

PLANNING ADVISORY BOARD ZONING COMMISSION

JULY 22, 2014

Case Number

ZON2014-4
ABN2014-2

Applicant/Owner

Harold Poulsen

Property Location

Southeast corner of 13th Street South and 24th Avenue South

Parcel ID Numbers

2639335, 2639325, and
2639330

Requested Action

Rezone property from PUD Planned Unit Development to R-5 Multi-family medium density
Vacate the northern portion of Castle Pines Drive

Neighborhood Council

Neighborhood Council #6

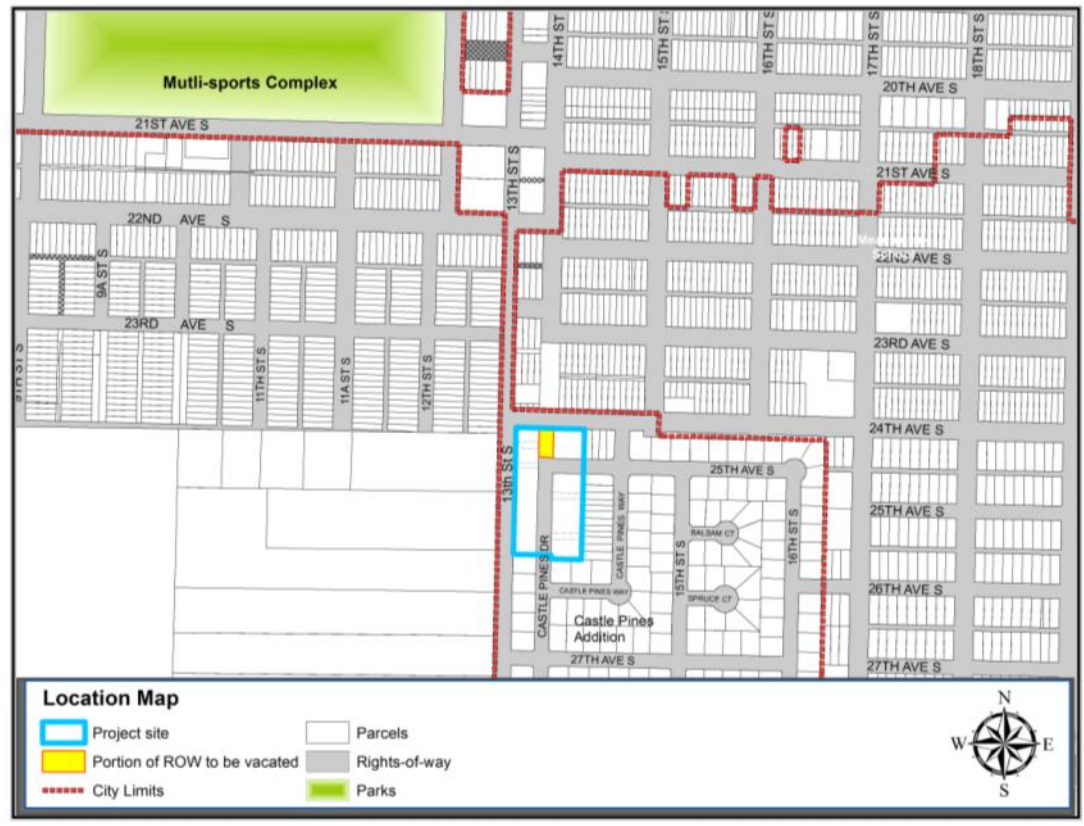
Recommendation

See page 9 of this report

Project Planner

Galen Amy

NEW CASTLE ADDITION: REZONE AND VACATION OF RIGHT-OF-WAY



Summary

The subject property is located in the northeast corner of the Castle Pines Addition. The applicant is requesting rezoning of the property and vacation of a portion of the Castle Pines Drive right-of-way in order to construct four 12-plexes and one 8-plex, resulting in 56 multi-family rental units.

- Legal description: Lot 1 Block 1, Lot 1 Block 2, and Lot 1 Block 3, New Castle Addition, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana

- Total Area: \pm 3.5125 acres

Agency Comment

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

Subject Property Conditions

Existing Use: Vacant undeveloped land

Proposed Use: Four 12-plexes and one 8-plex

Existing Zoning: PUD Planned Unit Development

Proposed Zoning: R-5 Multi-family high density

Adjacent Land Use: The property is located in a neighborhood that has gradually been developing with R-3 Single-family high density residences to the east and south. Abutting properties to the north and west are located in the County and consist of a mix of commercial, residential and vacant properties.

Project Overview and Background

On November 18, 2008, the City Commission approved annexation and establishment of the PUD Planned Unit Development zoning district for the subject property, approving the development of condominiums on the subject property. The owner and developer are now requesting rezoning and approval to vacate the northernmost undeveloped portion of Castle Pines Drive in order to develop multi-family apartments with garages. The vacation of right-of-way would eliminate a potentially unsafe connection to 24th Avenue South and create a larger lot for the proposed apartments. A bit more than half of the perimeter of the subject property is surrounded by a decorative concrete privacy wall. The owner intends on keeping this wall and installing a vinyl privacy fence along the portion of the property without fencing.

Please refer to the Exhibits for more information.



View west from 24th Ave S at the subject property.



View south, along the east property line, from 24th Avenue South.

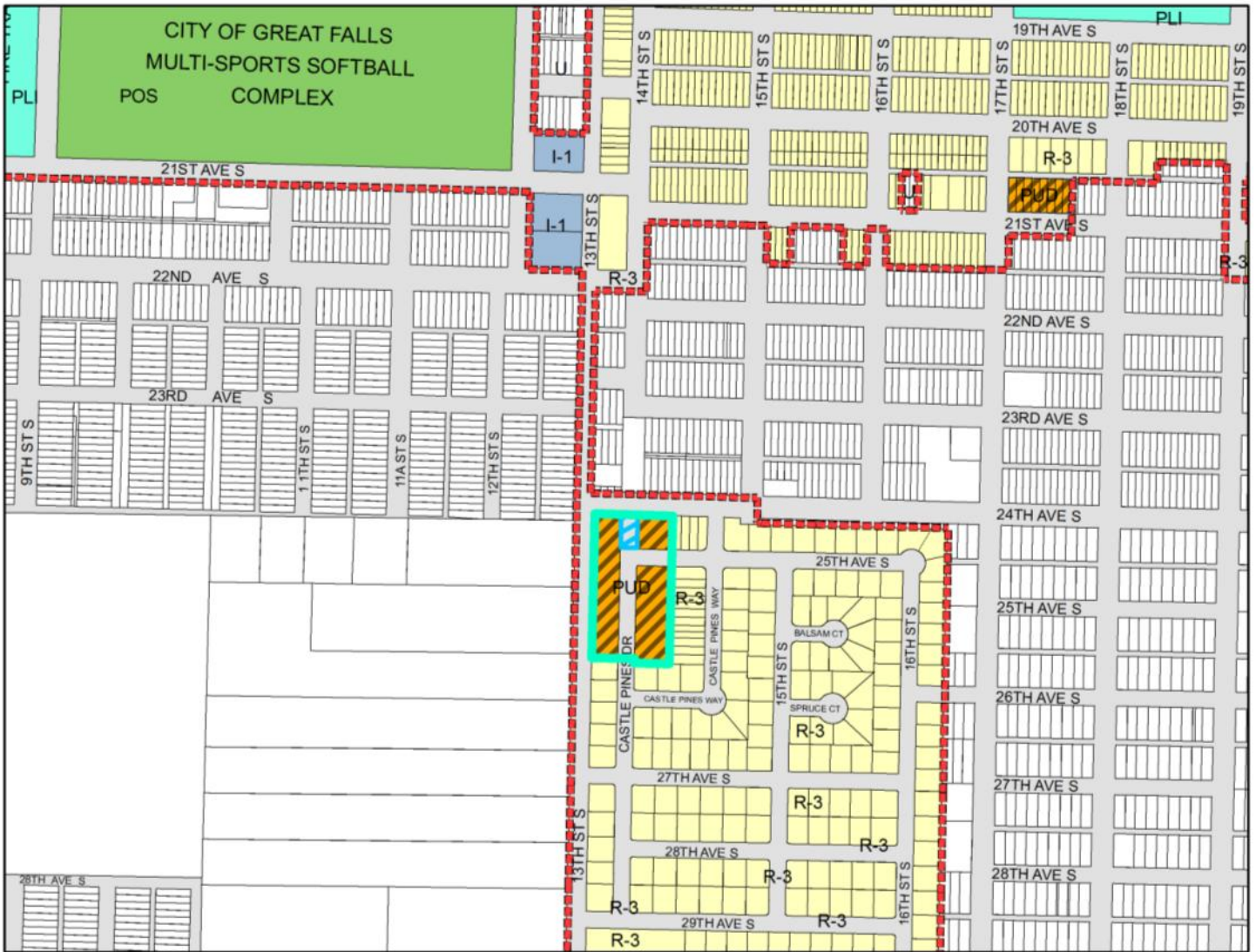



























View east along the south property line across the property.

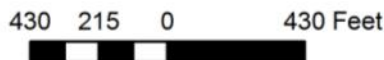


View slightly northwest, from Castle Pines Drive, across the subject property at the walled west property line.

EXHIBIT A - ZONING MAP



- | | | |
|---|--|--|
|  Project site |  R-6 Multi-family High Density |  M-1 Mixed-use District |
|  Portion of ROW to be vacated |  R-9 Mixed Residential |  M-2 Mixed-use Transitional |
|  City Limits |  R-10 Mobile Home Park |  I-1 Light Industrial |
|  Tracts of Land |  PUD Planned Unit Development |  PLI Public Lands and Institutional |
| ZONING | | |
|  R-1 Single-family Suburban |  C-1 Neighborhood Commercial |  POS Parks and Open Space |
|  R-2 Single-family Medium Density |  C-2 General Commercial |  AI Airport Industrial |
|  R-3 Single-family High Density |  C-3 Highway Commercial |  U Unincorporated Enclave |
|  R-5 Multi-family Medium Density |  C-4 Central Business Core |  right-of-way |
| |  C-5 Central Business Periphery | |




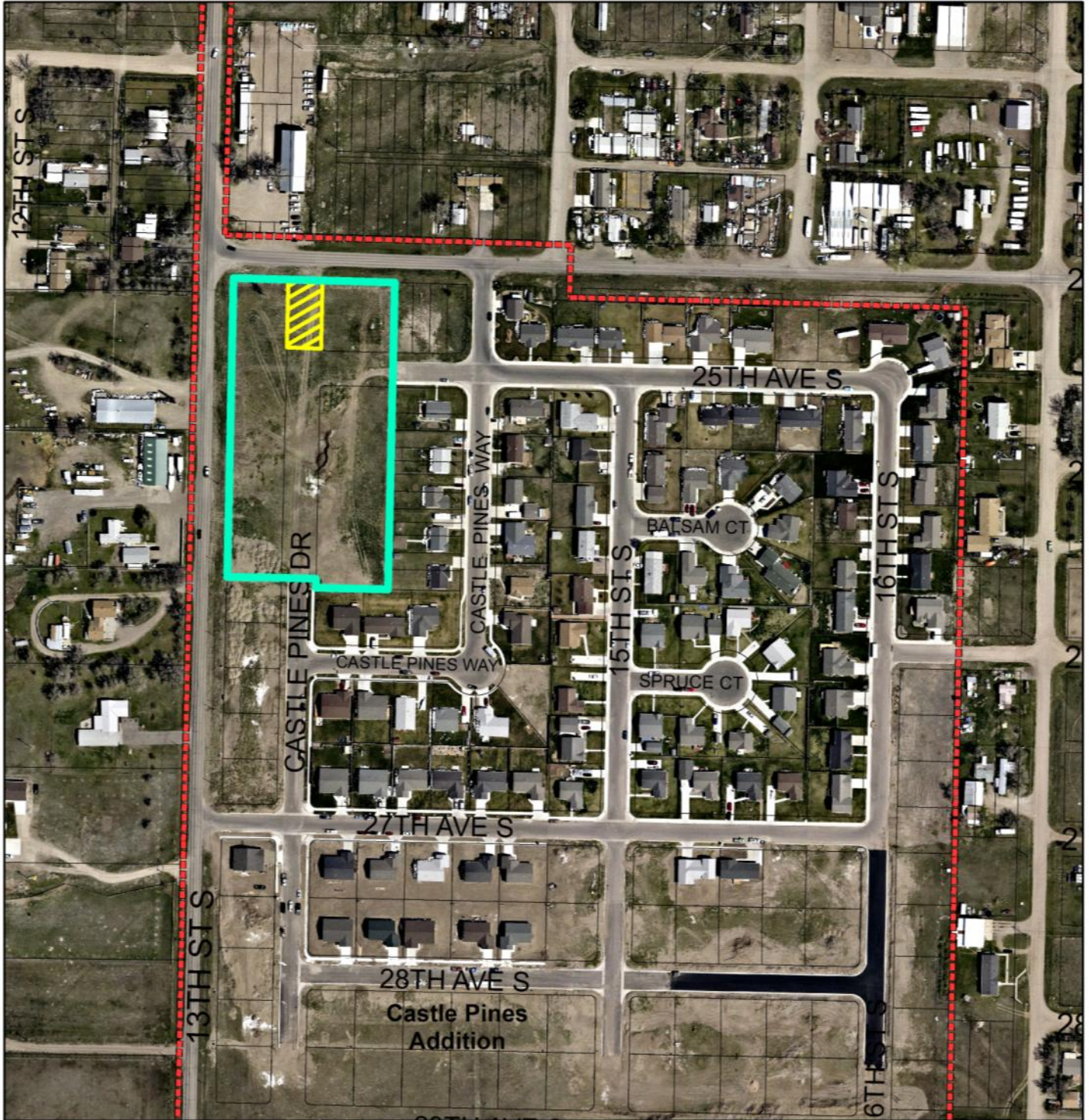




New Castle Rezone/Vacate ROW 

EXHIBIT B - AERIAL MAP



-  Project site
-  City Limits
-  Portion of ROW to be vacated
-  Tracts of Land



Rezoning Analysis

The current PUD Planned Unit Development zoning on the subject property has development standards that are specific for two and three unit condominium structures, totaling 27 units, that were originally proposed. This equates to 7.71 dwelling units per acre (du/ac). The owner is now proposing rezoning to R-5 for development of multi-family apartments that consist of four 12-plexes and one 8-plex, totaling 56 units, which equates to 16.00 du/ac. The adjacent neighborhood is 5.00 du/ac. Though this project is two times more dense than what was originally proposed, the size of the property, ± 3.5125 acres, appears to provide enough area for the development to meet all of the R-5 district development standards for setbacks, height, lot coverage, and landscaped area.

The 12-plexes and an 8-plex are proposed to have a 95 feet by 70 feet (6,650 square feet) footprint, along with five garages that range in size from 24 feet by 20 feet (480 square feet) to 140 feet by 40 feet (5,600 square feet). City Code allows no more than 70% lot coverage of principal and accessory buildings in R-5 districts for corner lots. Both lots are considered corner lots. The proposed structures and garages would create a total of $\pm 38\%$ lot coverage for Lot 1, Block 1 (abutting 24th Avenue South and 13th Street South) and would create 41% lot coverage for Lot 1, Block 2 (see Exhibit E).

The preliminary site plan shows the proposed general layout of the buildings and site improvements for informational purposes, not for approval as part of this application. A different site plan could be proposed. If this rezone request receives City Commission approval, staff will work with the applicant to finalize a site plan in compliance with the City's Land Development Code.

The use of adjacent properties to the north and west (commercial businesses outside the City Limits) and the ease of access to 13th Street South and 24th Avenue South make multi-family housing an appropriate use. In recent decades, there have been several two or three story multi-family medium density buildings constructed around the City. Many of these buildings were constructed prior to the 2005 adoption of the City's Land Development Code, but some were constructed more recently. The majority are part of, or adjacent to, R-2 Single-family medium density and R-3 Single-family high density neighborhoods, built as transitions between residential and other, more intense, land uses.

Although multi-family uses can serve as effective buffers or transitions between single-family and more intensive uses, there is often concern about the effect the higher density residential uses will have upon adjacent properties and the neighborhood at large. Such concerns, which may be voiced by neighboring property owners, are often matters of scale - larger and higher structures, greater areas of paving and more traffic on common roadways.

There is no question that the rezone would allow for this increased density to be located immediately adjacent to single family homes. Although a buffer between, or increased distance from, the adjoining property line could help to mitigate this impact, the developer has not proposed any buffering - nor is it likely to be accommodated with the proposed density of the site. The adjoining streets are designed to accommodate much greater traffic than they currently carry, and the proposed development would not create undue congestion (see Exhibit F - Traffic Analysis). However, there will be more vehicles driving through streets that currently carry very little traffic. Therefore the increase, although small, will be noticeable.

Basis of Decision

The basis for decision on zoning map amendments is listed in Section 17.16.40.030 of the Land Development Code. The recommendation of the Planning Advisory Board/Zoning Commission and the decision of City Commission shall at a minimum consider the following criteria:

1. The amendment is consistent with and furthers the intent of the City's growth policy.
2. The amendment is consistent with and furthers adopted neighborhood plans, if any.
3. The amendment is consistent with other planning documents adopted by the City Commission, including the river corridor plan, transportation plan and sub-area plans.
4. The code with the amendment is internally consistent.

5. The amendment is the least restrictive approach to address issues of public health, safety, and welfare.
6. The City has or will have the financial and staffing capability to administer and enforce the amendment.

The role of the Planning Advisory Board/Zoning Commission, in reaching a recommendation for the City Commission, will be to weigh the various advantages and disadvantages of the requested rezoning and guidance from its adopted plans (such as the Growth Policy), based upon public comment and testimony along with careful and deliberate consideration of the proposed development.

Even though the location of this property seems to lend itself well, in most respects, to multi-family development, every rezone request must be considered in its full context. In this instance, the subject property also abuts and shares access through a single-family neighborhood. Neighborhood residents have voiced concerns about additional traffic, noise, and residential structures out-of-scale with the current homes, and the Neighborhood Council has not supported the proposed rezone.

Recent input from the surrounding neighborhood has prompted staff to provide the Planning Advisory Board/Zoning Commission with an alternate motion, should public testimony, Board deliberations, and the Board's ultimate findings lead it to recommend denial of the rezone request from PUD to R-5. To that end, alternate Findings for the Basis of Decision and an alternate Recommendation/motion are provided for the convenience of the Board.

Findings

The Growth Policy is the key adopted plan that Staff uses for guidance in analyzing development applications and providing recommendations to Board and Commission members. Due to the transitional location of the property and the many goals and policies in the Growth Policy, there is support for both approval and denial of the application to rezone.

1. The proposed rezoning is consistent with the Social and Physical portions of the Growth Policy, specifically the goals and principles to: 1) encourage a safe, adequate and diverse supply of housing and fair housing opportunities in the City; and 2) develop new and diverse housing supply throughout the City, including single-family residential, multi-family, and housing for those with special needs.

Additional supportive Policies that this project is consistent with include:

Social - Housing

- Soc1.4.1 Work with the private sector and non-profits to increase housing opportunities in the city.
- Soc1.4.2 Expand the supply of residential opportunities including single family homes, apartments, manufactured homes and assisted living facilities.
- Soc1.4.3 Encourage, promote and support adequate and affordable home ownership in the City.
- Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location and place of work.

Physical - Land Use

- Phy4.1.3 Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City.
- Phy4.1.4 Foster the development of safe, walkable neighborhoods, with a mix of uses and diversity of housing types.

The Growth Policy identifies that Great Falls embodies balanced, compatible growth, while at the same time encourages the development of underutilized or vacant land.

2. The Growth Policy also recognizes the importance of existing single-family residential neighborhoods and the need to conserve them.

Since either approval or denial is consistent with the Growth Policy, the following findings address the remaining Basis of Decision criteria as well as critical questions and elements of consideration for a rezoning request in relation to density, building scale, height, and impact measures.

3. Existing Approval. The owner currently has approval to build 27 condominiums in 2 and 3 unit structures on the subject property. Based on the housing market and housing trends, the owner is seeking to amend their original development plans.

4. Review Process. The subject property is located in a developing residential neighborhood along the southern fringes of the City. Any development within the City limits requires City review, including review of how the development will impact the surrounding area. At the time that this project was initially annexed and received City zoning, it went through said review and was zoned for residential condominium development.

5. Neighborhood Input. There are no adopted Neighborhood Plans for any of the nine Neighborhood Councils within the City. The subject property is located in Neighborhood Council #6. The applicant's representative met with that Council on June 11, 2014. The Council voted against the proposal (minutes are attached as Exhibit G). Staff received a neighborhood petition (attached as Exhibit H) on June 23, 2014. The Planning Advisory Board/Zoning Commission received it the same day via email and a hard copy was provided at its June 24, 2014 meeting.

6. Location. The subject property is located in an area that is a combination of both residential and commercial uses, as well as a mix between City and County properties which, in general, make multi-family housing an appropriate use.

7. Development Scale. Neighborhoods on the fringes of the City afford added opportunities to take advantage of the variety of lifestyles abutting rural/agricultural properties and a relatively low density development pattern. Contextually, new development of multi-family units in these areas should maintain the visual and physical character of adjacent single-family neighborhood, including the maintenance of front yard setbacks, modulation of building volumes, and articulation of building façades to convey the sense of individual units, and use of building materials that characterize single-family housing.

8. Neighborhood Character. New multi-family development in single-family neighborhoods should maintain the neighborhood's predominant and distinguishing characteristics such as property setbacks and building scale.

9. Impact Mitigation. Techniques should be required when a multi-family development is located adjacent to a single-family development. This may include the following: buffers, clustering, height limitations, landscaping, landscaping berms and fences. The final site plan should include these mitigation techniques.

10. Parking/Garages. The preliminary design, function, and flow of the site plan with garages does not provide the best option for providing onsite parking. Further, there is no provision in the Land Development Code requiring that garages be used solely for vehicular use. Staff is concerned that there is not adequate off-street parking for the number of units. This in turn could lead to restricted traffic flow and congestion due to on-street parking by tenants, which increases safety concerns.

11. Transportation/Connectivity. Though there is not currently a designated bike/pedestrian trail system in the immediate vicinity of the subject property, the South Central Arterials Project (2016) will improve three segments of nearby sub-standard roadway to two-lane collector street standards, with additional capacity, at the following locations: 24th Avenue South between 13th Street South and 26th Street South; 13th Street South between 21st Avenue South and 27th Avenue South; and 26th Street South between 18th Avenue South and 24th Avenue South, which includes installation of a sidewalk and/or trail system to which the development shall connect.

12. Fiscal Impact & City Staffing. Completion of the full project proposal, contingent on rezoning, will have beneficial financial impact for the City due to the creation of multi-family lots upon which property taxes would be assessed. There is adequate staffing to administer and enforce the zoning map amendment.

13. Public Health, Safety and Welfare. Rezoning would allow the applicant to address the need for diverse housing options in the City. Conversely, there will be impacts to the neighborhood with either condominiums or multi-family apartments. The Planning Advisory Board/Zoning Commission has to weigh the difference.

14. _____

Request to Vacate Castle Pines Drive

Concurrent to the rezoning request, the applicant is also processing a request to vacate the unimproved northernmost portion of the Castle Pines Drive public right-of-way (ROW). The subject ROW is approximately 9,559.60 square feet or ± 0.219 acres. Vacation of said right-of-way would allow the applicant to construct access to two of the 12-plexes and provide some parking. The City would retain an easement across the subject ROW for use as a public utility easement.

The City supports this request as Castle Pines Drive is located too close to the intersection of 24th Avenue South and 13th Street South, and it would be safer to have traffic from the development access the site from the south and west via Castle Pines Drive and 27th Avenue South or from the north and east via 25th Avenue South and Castle Pines Way (see Exhibit B - Aerial Map). Additionally, the long-term maintenance cost of the roadway segment would be eliminated.

City's Right to Vacate Right-of-Way

Generally land in the right-of-way is dedicated to the City for public use, which includes public access and certain utility uses. The right-of-way dedicated to the City is not fee title property that can be sold or traded. Once the right-of-way is determined to not be needed for public use, it can be vacated, in which case the title reverts to the adjacent property owner(s).

The adjacent property owner does not own vacated ROW until the reversion is completed. To meet the standards of the City's Land Development Code and the Montana Subdivision and Platting Act (Title 76, Chapter 3, MCA), the lot needs to be resurveyed, and an amended plat filed with the County Clerk and Recorder, to incorporate the vacation of right-of-way.

Streets & Traffic Analysis

Vehicles accessing the proposed development would use either Castle Pines Way from 24th Avenue South, or 27th Avenue South from 13th Street South. The adjoining major roadways have ample capacity for the additional traffic, and no additional traffic control would be necessary. See Exhibit G for full traffic analysis information, which includes the number of estimated vehicle trips generated by the proposed project and existing traffic counts.

Utilities & Stormwater

Public Works has provided the following comments from their preliminary review for utilities and stormwater:

- The Amended Plat shall include the City retaining an easement in the vacated portion of the Castle Pines Drive right-of-way for existing public utilities.
- Easements shall be established for all new water and sewer service lines installed.
- The developer is required to provide a storm water 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. Also, the applicant will need to work with the City Fire Department regarding the turning radius for fire truck access throughout the project, location of fire hydrants and fire connections. All final plans will be approved by the City.

Amended Plat

Concurrent to the rezoning request, the applicant is also processing an Amended Plat that aggregates Lot 1, Block 1 and Lot 1, Block 3 into one lot with the vacation of the northernmost portion of Castle Pines Drive (see Exhibit D - Draft Amended Plat). Creation of this larger lot would allow for the construction of the 12-plexes, driveway and parking without the need for a shared parking, access, and maintenance agreement for the properties, especially since the ownership is the same for all lots. The total area of all seven lots in the Amended Plat is ± 3.5125 acres and establishes the rezoning boundary for the project.

Findings for the Basis of Decision have been provided by Staff for the request to rezone the subject property. It is the responsibility of the Planning Advisory Board/Zoning Commission to review these findings, and consider findings of its own, in order to motion for approval or denial of the rezone request.

Based on the information provided in this staff report, Staff recommends approval of the request to vacate the northern portion of Castle Pines Drive.

Additionally, each of the recommendations presented below are to be considered and acted upon *separately* by the Zoning Commission and Planning Advisory Board if applicable:

Recommendation I:

The Zoning Commission, based on Findings # _____ supporting its Basis of Decision, recommends the City Commission (approve/deny) rezoning the subject property, legally described in this staff report, from the existing PUD Planned Unit Development to R-5 Multi-family medium density.

Recommendation II:

The Planning Advisory Board recommends the City Commission approve the request to vacate the northern portion of Castle Pines Drive, consisting of ±0.219 acres, as shown on the draft amended plat, subject to the Conditions of Approval being fulfilled by the applicant.

Conditions of Approval

1. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Amended Plat.** Provide an Amended Plat of the subject property which shall incorporate corrections of any errors or omissions noted by Staff. In addition, the Amended Plat shall include the City retaining a portion of the vacated width of Castle Pines Drive for public utilities.
3. **Land Use & Zoning.** Except as provided herein, development of the property shall be consistent with allowed uses and specific development standards for this R-5 district designation.
4. **Pedestrian Access** be provided between the proposed development and 24th Avenue South, either through an easement and sidewalk along the vacated ROW, or through construction of a sidewalk east along the north side of 25th Avenue South to Castle Pines Way, then north to 24th Avenue South.

Review/Approval Process

Next Steps

1. The Planning Advisory Board/Zoning Commission recommendation will be presented to City Commission.
2. City Commission will approve or deny the rezoning and vacation of right-of-way.
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 Council Coordinator
 Spencer Woith, Woith Engineering, spencer@woitheng.com
 Robert Stone, Stone Inc., superiorcabinets@hotmail.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

Submittal Date: _____
 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
 Public Hearing Notice

NEWCASTLE ADDITION
 Name of Project / Development:

HAROLD POULSEN
 Owner Name:

PO BOX 1376, GREAT FALLS, MT 59403
 Mailing Address:

(406) 788-6441
 Phone: _____ Email: _____

WOITH ENGINEERING
 Representative Name:

P.O. BOX 7326, GREAT FALLS, MT 59406
 Mailing Address:

(406) 761-1955 SPENCER.WOITH@WOITHENGINEERING.COM
 Phone: _____ Email: _____

PROPERTY DESCRIPTION / LOCATION:

G.L.O. LOT 1 19 §18 20N 4E
 Mark/Lot: Section: Township/Block: Range/Addition:

INTERSECTION 13TH ST. S. & 24TH AVE. S.
 Street Address:

ZONING:

PUD PUD
 Current: Proposed:

LAND USE:

MULTIFAMILY DWELLING MULTI FAMILY DWELLING
 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 public hearing notice requirements and associated costs for land development projects are my (our) responsibility. 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.

 Property Owner's Signature: _____ Date: _____

 Representative's Signature: _____ Date: _____

PLAT OF NEW CASTLE ADDITION TO THE CITY OF GREAT FALLS A SUBDIVISION LOCATED IN G.L.O. LOT 1 OF SECTION 19, AND IN THE SW1/4 SW1/4, SECTION 18, T20N, R4E, P.M.M.T, CASCADE COUNTY, MONTANA AN AMENDMENT OF THE PLAT OF NEW CASTLE CONDOMINIUMS



- LEGEND**
- 1.5" x 1.5" FOUND SECTION CORNER
 - 2.0" x 2.0" FOUND MONUMENT
 - SET IRON PIN AND CAP
 - SET STREET MONUMENT
 - P.O.B. POINT OF BEGINNING
 - T.P.O.B. TRUE POINT OF BEGINNING
 - 1/4 IN. SQUARE FEET
 - EASEMENT DIMENSIONS
 - (0°00'00" - 10.00') RECORD BEARING & DISTANCE
 - MEASURED BEARING & DISTANCE
 - PUBLIC UTILITY EASEMENTS
 - ADDITION BOUNDARY
 - NEW PROPERTY LINES
 - EXISTING PROPERTY LINES
 - EXISTING SECTION LINE
 - STREET CENTER LINES
 - VACATED STREET RIGHT-OF-WAY

AREAS

STREETS - 34,723 SF = 0.7971 ACRES
 LOTS - 118,285 SF = 2.7154 ACRES
 TOTAL AREA - 153,008 SF = 3.5125 ACRES

5/8"x24" IRON PIN AND CAP "CORNER"
 SET AT ALL NEW PROPERTY CORNERS



CERTIFICATE OF DESIGNATION

I, the undersigned engineer, hereby certify that the foregoing plat has been prepared in accordance with the laws, rules and regulations of the State of Montana, and that the same conforms to the provisions of the Public Health Act, Chapter 10, Part 4, M.C.A. and that the survey was made in accordance with the provisions of Title 76, Chapter 51, Part 4, M.C.A.

HAROLD FOELLER
 STATE OF MONTANA
 County of Cascade

I, HAROLD FOELLER, Professional Engineer and Land Surveyor, License No. 53865, do hereby certify that on April 20, 2014, I supervised the survey of the above described tract of land to be shown and designated as the PLAT OF NEW CASTLE ADDITION, to the City of Great Falls, Cascade County, Montana, and that the survey was made in accordance with the provisions of Title 76, Chapter 51, Part 4, M.C.A.

CERTIFICATE OF AMALGAMATION

I, DANIEL SCHAFER, Professional Engineer and Land Surveyor, License No. 53865, do hereby certify that on April 20, 2014, I supervised the survey of the above described tract of land to be shown and designated as the PLAT OF NEW CASTLE ADDITION, to the City of Great Falls, Cascade County, Montana, and that the survey was made in accordance with the provisions of Title 76, Chapter 51, Part 4, M.C.A.

CERTIFICATE OF PUBLIC SERVICE DIRECTOR

I, JIM REARDON, Public Service Director for the City of Great Falls, Montana, do hereby certify that I have examined the accompanying PLAT OF NEW CASTLE ADDITION, to the City of Great Falls, Cascade County, Montana, and the survey plat it represents, and I find the same conforms to the regulations governing the platting of and to the provisions of the Public Health Act, Chapter 10, Part 4, M.C.A. and that the same conforms to the provisions of the Public Health Act, Chapter 10, Part 4, M.C.A. and that the survey was made in accordance with the provisions of Title 76, Chapter 51, Part 4, M.C.A.

CERTIFICATE OF COUNTY TREASURER

I, JANE BAILEY, County Treasurer of Cascade County, Montana, do hereby certify that I have examined the records covering the taxes included in the accompanying PLAT OF NEW CASTLE ADDITION, to the City of Great Falls, Cascade County, Montana, and find that the same on the same have been paid for the last five years, dated this _____ day of _____, 2014.

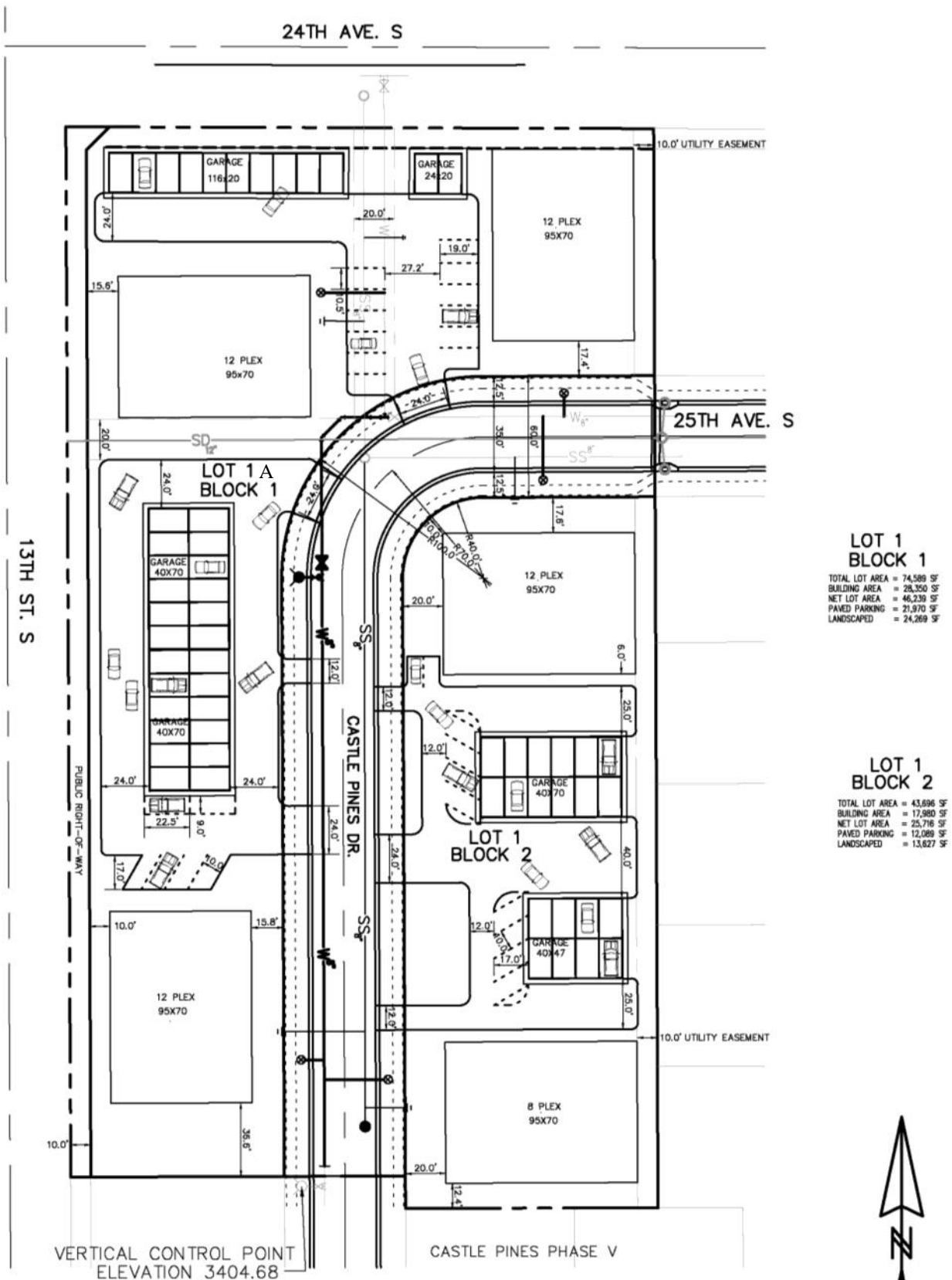
CERTIFICATE OF AVAILABILITY OF MUNICIPAL SERVICES

I, GREGORY T. BOYTON, City Manager of the City of Great Falls, Montana, do hereby certify that the City Commission of the City of Great Falls, Montana, has determined that the required park dedication for this addition has been satisfied pursuant to Section 76-1-627, M.C.A. dated this _____ day of _____, 2014.

CERTIFICATE OF CITY MANAGER

I, GREGORY T. BOYTON, City Manager of the City of Great Falls, Montana, do hereby certify that the City Commission of the City of Great Falls, Montana, has determined that the required park dedication for this addition has been satisfied pursuant to Section 76-1-627, M.C.A. dated this _____ day of _____, 2014.

EXHIBIT E - PRELIMINARY SITE PLAN



**LOT 1
BLOCK 1**

TOTAL LOT AREA = 74,589 SF
 BUILDING AREA = 28,350 SF
 NET LOT AREA = 46,239 SF
 PAVED PARKING = 21,970 SF
 LANDSCAPED = 24,269 SF

**LOT 1
BLOCK 2**

TOTAL LOT AREA = 43,696 SF
 BUILDING AREA = 17,980 SF
 NET LOT AREA = 25,716 SF
 PAVED PARKING = 12,089 SF
 LANDSCAPED = 13,627 SF

MAXIMUM BUILDING HEIGHT = 45'
 1-1/2 PARKING SPACES PER UNIT



1"=50'

EXHIBIT F - TRAFFIC ANALYSIS

6/19/14

Traffic Analysis for New Castle Multi-Family Re-Zone, ROW Vacation and Re-Plat

The proposed property is currently zoned Planned Unit Development (PUD) for 27 residential condominiums in two and three unit structures. The new proposed site plan for the subject property would accommodate 56 multi-family units in five structures. The proposed development would also vacate a short segment of the platted (but unbuilt) Castle Pines Drive between 24th and 25th Avenues South to eliminate a potentially dangerous intersection.

Future Improvements: The South Central Urban Area Arterial Improvement Project is a public, federal-aid project adjoining the subject property that will be constructed in 2016, improving the roadways of 24th Avenue South and 13th Street South, and installing sidewalks. These improvements would be performed at no cost to the developer. However, the developer would donate a small segment of the corner of the property (outside the existing wall) to accommodate the roadway improvement project.

Trip Generation: Using a trip generation rate from the ITE Trip Generation Manual (9th Edition), a development of this size and type (56 Low-Rise Apartments) would be expected to generate an average of 6.59 trips per occupied dwelling unit on a weekday, for a total of 369 trips per day. The current approved development, a PUD for 27 residential condominium units, would generate an average of 5.81 trips per occupied dwelling unit on a weekday, for a total of 157 trips per day. The total additional trips generated by the proposed development would be 212 trips above what is currently approved.

Area Traffic Counts: Traffic Counts are taken bi-yearly at locations around the Great Falls community. Nearby counts are:

13 th St S, just south of 22 nd Ave S	4,850 (2012)
13 th St S, just south of 24 th Ave S	3,225 (2012)
8 th St NE, between 27 th and 28 th Sts NE	1,743 (2012)

Trip Distribution: Vehicles accessing the proposed development would use either Castle Pines Way from 24th Avenue South, or 27th Avenue South from 13th Street South. Depending on the origin and destination of the trip, the driver will likely use the most convenient access point. It is assumed that Castle Pines Way will attract a few more trips, because most of the trips will be to and from the north. A 60/40 distribution would add 221 trips to Castle Pines Way (north of 25th Ave S) and 148 to 27th Avenue South (west of Castle Pines Drive). This includes all trips, not just the trips above those that would be generated by the approved PUD. Because these trips would be distributed over the day, there would be only a small impact upon the subject streets. At peak hour, residents may notice a slight increase in traffic, but the overall impact will be minimal.

The adjoining major roadways have ample capacity for the additional traffic, and no additional traffic control would be necessary.

EXHIBIT F - TRAFFIC ANALYSIS

6/19/14

Driveway Access: Although the draft site plan shows proposed driveway accesses, further refinement of the parking and accesses would be performed before a final site plan would be approved.

Pedestrian Access

Through a federal-aid roadway reconstruction project, sidewalks will be constructed adjacent to the subject property at no cost to the developer. However, the developer must provide a clear and direct pedestrian connection to either 13th Avenue South or 24th Avenue South, to give future residents a safe pedestrian connection to 24th Avenue South. The developer will be given two options – a public pedestrian easement across the abandoned section of Castle Pines Drive, or construction of sidewalk across the full frontage of the vacant parcel at the northwest corner of Castle Pines Way and 25th Avenue South.

Bicycle Facilities

24th Avenue South will be re-constructed with 5 foot shoulders to accommodate bicycle connections to destinations within the City of Great Falls. Such a facility will encourage residents of the Castle Pines subdivision to own and utilize bicycles. Although not required, the developer will be encouraged to provide on-site bicycle racks for the benefit and convenience of its tenants and their visitors.

RECOMMENDATION:

That pedestrian access be provided between the proposed development and 24th Avenue South, either through an easement and sidewalk along the abandoned ROW, or through construction of a sidewalk east along the north side of 25th Avenue South to Castle Pines Way, then north to 24th Avenue South.

EXHIBIT G - NEIGHBORHOOD COUNCIL MINUTES

NEIGHBORHOOD COUNCIL #6 MEETING June 11, 2014 Gibson Room, Civic Center

COUNCIL MEMBERS PRESENT: Robin Baker, Carl Donovan, Darrell Beauchamp, and Cherry Loney

COUNCIL MEMBERS ABSENT: Julie Parker

There were approximately 25 neighborhood residents of Castle Pines Addition in attendance.

The meeting was called to order at 7:00 p.m. followed by the Pledge of Allegiance.

Old Business:

Minutes of the May 7, 2014 meeting were approved as written.

Committee Reports: None

Robin reported on the successful ice cream social held by the Council to celebrate the new playground equipment at Verde Park. At least 100 people were in attendance.

New Business:

Castle Pines Addition: Residents spoke of their concerns about a proposed zoning change that, if approved, will change current zoning to allow for multiunit apartment complexes. Currently plans are underway to construct a 50-unit, 3-story apartment complex on the west end of Castle Pines. Several property owners voiced concerns about placing this type of structure in their neighborhood, which was originally intended for single family dwellings and condos. Spencer Woith, Woith Engineering, has been engaged by Robert Stone, builder, as the project engineer. He was in attendance and addressed questions from property owners. Spencer said the type of apartments will be market driven (high end vs lower monthly rent, garages, etc.) He noted everything would need to go through the public hearing process beginning with the request for a zoning change at the Planning Board meeting on June 24 at 3 pm. The following property owners voiced various concerns.

Josh Racki, 2544 Castle Pines Way
 Martin Edwards, 1500 25th Ave. So.
 Dale Yatsko, 674 Stockett Rd speaking for his son Orin Yatsko, 2500 Castle Pines Way
 Donna McPartlin, 2524 Castle Pines Way
 Dave Delaney, 1415 25th Ave. So.
 Kevin May, 2536 Castle Pines Way
 Jessica Vlasie, 2512 Castle Pines Way
 Daniel Arnold, 1505 25th Ave. So.
 Jerry Dennis, 1512 25th Ave. So.
 Nick and Lynn Porter, 2504 15th St. So. via email
 Darlene Dennis, 1512 25th Ave. So.
 Jason Olthoff, 2513 Castle Pines Way
 Lonnie McAllister, 2516 Castle Pines Way

Concerns brought forward include:

1. **Zoning and Property Use as Represented When Property Was Developed:** The property is zoned for single family dwellings and condos, not multi-unit apartment buildings. There was no mention of multi-unit apartment buildings at the time of purchase. Some property owners indicated they would not have purchased property if they had known multi-unit apartments could eventually be constructed in the neighborhood.
2. **Increased Traffic:** The 50 units would each have 1.5 parking spaces. At a minimum, this means 75 more cars in the area making an estimated 3 – 4 trips daily to work, shop, etc. raising the traffic level considerably. There is already a lot of traffic in the area and traffic issues (speeding, no stop signs, missing the turn and running up on the grass). Increased traffic will only exacerbate this problem.

EXHIBIT G - NEIGHBORHOOD COUNCIL MINUTES

3. Safety: Many families who live there are young families with small children who play in the area and also walk to Sunnyside School. Increased traffic will present added safety issues. Also, there are road improvements planned for 13th St. and 24th Ave. So., which will result in more traffic moving faster than it currently does. This too will add to safety issues, particularly for children.
4. Parking Issues: It was noted that 1.5 parking spaces per unit does not provide enough parking space and apartment tenants would probably have at least two vehicles and possibly a recreational vehicle. This will lead to parking along the street as has happened in other Great Falls neighborhoods. Pictures of apartment complexes near the soccer fields were provided as a case in point.
5. Increased Crime: The apartments will likely be lower rent units as the economy in Great Falls does not support a market for higher end units. This may attract a segment of the population that is not compatible with a family neighborhood and could mean crime rates in the neighborhood would increase.
6. Decreased Property Values: Many raised concerns about the effect it would have on their property values noting Castle Pines is a subdivision of homes. "Why are we driving property values down? If this type of apartment complex is needed, it should be placed in an area more suited for this type of living. The area planned for the apartment complex would better serve the neighborhood if it was converted to a park."
7. Fundamentally Changes the Neighborhood: People bought property from Robert Stone with the understanding it would be for condos and single family dwellings, not multi-unit apartments. This changes the neighborhood and is an issue of fundamental fairness.
8. Privacy: The privacy and seclusion of backyards will be jeopardized by a multi-story apartment structure, which will enable tenants of upper stories to see into neighbors' yards.

By unanimous ballot, the Council voted **against a zoning change** and to formally request that the Planning Board and Great Falls City Commission deny the request. Robin Baker will attend the June 24 meeting and present the Council's request.

Neighborhood residents were encouraged to attend meetings and to fully participate in the public process.

The Council asked Cherry Loney to contact Jerry McKinley about conducting traffic studies at 15th St. So./25th Ave. So. and Castle Pines Way/25th Ave. So. to determine if and where traffic control and signage is needed.

Other Business:

Donna McPartlin, 2524 Castle Pines Way noted there were problems with snow removal on Castle Pines Way. The Council suggested she contact Jim Turnbow directly to describe her concerns and give him the info needed to follow up.

The meeting adjourned at 8:36 p.m.

Respectfully Submitted,

Cherry Loney, Secretary

EXHIBIT H - NEIGHBORHOOD PETITION