

# PLANNING ADVISORY BOARD ZONING COMMISSION

**SEPTEMBER 22, 2015**

**Case Number**

PUD2015-1

**Applicant/Owner**

Discovery Meadows, Inc.

**Representative**

Woith Engineering, Inc.

**Location**

The subject property abuts 7th Ave N, in the vicinity of 52nd St N and Siebel Soccer Park

**Requested Action**

**PUD Amendment** to allow attached single-family residential units on fee simple lots (townhouses) in addition to the already approved detached single-family units.

**Neighborhood Council**

Neighborhood Council #4

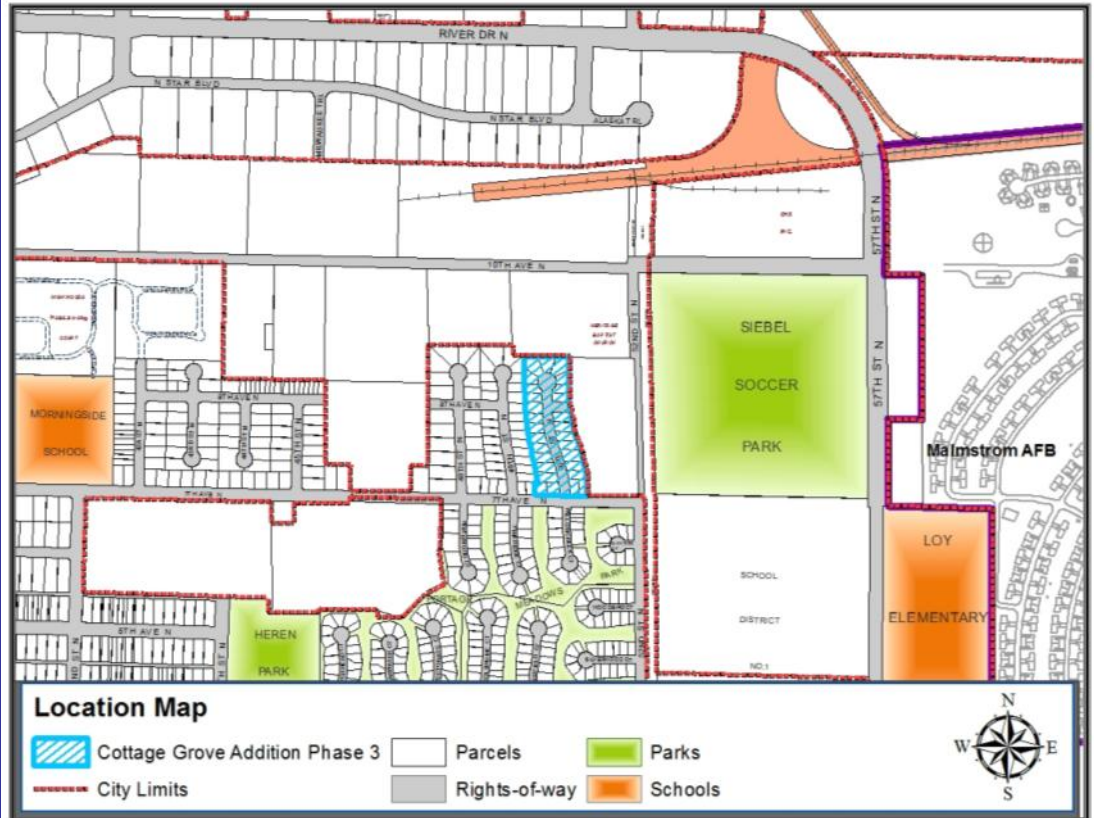
**Recommendation**

Approval of the request with Conditions

**Project Planner**

Galen Amy

## COTTAGE GROVE ADDITION PHASE 3 PUD AMENDMENT



### Summary

The subject property consists of 28 lots located along the northern extension of 50th Street North, off of 7th Avenue North. The applicant is requesting an amendment of the existing PUD Planned Unit Development standards for the subdivision.

- Legal description of subject property: Cottage Grove Addition Phase 3, located in the NE¼ SE¼ of Section 4, Township 20 North, Range 4 East, P.M. MT, Cascade County, Montana

- Total area: ± 5.19 acres or ± 225,296 square feet

### Agency Comment

Representatives from the City's Public Works, Police, Park and Recreation, and Fire Departments 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.

Subject Property Conditions

**Existing Use:** developing residential neighborhood **Proposed Use:** same

**Existing Zoning:** PUD Planned Unit Development **Proposed Zoning:** PUD Planned Unit Development

**Adjacent Land Use:** The subject property is located on the edge of a confluence of zoning districts, with existing PUD Planned Unit Development immediately to the west and south and R-3 Single-family high density district neighborhood further west. Abutting the subject property to the north is Heritage Baptist Church, which is located in Cascade County. Unincorporated, vacant county land is abutting the property on the east with Siebel Soccer Park and Loy Elementary School beyond to the east, respectively zoned POS Park and Open Space and PLI Public Lands and Institutional. See Exhibit B- Zoning Map for more information.

Property Background

The subject property was annexed and zoned PUD in 2008. Cottage Grove Addition Phase 3 aligns with Cottage Grove Addition Phase 1 and Phase 2, adjacent to the east, in layout, density and design. Phase 1 and 2 are fully built out with detached single-family residential units. To date, Phase 3 is partially built out with a number of lots sold and ready to be developed. Additional information about the history of the project is available on the City’s website and at the City Planning and Community Development Department.



View north along 50th Street North at the undeveloped lots in the Cottage Grove Phase 3 subdivision. The street will ultimately be extended into a cul-de-sac.



View northeast from 50th Street North across some of the undeveloped lots in the subdivision with CHS, Inc. in the background

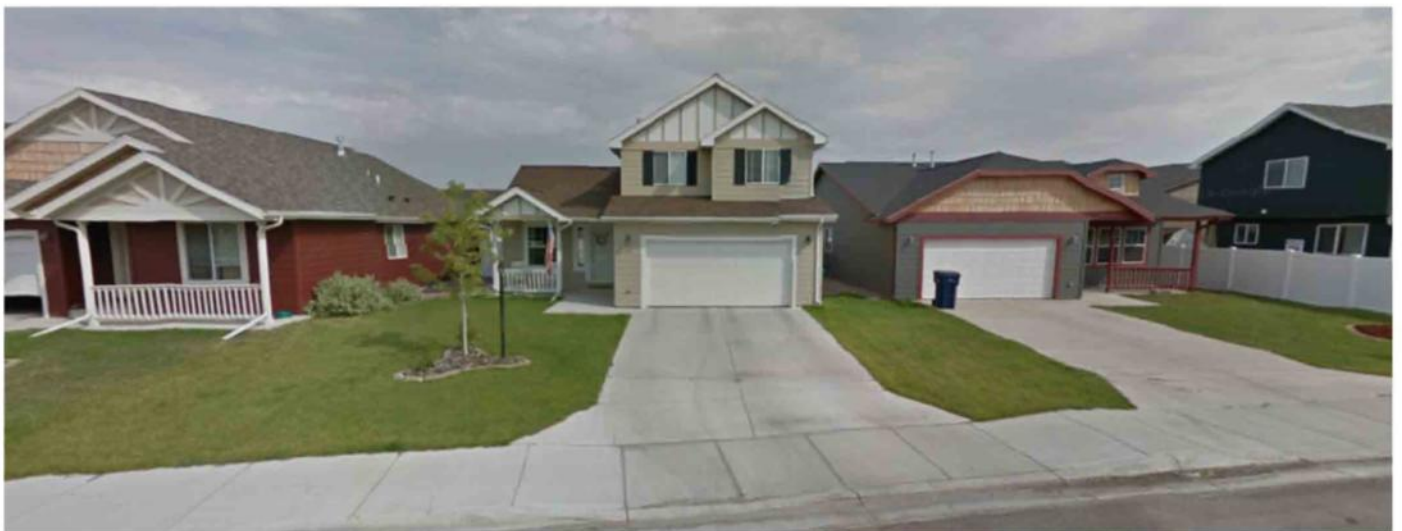


View south down 50th Street North at the existing houses in the subject subdivision.



View north along 49th Street North, at the neighborhood character.

EXHIBIT A - NEIGHBORHOOD CHARACTER  
COTTAGE GROVE ADDITION PHASE 2  
49TH STREET NORTH

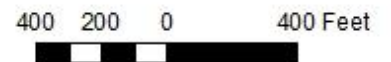


# EXHIBIT B - ZONING MAP



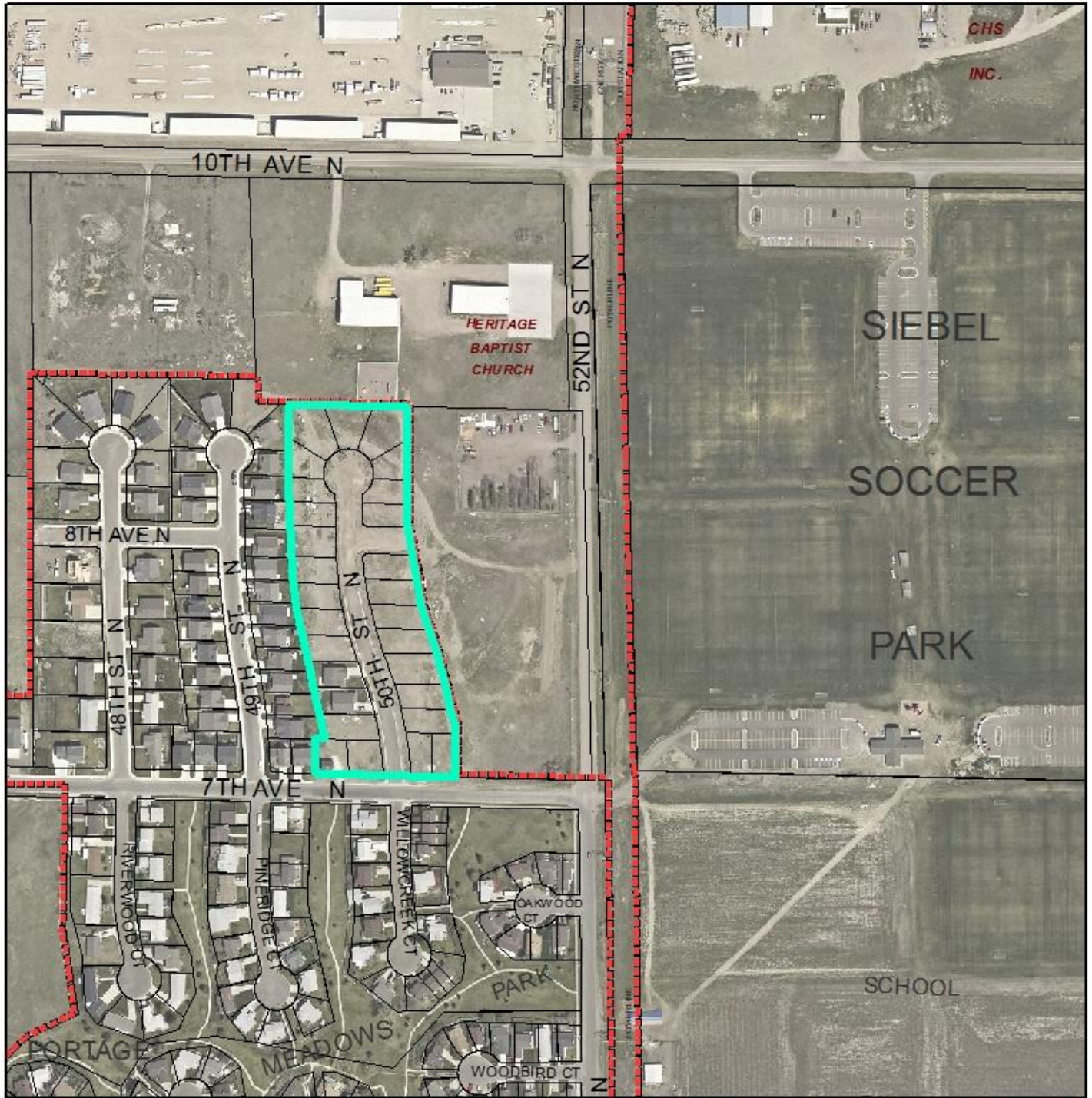
## Legend




- City Limits
- Cottage Grove Addition Phase 3
- Tracts of Land
- right-of-way
- ZONING**
- R-3 Single-family High Density
- R-5 Multi-family Medium Density
- PUD Planned Unit Development
- C-2 General Commercial
- M-2 Mixed-use Transitional
- I-2 Heavy Industrial
- PLI Public Lands and Institutional
- POS Parks and Open Space
- U Unincorporated Enclave



Cottage Grove Addition Phase 3  
PUD Zoning Amendment

# EXHIBIT C - AERIAL MAP



-  Cottage Grove Addition Phase 3
-  City Limits
-  Tracts of Land



PUD amendment

## Planned Unit Development (PUD) Analysis

The existing PUD standards approved for the subject property are for high density, detached single-family residential units on fee simple lots. In response to the Great Falls housing market demands, the owner is requesting a PUD amendment in order to have the option of developing both the approved detached single-family homes or attached 2-unit townhomes. This provides for an increase in the diversity of the housing stock in the city, as well as makes the attached units more affordable.

The proposed PUD amendment does not create an increase in density as each townhome would still be on a fee simple lot. The current density in the subdivision is 5.39 dwelling units per acre (du/ac). This is similar to the adjacent Cottage Grove Addition Phase 2, which is 5.88 du/ac. The owner is not proposing any boundary line adjustments or changes to the recorded Cottage Grove Addition Phase 3 plat. The existing subdivision provides adequate area for future development to meet all of the proposed amended PUD development standards for setbacks, height, and lot coverage. The proposed PUD standards are included as Exhibit E.

There will be few site specific differences between the proposed PUD amendments and the previous PUD standards, namely that some units can be attached, thus eliminating one of the side yard setbacks. The location of the subject property to Malmstrom Air Force Base, Morningside and Loy elementary schools, Siebel Soccer Park and Rivers Edge Trail seems to lend itself well, in most respects, to this type of development, and a PUD amendment must be considered in its full context.

In this instance, the subject property is in the vicinity of numerous existing multi-family apartment, condominium buildings and townhomes to the south and west. Because similar housing configurations exist in the immediate vicinity, with similar look, function and impact, it would not be inappropriate to amend the exiting PUD for the subject property. In addition, the applicant shall be required to fulfill the proposed development standards, parking, lighting and landscaping requirements when the project goes to the Design Review Board and applies for building permits.

The basis for decision on zoning map amendments is listed in Section 17.16.29.050 of Title 17- Land Development Code of the Official Code of the City of Great Falls (OCCGF). The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the following criteria:

### **1. The development project is consistent with the City's growth policy.**

The proposed rezoning is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project strongly supports 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 sets the task to review the zoning districts in which townhomes are permitted in order to expand this use, either by allowing it in more zoning districts or improving the review standards so as to make it more suitable for other zoning districts.

**2. The development project is consistent with applicable neighborhood plans, if any.**

Great Falls is separated into nine Neighborhood Councils. There are no adopted Neighborhood Plans for any of the Councils within the City. The subject property is located in Neighborhood Council #4. Information about the proposed PUD amendment was provided to the Council via email on September 3, 2015. There were general questions about the requested changes and the history of the subdivision. Staff provided additional information to the Council via email.

**3. The establishment, maintenance, or operation of the development project will not be detrimental to, or endanger the public health, safety, morals, comfort or general welfare.**

Cottage Grove Addition Phase 3 was originally approved for high density single-family residential use and PUD zoning in 2008, and has been partially developed. At that time, the City Public Works Department determined that the subdivision could connect to municipal facilities and that there would be no adverse impact for doing so. The proposed PUD development standards are similar to the R-3 Single-family high density zoning district, and the high density development pattern in the adjacent neighborhoods, and therefore do not impede on the neighborhood comfort.

The subject property's close proximity to Malmstrom Air Force Base, Morningside and Loy Elementary Schools, serves as an asset to the broader community. Siebel Soccer Park is  $\pm 0.5$  miles away to the east, and Rivers Edge Trail is  $\pm 1.5$  miles away to the northwest. The approval of Wal-Mart to be developed on the southwest corner of the intersection of 10th Avenue South and 57th Street South further makes the subject property close to work, shopping, and additional recreation opportunities. Amending the PUD to allow attached 2-unit townhomes provides alternative housing options and will help encourage infill development on the vacant lots in the subdivision.

Any development within the City limits requires City review, including review of how the development will impact the public health, safety and welfare. At the time that this project was initially annexed and received City zoning, it went through said review. It is not anticipated that the proposed PUD amendment will have any negative impact. The proposed project will be well landscaped, lighted, maintained and managed by the owner to ensure this is the case.

**4. The development project will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.**

The PUD amendment simply proposes providing housing options between attached and detached single-family residential units. As stated previously, the proposed PUD amendment does not create an increase in density, only a change in the housing layout as viewed from the street. As such it is not anticipated to be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor sustainably diminish or impair property values in the neighborhood. Properties to the west and south have similar uses, so the zoning amendment would be consistent with existing development in the surrounding area.

**5. The development project will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

As Cottage Grove Addition Phase 3 was reviewed and approved in 2008, and is now an existing residential subdivision, the proposed PUD amendment is not anticipated to impede on the normal and orderly development and improvement of the surrounding property for similar residential uses.

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**6. The proposed design of the building and other structures are compatible with the desired character of the neighborhood.**

The owner intends to develop the remaining lots in the subdivision, either as attached or detached single-family units, to match the existing neighborhood character established in the previous Cottage Grove Addition phases to the west along 48th and 49th Street North, as shown on Exhibit A. Further, per the OCCGF, the owner shall take the 2-unit townhome design before the Design Review Board for review and approval.

**7. Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.**

When Cottage Grove Addition Phase 3 was reviewed and approved in 2008 the City confirmed that there are adequate utilities, access roads, drainage and other necessary facilities provided to the subdivision. The street grades in the undeveloped portion of the subdivision were initially designed in 2008 to drain storm water along 50th Street North to 7th Avenue North where there is existing storm drain and inlets.

In previous Cottage Grove Addition phases and surrounding development, it was necessary to subsequently extend some lateral storm drain lines from the street to the back lot lines to correct negative drainage (pooling and standing water) areas which happened during the lot home building/lot grading process. Consideration should be given to site grading during the home building process to avoid these negative drainage situations again. It is recommended that those lots that are located on the high side of the street grade those lots to drain to the street on the side yards. Those lots that are situated on the low side of the street should grade as much as possible to the street with consideration of any adverse impacts to the remaining or surrounding areas.

Townhomes will require separate water and sewer services.

The project architect and engineer shall submit reports and site civil plans to the City Public Works Department for review and approval.

**8. Adequate measures have been or will be taken to provide ingress and egress so as to minimize traffic congestion in the public streets.**

As the plat shows in Exhibit F, the subdivision has north/south access to 7th Avenue North via 50th Street North, and in the future 8th Avenue North will extend west to 52nd Street North. These low-volume local streets will have adequate capacity to accommodate traffic generated by the development. In addition, any work that may impact the 7th Avenue North or 50th Street North public right-of-ways shall be coordinated, reviewed and approved by the Public Works Department.



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## Recommendations

The City Zoning Commission has the responsibility to review and make recommendations on PUD amendments.

### Recommendation:

The Zoning Commission, based on the Findings for the Basis of Decision, recommends the City Commission approve the proposed PUD Planned Unit Development amendment for Cottage Grove Addition Phase 3, legally described in the staff report, to allow for attached 2-unit townhomes in addition to detached single-family residential units, subject to the Conditions of Approval being fulfilled by the applicant.

### Conditions of Approval

1. 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. A shared structure maintenance agreement for any future townhomes developed in Cottage Grove Addition Phase 3 shall be established.
3. The owner shall take the 2-unit townhome design to the Design Review Board for review and approval.
4. All future outdoor lighting shall have cutoff fixtures and be situated to prevent off-site light pollution.
5. No permanent structures shall be constructed on existing natural gas and utility easements shown on the Cottage Grove Addition Phase 3 plat.
6. The project architect and engineer shall submit reports and site civil plans to the City Public Works Department for review and approval.
7. If after approval the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning Department shall determine in writing if such proposed change would alter the finding for one or more review criteria. If such proposed changes would alter a finding, the proposal shall be submitted for review as a new development application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.

## Review/Approval Process

### **Next Steps**

1. The Zoning Commission recommendation will be presented to City Commission.
2. City Commission will approve or deny the rezoning.
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, Inc., [spencer@woitheng.com](mailto:spencer@woitheng.com)

# EXHIBIT D - 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

### COTTAGE GROVE ADDITION PHASE 3

Name of Project / Development:

DISCOVERY MEADOWS, INC.

Owner Name:

1725 S GREAT FALLS, MT 59405

Mailing Address:

406.761.1955

spencer@woitheng.com

Phone:

Email:

WOITH ENGINEERING, INC.

Representative Name:

P.O. BOX 7326 GREAT FALLS, MT 59406

Mailing Address:

406.761.1955

spencer@woitheng.com

Phone:

Email:

### PROPERTY DESCRIPTION / LOCATION:

Mark/Lot:	NE1/4 SE1/4 SEC 4	T20N	R4E
	Section:	Township/Block:	Range/Addition:

Street Address:

### ZONING:

PUD	PUD	SINGLE FAMILY RESIDENTIAL	SINGLE FAMILY RESIDENTIAL
Current:	Proposed:	Current:	Proposed:

LAND USE:

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:

8/26/15  
Date:

Representative's Signature:

Date:

- Submittal Date: 8/26/2015  
 Application Number: PUD 2015-1  
 Paid (Official Use ONLY):  YKS
- Annexation: \$500
  - Preliminary Plat, Major: \$1,500 + \$50/lot
  - Revised Preliminary Plat: \$1,000
  - Final Plat, Major: \$1,500 + \$25/lot
  - Minor Subdivision: \$1,250
  - Amended Plat, Administrative: \$200
  - Amended Plat, Non-administrative: \$1,000
  - Zoning Map Amendment: \$2,000
  - Conditional Use Permit: \$1,500
  - Planned Unit Development: \$2,000
  - Vacate Public Right-of-Way: \$1,250
  - Public Hearing Notice

## EXHIBIT E - PROPOSED PUD AMENDMENT STANDARDS

COTTAGE GROVE PHASE 3 PUD ZONING STANDARD		
Standard	Single Family Residence - Detached	Single Family Residence - Attached (Townhouse)
Residential density	-	-
Minimum lot size for newly created lots	4500sf	4500sf
Minimum lot width for newly created lots	50 feet	50 feet
Lot proportions for newly created lots (maximum depth to width)	2.2:1 or <	2.2:1 or <
Maximum building height of principal building	35 feet	35 feet
Maximum building height of detached garage	24 feet but not higher than principal building	24 feet but not higher than principal building
Maximum building height of other accessory structures and buildings	12 feet	12 feet
Minimum front yard setback	20 feet	20 feet
Minimum rear yard set back	10 feet	10 feet
Accessory structures and buildings rear yard set back	2 feet	2 feet
Minimum side yard set back	6 feet	0 feet on attached side and 6 feet on detached side
Maximum lot coverage of principal and accessory buildings	60%	70%

EXHIBIT F - COTTAGE GROVE ADDITION PHASE 3 PLAT

