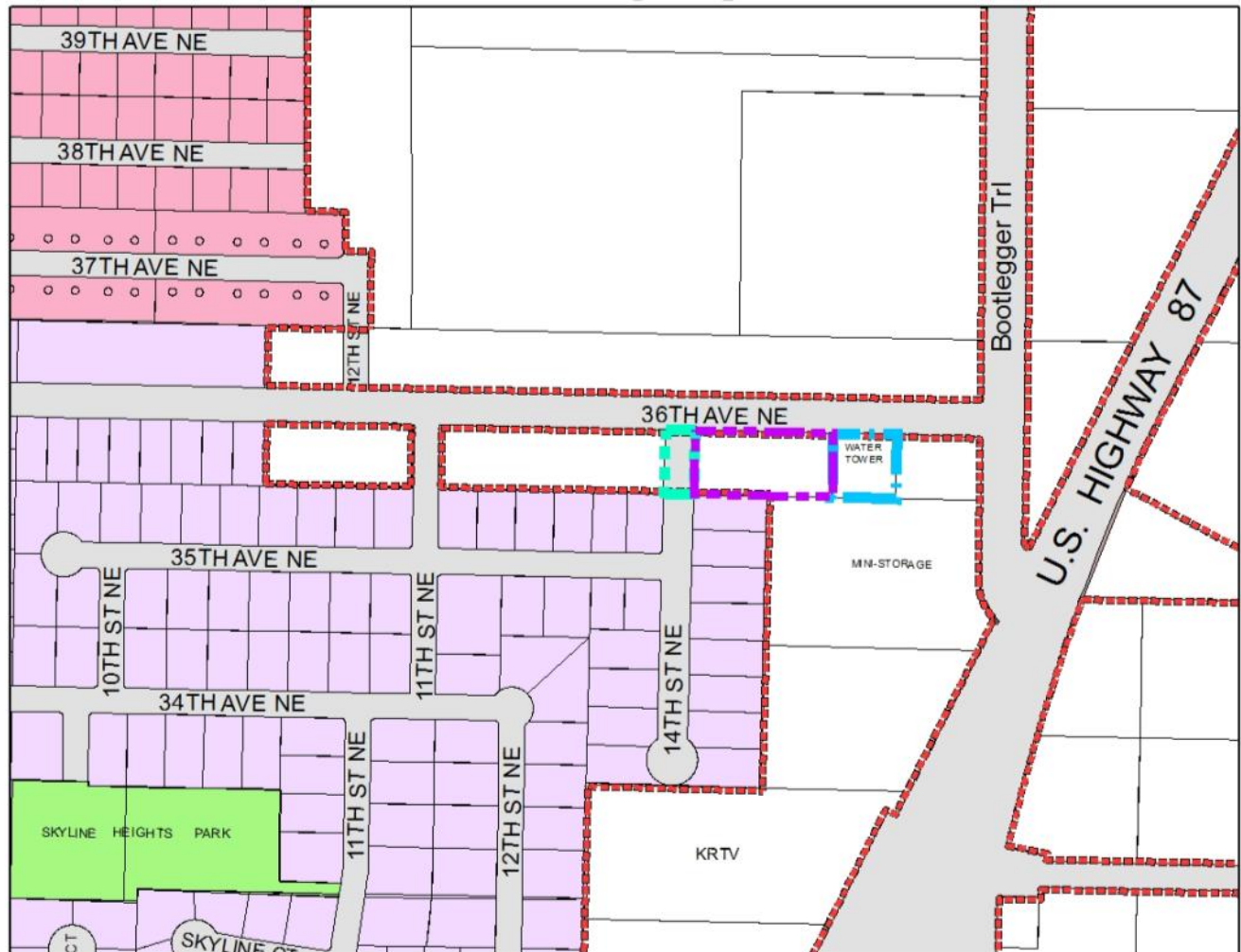
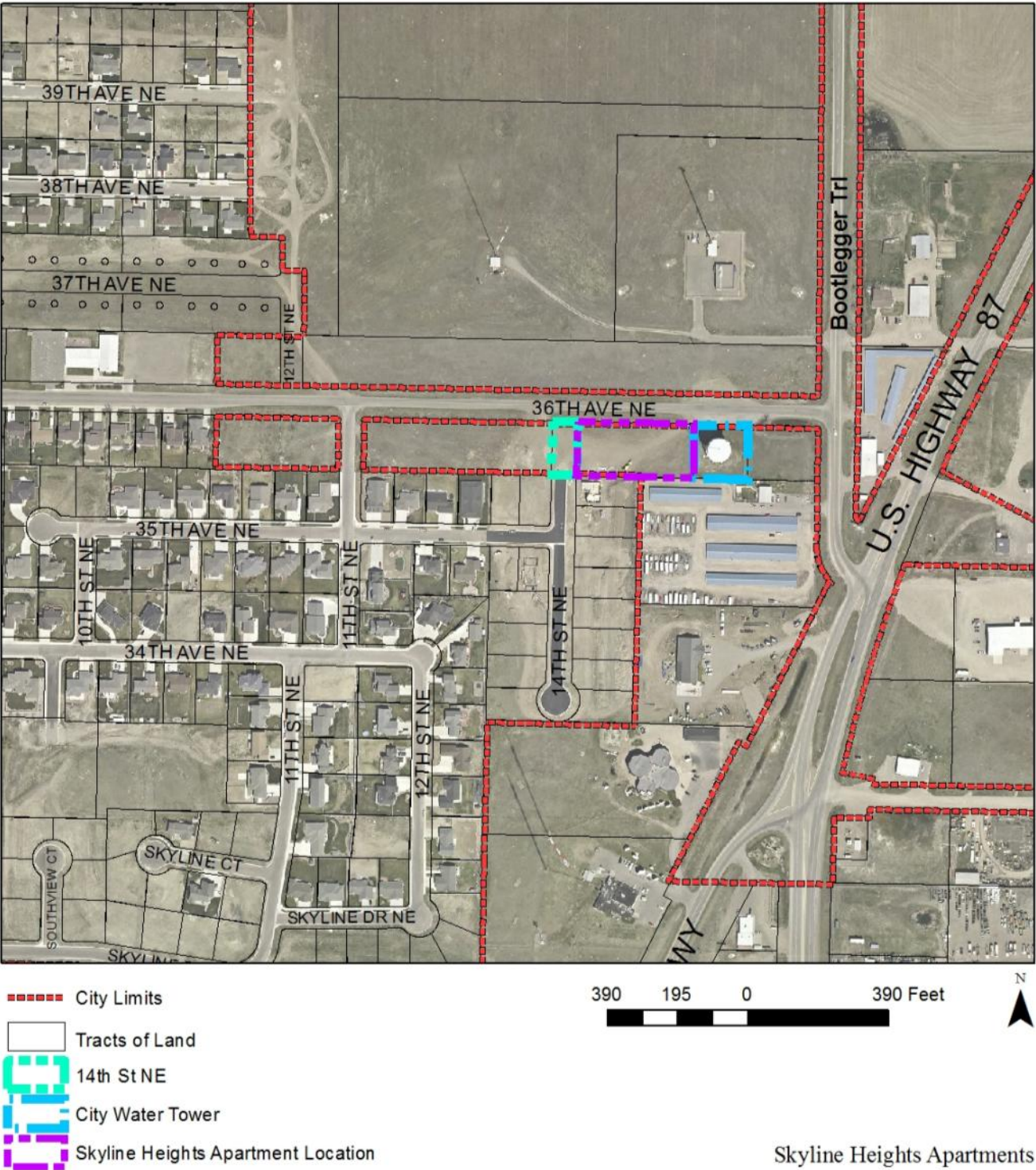


EXHIBIT B - AERIAL PHOTO



Annexation Request

The applicant, Damon Carroll, is requesting annexation of ± 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 24-unit multi-family rental housing development adjacent to the southern and eastern property lines with the parking for the development adjacent to 36th Avenue Northeast (Exhibit D - Proposed Site Plan).

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

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

In total ± 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 PUD - Planned Unit Development zoning district. According to the Land Development Code, the PUD - Planned Unit Development zoning classification is:

A special type of zoning district that is proposed by the developer to account for a desired mix of uses. Each district is unique and therefore has its own set of development standards which are documented in the approval.

The applicant is proposing underlying zoning of R-5 multi-family medium density with the same permitted uses as R-5 zoning and the same development standards. The only difference in the zoning is that the R-5 zoning district restricts buildings to two-stories; the proposed PUD would allow a three-story building.

Additionally the applicant owns the undeveloped property to the west. He has committed to filing a restrictive covenant on this land that would not permit multi-family development in perpetuity on this property.

The ± 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 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

Existing Conditions: The proposed 24-unit multi-family development is on the southeast corner of the intersection of 36th Avenue Northeast and the planned extension of 14th Street Northeast. 36th Avenue Northeast is classified as a Collector roadway, while 14th

Street Northeast is a Local roadway. The function of a Collector roadway is to serve shorter local trips and feed traffic from local properties to the larger, higher-capacity Arterial roadway network. The function of a Local roadway is to primarily provide access to adjoining properties. A Collector road is typically a low to moderate capacity two-lane roadway, with travel speeds generally less than 35 mph. A Local road is also two-lane with limited capacity and with speeds not exceeding 25 mph.

Future Improvements: While 36th Avenue Northeast is currently designed as a rural roadway, it is expected to be upgraded to an urban roadway design as development occurs and funding becomes available. The extension of 14th Street Northeast has funding and will be constructed by the City of Great Falls as an urban local roadway with curb, gutter and sidewalks.

Trip Generation: Using a trip generation rate from the ITE Trip Generation Manual, 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 2012 traffic volume on 36th Avenue Northeast just west of the intersection of Bootlegger Trail was measured at 3,501 average vehicles per day. This volume is average for a roadway that collects traffic from such a large area - comparing closely to such other major Collector roadways as Park Drive near Gibson Park; 1st Avenue North at 37th Street; 8th Avenue North at 8th Street; 13th Street South of 24th Avenue South; and, 32nd Street, south of 10th Avenue South.

Peak Hour Traffic: Anecdotally, the intersection of 36th Avenue Northeast and Bootlegger Trail has been noted as the area intersection with the longest delays during the morning rush hour. Traffic generated by the development during “peak hour” – that is, the hour of the day generating the highest traffic – is expected to be generated at the rate of .46 vehicles per occupied dwelling unit for a one hour period generally between 7 and 9 AM. This rate would equate to 11 vehicles during that hour. Assuming the vehicles are dispersed throughout the hour, there would be little to no observed impact upon congestion at the intersection of 36th Avenue Northeast and Bootlegger Trail.

Driveway Access: The developer has two access points to the site: through a driveway on 36th Avenue Northeast and a driveway on 14th Street Northeast. The driveway on 36th Avenue North is properly located at the far eastern end of the lot, providing a safe distance from the intersection of 14th Street Northeast – thereby reducing the chance of conflicts between turning vehicles. The driveway is still more than 350 feet from the intersection with Bootlegger Trail, allowing for adequate stacking room at current volumes. Future growth in traffic may necessitate the construction of a dedicated east-bound left turn lane, or other intersection improvements to reduce congestion that may occur as the area north of 36th Avenue Northeast grows and expands.

The two driveways provide easy through-movements for larger vehicles such as sanitation and fire/emergency response vehicles, and also allow for more than one exit point in the case of an evacuation. Finally, the two driveways serve to better disperse traffic to lessen congestion at any particular access point.

Pedestrian and Bicycle Facilities: Pedestrian access and circulation, both along the rights-of-way and on the site, should provide safe and accessible access to and from the site – including from the parking lot and the sidewalk on 14th Street Northeast to the entrances to the buildings. If improvements to 36th Avenue Northeast are delayed beyond the development of the site, staff would recommend the cost for sidewalks along 36th Avenue Northeast be escrowed by the developer and constructed at the same time as the street. No specific bicycle improvements are necessary, although the developer is encouraged to consider placement of bike racks on-site.

2005 City of Great Falls Growth Policy:

The redesign of this project is consistent with the goals of the 2005 Great Falls Growth Policy – that is a desirable and prosperous city and community, with a diverse mix of land uses and housing types. With this redesign, the applicant has taken steps to respond to compatibility concerns.

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 existing housing research, new construction of multi-family housing units has greatly fluctuated in the past.

Census 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, meets a need in this community and will complement the introduction of more primary job opportunities in this vicinity.

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 (or the amount of auto travel), 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.
- 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 March 7, 2013. The Neighborhood Council was concerned about:

1. The possibility of an increase of traffic and more vehicles parked on the side streets,
2. That parking might be lost on the subject property if 36th Avenue Northeast was widened,
3. That the property to the west could also be developed as multi-family housing,
4. That the neighborhood was mostly single-family homes and R-5 zoning would be spot zoning,

The Council suggested other locations for a multi-family development, but none worked for the applicant. There was further discussion on putting a deed restriction on the properties to the west. There was no vote at the meeting about the project. Staff did not receive additional comments related to the project at the time the staff report was written.

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 and B-2 General Business to PUD - Planned Unit Development 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 and drawings as approved by the City Commission.
2. The final engineering drawings and specifications for the required public improvements to serve Skyline Heights 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 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 referenced in Paragraph Two above; and
 - B. Indemnify the City for any damages attributable to adverse soil or groundwater conditions.
 - C. Escrow money for future sidewalks on 36th Avenue Northeast if they are not built in conjunction with this project.

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
Susan Connell, Cascade County, sconnell@cascadecountymt.gov
Damon Carroll, Skyline Heights Apartments, pheasantrunbuilders@gmail.com

EXHIBIT C - APPLICATION

CITY OF GREAT FALLS
PLANNING & COMMUNITY DEVELOPMENT DEPT.
P.O. BOX 5021, GREAT FALLS, MT, 59403-5021
406.455.8415 • WWW.GREATFALLSMT.NET

DEVELOPMENT APPLICATION

Skyline Heights Apartments
Name of Project / Development:

Damon Carroll
Owner Name:

215 Russell Ranch L
Mailing Address:

406-799-0519
Phone:

Damon Carroll
Representative Name:

Submittal Date: 2.22.13

Application Number: _____

Paid (Official Use ONLY): ☒

- ☒ Annexation: \$400
☒ Establish City Zoning: \$700
☐ Zoning Map Amendment: \$700
☐ Conditional Use Permit: \$700
☐ Planned Unit Development: \$700
☐ Subdivision Preliminary Plat: \$800
☐ Subdivision Minor Plat: \$600
☐ Subdivision Final Plat: \$300
☐ Amended Plat (6 or more lots): \$600
☐ Vacate Public Right of Way: \$200

Mailing Address:

Phone:

Email:

PROPERTY DESCRIPTION / LOCATION:

Tract 1 COS4705 N 1/2 NE 1/4 Section 36 T21N R3E
 Mark/Lot: Section: Township/Block: Range/Addition:

Street Address:

ZONING:

Corrly SR1
Current:

R-5
Proposed:

LAND USE:

Vacant
Current:

Multi-family
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.

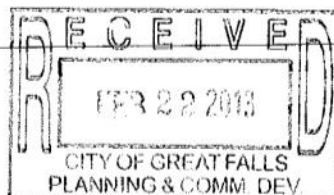
I (We) also attest that the above information is true and correct to the best of my (our) knowledge.

Damon Carroll
Property Owner's Signature:

2/22/13
Date:

Representative's Signature:

Date:



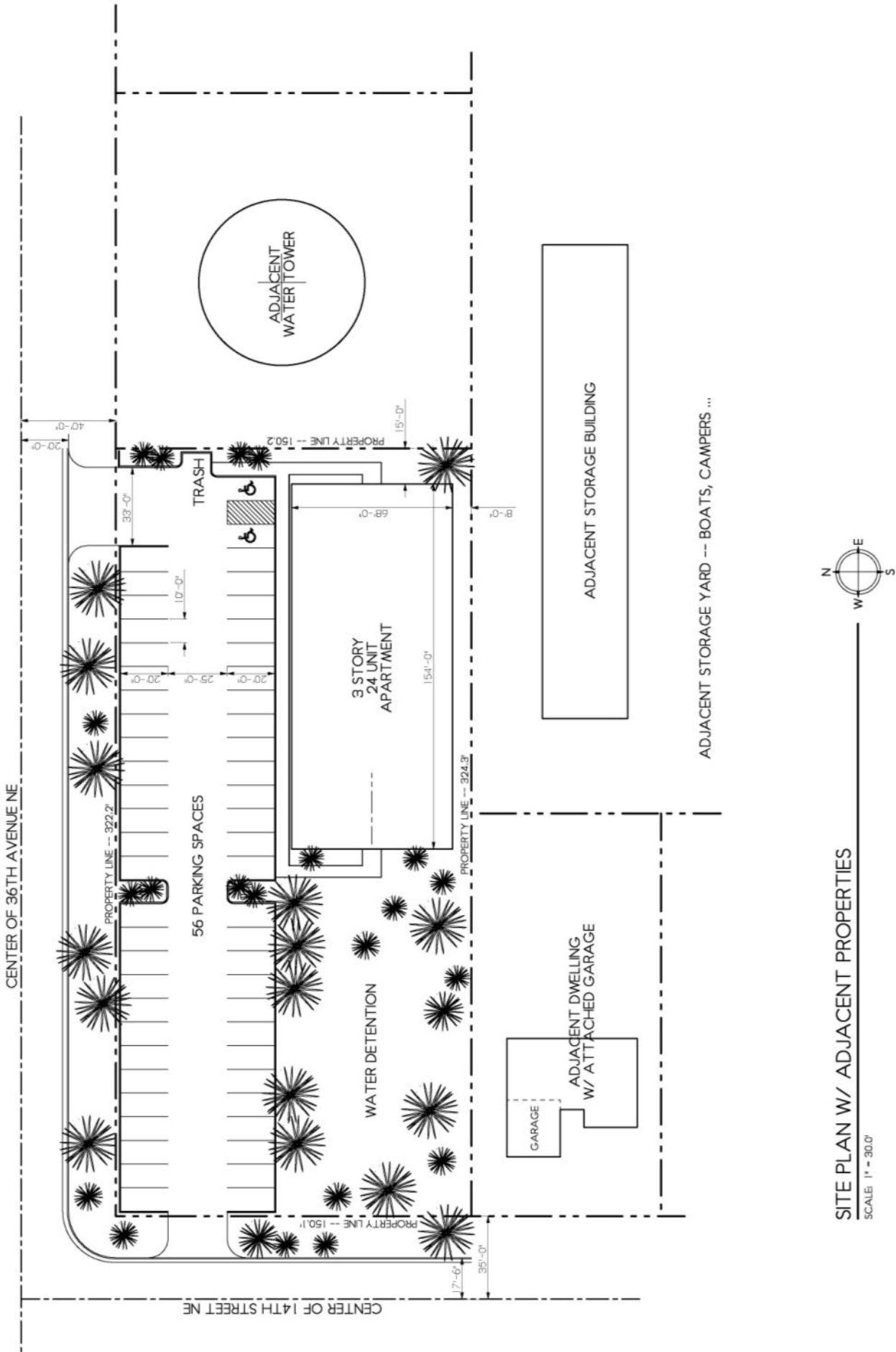


EXHIBIT E - APPLICANT LETTER

May 7, 2013

Great Falls Planning Advisory Board/Zoning Commission

**RE: Pheasant Run Builders (Damon Carroll)
Annexation of ± 1.3 acres (Tract 1 and Tract 3)
Certificate of Survey 4705
N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 36, T21N, R3E, P.M.M.,
Cascade County, Montana**

To All Interested Parties:

In regards to the above referenced land and annexation, I offer the following proposal.

Contingent upon approval from the City of Great Falls and the GF Planning Board of the annexation of lots and construction of the 24-Plex in question (Tract 1 - rental housing project), I will put a restrictive deed on the opposing lot that no high-rise, multi-family dwelling will be constructed. What could be constructed would be a single-family dwelling, duplex, 4-plex, or townhouse.

I respectfully request consideration of this 24-plex construction by all parties.

Sincerely,



**Damon Carroll
Pheasant Run Builders**

EXHIBIT F - EXISTING PROJECTS BY APPLICANT, PROPOSED PROJECT MAY BE SIMILAR

