

#### Board of Adjustment / Appeals - June 2, 2022 Agenda Civic Center 2 Park Drive South, Great Falls, MT Commission Chambers, Civic Center 3:00 PM

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), the City of Great Falls and Board of Adjustments/Appeals are making every effort to meet the requirements of open meeting laws:

- The agenda packet material is available on the City's website: https://greatfallsmt.net/meetings. The Public may view and listen to the meeting on government access channel City-190, cable channel 190; or online at https://greatfallsmt.net/livestream.
- Public participation is welcome in the following ways:
  - Attend in person. Please refrain from attending in person if you are not feeling well.
  - Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, June 2, 2022, to: jnygard@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.

#### **OPEN MEETING**

- 1. Call to Order 3:00 P.M.
- 2. Joe McMillen Chair

Krista Smith - Vice Chair

**Antoinette Collins** 

**Aspen Northerner** 

**Christian Stone** 

- 3. Recognition of Staff
- 4. Approval of Meeting Minutes April 21, 2022

#### CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS

#### **BOARD ACTIONS REQUIRING PUBLIC HEARING**

5. 1301 20<sup>th</sup> Street South - Variance to Section 4.2.060 of the Official Code of the City of Great Falls (OCCGF) to allow for additional height allowance for a telecommunication facility

#### BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

#### **COMMUNICATIONS**

6. July 7, 2022 Meeting - Fence height variance request

#### **ADJOURNMENT**

(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.)

Assistive listening devices are available for the hard of hearing, please arrive a few minutes early for set up, or contact the City Clerk's Office in advance at 455-8451. Wi-Fi is available during the meetings for viewing of the online meeting documents.

Board of Adjustment/Appeals meetings are televised on cable channel 190 and streamed live at <a href="https://greatfallsmt.net">https://greatfallsmt.net</a>. Meetings are re-aired on cable channel 190 the following Friday morning at 10 a.m.

#### **PUBLIC COMMENT**

Public Comment on any matter and that is within the jurisdiction of the Board of Adjustment/Appeals. Please keep your remarks to a maximum of five (5) minutes. Speak into the microphone, and state your name and address for the record.

# MINUTES OF THE MEETING OF THE GREAT FALLS BOARD OF ADJUSTMENT/APPEALS

April 21, 2022

#### **CALL TO ORDER**

The meeting of the Great Falls Board of Adjustment/Appeals was called to order by Chair Joe McMillen at 3:03 p.m.

#### **ROLL CALL & ATTENDANCE**

Great Falls Board of Adjustment/Appeals members present:

Mr. Joe McMillen, Chair

Ms. Krista Smith, Vice Chair

Ms. Antoinette Collins

Ms. Aspen Northerner

Ms. Christian Stone

Great Falls Board of Adjustment/Appeals members absent:

None

Planning Staff members present:

Mr. Craig Raymond, Director Planning and Community Development

Mr. Thomas Micuda, Deputy Director Planning & Community Development

Mr. Lonnie Hill, Planner I

Ms. Jamie Nygard, Sr. Admin Assistant

#### Others present:

Mr. Jeff Hindoien, Deputy City Attorney

Mr. Raymond affirmed a quorum of the Board was present.

#### **MINUTES**

Chair McMillen asked if there was a motion to approve the meeting minutes as stated for January 6, 2022. Ms. Smith moved to approve the minutes, seconded by Ms. Stone. All in favor, the minutes were approved.

#### **CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS**

None.

#### **BOARD ACTIONS REQUIRING PUBLIC HEARING**

301 22<sup>nd</sup> Street NW – Variance to Section 17.20.6.130 © and 17.20.6.13 (D) of the Official Code of the City of Great Falls (OCCGF) that would allow the Mini-storage Facility to exist without fronting on or having direct access to a roadway classified as a collector or a higher classification and would not require all driveways, interior aisles, and walkways to be concrete or asphalt.

Mr. Micuda presented to the Board and stated that Brad Eatherly had also been working with the applicant, Neil Johnson on the request. The property is located at 301 22<sup>nd</sup> Street NW and is zoned I-1 Light Industrial and is surrounded by residential zoning. The property is 3.57 acres and currently has a water fill building with gravel access to 22<sup>nd</sup> Street NW and 21<sup>st</sup> Street NW. The property was annexed into the City and zoned Industrial in 2007.

Mr. Micuda presented an Aerial Map, Zoning Map, and Site Photo.

Mr. Micuda stated that the proposal is for construction of a new building for storage of boats, RVs, and contractor equipment. He stated that buildings for the purpose are defined as Mini-storage Facilities. Mini-storage facilities are permitted in I-1 Districts, but are subject to special standards and compliance with general development standards.

Mr. Micuda presented a Preliminary Site Plan.

Mr. Micuda presented the Special standards for Mini-storage facilities outlined as follows.

17.20.6.130 Mini-storage facility.

- Minimum lot size. The lot on which a mini-storage facility is located shall be at least one
   (1) acre in size.
- Access. The access to a cubicle shall not open directly onto a public street or alley.
- Access. A Mini-storage facility shall front on and have direct access to a roadway classified as a collector or a higher classification.
- Paving required. All driveways, interior aisles, and walkways shall be concrete or asphalt.
- Storage of prohibited substances. No cubicle shall be used to store explosives, toxic substances, hazardous materials, or radioactive materials.
- Uses. Only uses which are specific to storage shall occur. No portion of the site may be used for fabrication or any similar use.

Mr. Micuda stated that the two variances being requested were for Access and Paving. City code requires that a mini-storage facility shall front on and have access to a roadway classified as a collector or a higher classification, and Paving is required for all driveways, interior aisles, and walkways shall be concrete or asphalt.

Mr. Micuda spoke about the purpose of the code. He stated that Mini-storage Facilities are popular and even though they are low traffic uses, they should be located to avoid users driving on local streets through residential districts. The applicant's location is problematic because local streets are also gravel and this could lead to both traffic and air particulate impacts. He stated that paving is the universal standard for surfacing in the code. Deviations are allowed for R-1 zoning and I-2 zoning. Paving is the basic standard for development and reduces air particulate and tracking impacts associated with gravel.

Mr. Micuda presented the Staff Variance Analysis and the Findings for the Basis of Decision as listed in §17.16.32.040 of the Land Development Code.

The decision of the Board of Adjustment shall consider the three Basis of Decision criteria.

- 1. The variance is not contrary to the public interest
- 2. A literal enforcement would result in unnecessary hardship, owing to conditions unique to the property
- 3. The spirit of the Title would be observed and substantial justice done by granting the variance.

Mr. Micuda stated that the Variances would be contrary to the public interest. Allowing local street access will draw additional traffic through the low density residential area on two gravel streets. He also stated that the purpose of the code is to protect a residential environments from additional traffic. The greater use of the existing gravel parking area will also increase air particulates.

Mr. Micuda stated that a literal enforcement of these code requirements does not result in unnecessary hardship, owing to conditions unique to the property. He stated that Board conclusions about Hardship should not be based on financial reasons. There are 53 permitted uses of property in the I-1 zoning district. The applicant's proposed use is the only permitted use with the access limitation.

Mr. Micuda stated that requiring new buildings to upgrade surfacing of access and parking is a normal process and that portions of the nearby Forde property have concrete.

Mr. Micuda stated that the spirit of the Title would not be observed and substantial justice done by granting the variance. The applicant could move forward and add other permitted uses without the access restriction. The fact that the residential density and number of lots nearby is low, should not remove concern about traffic impacts. Requiring surfacing upgrades is not unique to the land use and is a standard requirement.

Mr. Micuda stated that based on the findings for the Basis of Decision, staff recommends denial of the requested variances.

#### PETITIONER'S PRESENTATION

Thane Johnson, 26 Kintla Way, Kalispell, Montana, stated that his brother Neil and himself are co-owners of the subject property. He stated that it is a unique property as it borders the highway and they want to be good neighbors. They chose a minimal storage unit proposal with only about 30 or 40 units, so that it would be less impactful on the neighborhood. He stated that there are only 3 residents in the area and livestock on one of them. He stated that the road has always

been gravel and that the property is two blocks away from Central Avenue West. He stated that Prairie Water trucks currently fill their trucks at the property and are in and out of the facility all day long and it has had minimal impact on the residences. He stated that the proposal will not increase the traffic flow. He also stated that he disagrees with the City staff that the proposal is contrary to public interest. He said that it is going to serve a need for storage of large vehicles and it is in a rural area. He stated that the hardship is that they can't use their piece of property. The spirit of the title is that they are in a rural setting and access is currently from gravel streets and everything out in the area is gravel. The pavement requirement adds to the cost of the facility and he believes it would create a storm water issue

#### **BOARD QUESTIONS**

Ms. Stone asked the applicant if he had designs for the property. Mr. Johnson responded that they do not have designs. She also asked if he spoke with the neighbors. Mr. Johnson responded that he spoke with the nursery, but has not spoken with the residences.

Mr. Johnson stated that they are trying to avoid the 15,000 square foot requirement that triggers storm water facilities.

Ms. Smith asked if there was going to be pull in spots for RV's. Mr. Johnson responded that the RV's would be under the building and there will be a fence for contractor's storage of heavy equipment.

Ms. Smith asked if City staff has any concerns about the storm water, if the applicant put asphalt down on the property.

Mr. Micuda responded that the trigger point for looking at storm water control is 15,000 square feet of new impervious surface. Until the applicants come forward with a plan, staff does not know and if the plan is over 15,000 square feet, then a storm water plan will need to be implemented.

Ms. Northerner asked what would be required for the paving on the interior surface. Mr. Micuda responded that people would enter the property on asphalt and circulate through the property to get to the storage units and back out. The local street does not have to be paved.

#### **PUBLIC QUESTIONS**

Scott Mader, 300 22<sup>nd</sup> Street NW, which is right across from the subject property. He stated that he is concerned about the traffic and said that it gets gnarly when there is bad weather and wanted to know if the upkeep of the nearby will be the same with the new proposal. He stated that he did not foresee any other problems.

Steve Gillespie, #9 12<sup>th</sup> St N, has been in real estate for 35 years. He stated that the subject property is unique and the use that the applicant is proposing seems to him to be the highest and best use. He is asking the applicant if they feel that the proposal is the highest and best use as opposed to other projects.

#### **PROPONENTS**

Steve Gillespie, #9 12th St N., stated that he hopes the Board grants the variance.

#### **OPPONENTS**

None.

#### **PETITIONERS RESPONSE**

Thane Johnson responded to the questions and stated that he did not anticipate more than one vehicle every other week that would be in addition to the trucks that are currently there. They want to be good neighbors. He stated that the proposal is the best and highest use of the land.

#### **BOARD DISCUSSION AND ACTION**

MOTION: That the Board of Adjustment, based on the Findings for the Basis of Decision approve the variance request from OCCGF Title 17, Chapter 20, Article 6, Section 130 (D) to allow a Mini-storage Facility to be constructed without fronting or having direct access to a roadway classified as a collector or a higher classification.

MADE BY: Ms. Collins SECOND BY: Ms. Stone

Mr. Micuda noted that in order to approve a variance against the staff's recommendation, the Board needs to create their own findings that indicate the reasons why they support the applicant's variance request.

Mr. McMillen stated that he did not agree with the project being contrary to public interest. He stated that with all the new residents moving to Great Falls and the new laws about people not being able to leave their large vehicles on the streets, it makes the variance a public interest.

Ms. Northerner stated that she cannot find a way that the project is contrary to public interest, especially as people are scrambling to find places to park their boats and RV's. The zoning and the gravel streets are out of the applicant's control, so it is a hardship to prevent the applicant from being able to locate on a local street. She stated that other businesses that are allowed in the zoning district would possibly have more traffic if they were located on this lot. She stated that the general public did not appear before the Board and oppose the variance request. The general public that did come to the meeting were proponents. She said that she cannot see that the project would get any more traffic than the nursery.

Ms. Smith stated that there is a shortage right now for residents being able to park their large vehicles, now that they are not able to park them on the streets.

Ms. Collins stated that she echoed what all of the other board members had already mentioned and did not see that it was contrary to the public interest.

Mr. Micuda noted to the Board that these findings were sufficient to indicate why the Board supports the applicant's variance request.

VOTE: All in favor, the motion passed 5-0

MOTION: That the Board of Adjustment, based on the Findings for the Basis of Decision approve the variance request from OCCGF Title 17, Chapter 20, Article 6, Section 130 (D) to not require all driveways, interior aisles, and walkways to be concrete or asphalt.

MADE BY: Ms. Northerner SECOND BY: Ms. Collins

VOTE: None in favor, the motion denied 0-5

Ms. Smith stated that she had concern about the paving variance. She said that if things get muddy in the spring, that it would be a good thing for the property to be paved and understands that it would be a hardship as it is expensive, but that is part of taking on a project like the one being presented. She stated that there is always a possibility that Public Works would come in and pave the streets in the area. She feels like if you are planning on having large RV's and vehicles there, then gravel might not be the best option.

Ms. Collins stated that she agreed with Ms. Smith because of the weight of the vehicles, gravel is probably not the best option.

Ms. Stone stated that she thought that there should be some form of paved driveway.

MOTION: That the Board of Adjustment, based on the Findings for the Basis of Decision deny the variance request from OCCGF Title 17, Chapter 20, Article 6, Section 130 (D) to not require all driveways, interior aisles, and walkways to be concrete or asphalt.

MADE BY: Ms. Stone SECOND BY: Ms. Smith

VOTE: All in favor, the motion to deny the variance was approved 5-0.

1111 Central Avenue- Variance to Section 17.20.4 Exhibit 20-4 of the Official Code of the City of Great Falls (OCCGF) to allow a reduced front yard setback.

Mr. Hill presented to the Board. He stated that the property is located at 1111 Central Avenue and is zoned C-5 Central Business Periphery. The property owner is GMF Properties LLC. The area of the property is 22,521 square feet and is where Zandy's Burgers formerly was.

Mr. Hill presented an Aerial Map, Zoning Map, Site Photo, and Preliminary Site Plan.

Mr. Hill stated that the proposed development is for construction of a new office building with an off-street parking lot served from Central Avenue. He stated that the representative of the project has stated that there is a potential future office building of similar size on the remainder of the lot.

Mr. Hill stated that the variance request being presented is from 17.20.4 Exhibit 20-4 Development Standards for other Zoning Districts, which states that the Minimum front yard setback of principal and accessory buildings in the C-5 zoning district is 15 feet. The applicant is requesting the front yard setback to be 0 feet.

Mr. Hill presented the Findings for the Basis of Decision for a variance request as listed in §17.16.32.040 of the Land Development Code.

The decision of the Board of Adjustment shall consider three Basis of Decision criteria.

- 1. The variance is not contrary to the public interest.
- 2. A literal enforcement would result in unnecessary hardship owing to conditions unique to the property.
- 3. The spirit of this Title would be observed and substantial justice done by granting the variance.

Mr. Hill stated that the purpose of front setbacks in the City's Land Development Code is to ensure that there is a sound development pattern and uniformly applicable development standards. The subject property is located on Central Avenue within a block that has many existing buildings built upon the front property line similar to how much of the C-4 zoning district was developed.

Mr. Hill stated that literal enforcement of the front yard setback would result in an interruption of the urban core streetscape, in which many of the surrounding properties contain buildings that are built to the front property line. It would limit visibility of the proposed building and unnecessarily reduce the buildable area of the site for a setback that does not fit the context of the location. The existing location of buildings on nearby properties is completely different than the zoning district's front setback standard.

Mr. Hill stated that the purpose of having setback standards is to create a uniform look to the built environment. The zero foot setback better achieves the purpose of the code's intent. Other than the reduced front yard setback, the proposed development of the property is consistent with the C-5 district in terms of other dimensional standards and land use.

Mr. Hill stated that based on the finding for the Basis of Decision, staff recommends approval of the requested variance.

#### PETITIONERS PRESENTATION

Tony Houtz, Architect, 219 2<sup>nd</sup> Avenue South, stated that Central Avenue is unique and that they want to create a great promenade and have the sidewalk give access to buildings. Their plan is not to push all the way to a zero foot setback, but it just made sense to set it to zero so that they could get a little bit closer to the sidewalk and continue the building frontage along Central Avenue.

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None.

#### **PROPONENTS**

Steve Gillespie, #9 12<sup>th</sup> St. N. stated that he thought that it was a great idea and hoped that the Board would approve the variance.

#### **OPPONENTS**

None.

#### **BOARD DISCUSSION AND ACTION**

MOTION: That the Board of Adjustment, based on the Findings for the Basis of Decision approve the variance request from OCCGF Title 17, Chapter 20, Article 4, Exhibit 20-4, minimum front yard setback of principal and accessory buildings, subject to the conditions of approval.

MADE BY: Ms. Smith SECOND BY: Ms. Northerner

VOTE: All in favor, the motion passed 5-0

#### **COMMUNICATIONS**

Mr. Raymond stated that there are not any applications pending.

#### **PUBLIC COMMENT**

None.

#### **ADJOURNMENT**

There being no further business, Chair McMillen adjourned the meeting at 4:09 p.m.



# Date: June 2, 2022 CITY OF GREAT FALLS BOARD OF ADJUSTMENT AGENDA REPORT

**Item:** 1301 20<sup>th</sup> Street South - Variance to Section 4.2.060 of the Official Code of

the City of Great Falls (OCCGF) to allow for additional height allowance

for a telecommunication facility

**Applicant:** AT&T Mobility

**Representative:** Jenelle Humphrey, Smartlink Group

**Presented By:** Alaina Mattimiro, Planner I, Planning and Community Development

**Action Requested:** Consideration of an increase in maximum height allowance from the

standard of 45 feet contained in Title 4, Chapter 2 of the Official Code of the City of Great Falls (OCCGF), *Telecommunication Facility Regulation* -

Location

#### **Public Hearing:**

1. Chairman conducts public hearing, calling three times each for proponents and opponents.

2. Chairman closes public hearing and asks the will of the Board.

#### **Suggested Motion:**

- 1. Board Member moves:
  - I. "I move that the Board of Adjustment, based on the Findings for the Basis of Decision, (approve/deny) the variance request from OCCGF Title 4, Chapter 2, 060 B(5), *telecommunication facilities location*, subject to the conditions of approval."
- 2. Chairman calls for a second, discussion, and calls for the vote.

#### **Synopsis:**

AT&T Mobility is proposing to build a ninety-five (95) foot monopine; "monopine" being a monopole telecommunications tower that is disguised as a pine tree. The proposed project will also include a 50' x 50' fenced area for the facility and necessary ground equipment. All of the equipment, both tower and support equipment, will be built at 1301 20<sup>th</sup> Street South, on the north end of the University of Providence property. The subject property is located within the PLI Public Lands and Institutional zoning district. The monopine tower, at its proposed height, will eliminate a gap in wireless coverage and create future opportunities for co-location – the correlation between height and coverage is provided as an attachment to this report and shows the justification for the needed additional height.

Page 1 of 3

#### **Background Information:**

## Requested Variance: Chapter 2 – Telecommunication Facility Regulation §4.2.4.060 Telecommunication Facilities – location, B(5)

The maximum height allowance for telecommunications facilities in the Public Lands and Institutional (PLI) zoning district is forty-five (45) feet. The applicant is requesting for an allowance of an additional fifty (50) feet.

Notice of the Board of Adjustment hearing was published in the Great Falls Tribune on Sunday, May 15, 2022. Additionally, notices were sent to adjoining property owners per code requirements. Staff has not received inquiries or comment from the public at the time of writing this report.

#### Findings for the Basis of Decision:

The basis for decision for a variance request is listed in § 17.16.32.040 of the OCCGF Land Development Code. The decision of the Board of Adjustment shall consider the three Basis of Decision criteria. Staff provides the following Basis of Decision for consideration by the Board:

#### 1. The variance is not contrary to the public interest.

The Telecommunications Facilities title states "all [...] telecommunications facilities shall be designed to blend into the surrounding environment to the greatest extent feasible". The telecommunication tower as proposed will be in an ideal location in which it will match the existing landscape, as well as be located on the rear side of an existing commercial lot. The site in which the tower is proposed is surrounded by coniferous trees and facing the back side of the Target building. Due to this analysis of the specific circumstance and request, allowing additional height is not contrary to the public interest.

## 2. A literal enforcement would result in unnecessary hardship, owing to conditions unique to the property.

While the telecommunications title restricts towers to be limited to forty-five feet within the Public Lands and Institutional zoning district, this zoning district allows for primary use buildings to be up to one hundred (100) feet in height. Because of the possibility for a building to be permitted at 100 feet, limiting the telecommunication tower to 45 feet becomes restrictive in this specific zoning district.

#### 3. The spirit of this Title would be observed and substantial justice done by granting the variance.

The spirit of this Title would be observed and substantial justice done by granting the variance. If the additional height request was granted, the City of Great Falls would create an opportunity for additional wireless coverage and capabilities for underserved and rural emergency response units. Other than the additional height allowance, the proposed project will be consistent with the PLI zoning district and Title 4 requirements in terms of other dimensional standards and land use.

#### **Recommendation:**

City staff has concluded that the proposed telecommunications height variance is appropriate, and staff recommends approval with the following conditions:

- 1. **Building Permits.** The applicant shall submit the required building permit application to the City of Great Falls for review and approval.
- 2. **Code Compliance.** The applicant shall comply with all applicable building and fire codes pursuant to the project.

Page 2 of 3

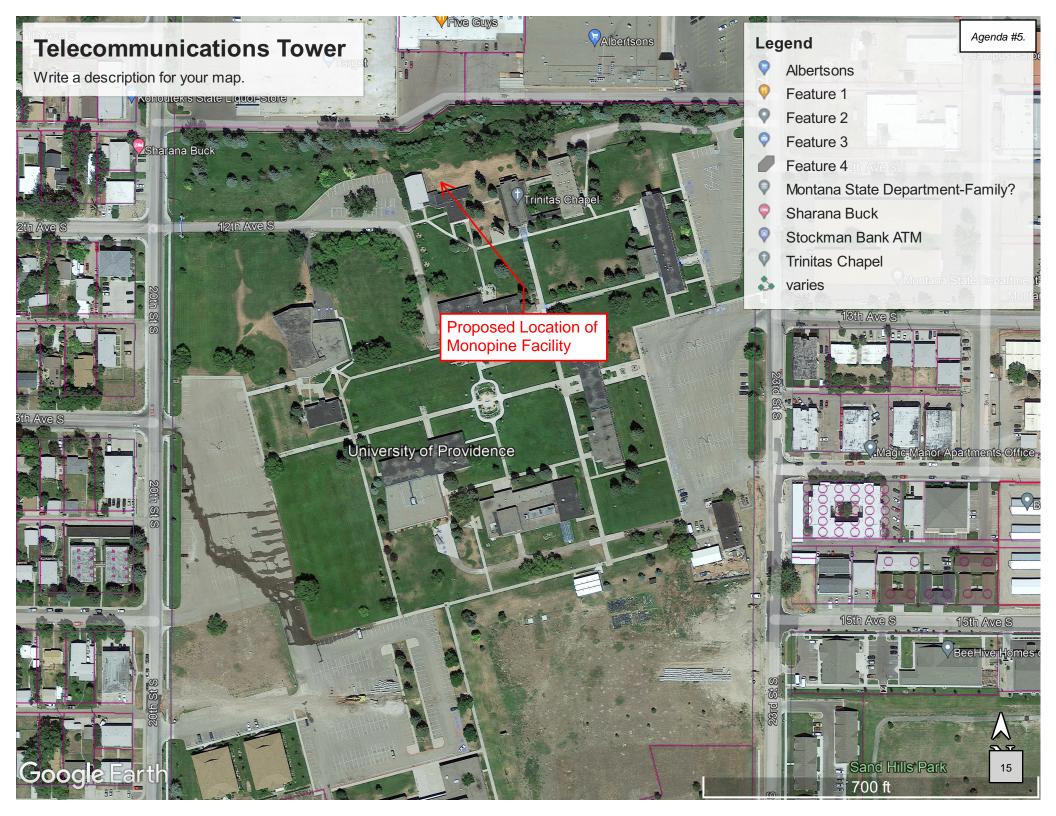
#### **Alternative:**

The Board of Adjustment could choose to deny the variance request and strictly enforce the 45 foot maximum height restriction for the PLI zoning district. For such an action, the Board of Adjustment must provide separate Basis of Decision findings to support the denial.

#### **Attachments:**

Location Map Project Narrative Coverage Justification Site Plan

Page 3 of 3







#### **Letter of Intent—City of Great Falls**

May 3, 2022

City of Great Falls
Planning and Community Development
#2 park Drive South, Room 112
Great Falls, MT 59403

Re: AT&T Mono-pine Telecommunications Facility

Parcel Number: 1056530

**Owner:** University of Providence

1031 20th St S, Great Falls, MT, 59405

**Applicant:** Jenelle Humphrey, Smartlink Group on behalf of AT&T Mobility

949-554-8664

#### **Site Information:**

The property, with an address of 1031 20th St S, is in the City of Great Falls, state of Montana. It is presently zoned as PLI-680-Schoosl-Public/Private.

#### **Project Description**

AT&T Mobility is proposing to install a 95' stealth Mono-pine telecommunications facility on an existing section of empty land at the University of Providence on the north end of the campus. AT&T is also proposing a 50'x50' fenced compound around the Mono-pine and ground equipment. Within the fenced area, AT&T is proposing to install a 20'x12' concreate pad. To be installed on the concrete pad AT&T is proposing a 30kw diesel generator and a 10'x10' walk in cabinet that will house all the equipment. This telecommunications facility will be part of AT&T's FirstNet Network.

#### **AT&T's FirstNet Network**

All 50 states have opted into the FirstNet Nationwide Public Safety Broadband Network. The federal First Responder Network Authority, through a public-private partnership with AT&T, will provide the nation's first-ever high-speed nationwide wireless broadband network dedicated to federal, state and local first responders. Various public safety agencies including the United States Forest Service will be able to communicate on the FirstNet network, allowing greater coordination and faster response times.

In its partnership with the First Responder Network Authority, AT&T is responsible for building, maintaining, and upgrading the FirstNet network for the next 25 years. In order to support FirstNet, AT&T





will be upgrading its existing wireless sites and building new wireless facilities throughout the country. AT&T's upgrades include deployment of the new frequency band ("Band 14") supporting the FirstNet network. In 2012, the U.S. Congress set aside Band 14 for use by first responders. FirstNet Built with AT&T is designed to be reliable, functional, safe, and secure, and it will provide optimal levels of operational capacity at all times.

#### FirstNet's benefits include:

- A dedicated broadband network including deployable satellite-based mobile emergency response units
- Increasing wireless coverage for emergency response units in underserved areas, and
- More sophisticated broadband capabilities for rural and tribal law enforcement, wildland firefighters, and rural emergency management support personnel.

In addition, effective January 1, 2018, first responders using the FirstNet network have preemption and priority capabilities on all AT&T commercial LTE bands, allowing them to also benefit from AT&T's overall investment in its network.

FirstNet Built with AT&T is in a unique position to provide widespread coverage and meet the communications and interoperability needs of first responders over a long-term period. By constructing its own tower, AT&T secures long-term access to tower space and can respond to the changing technical requirements and needs of the FirstNet network over the next 25 years.

#### **Defining the Hardship:**

Currently there is a gap in coverage along 10<sup>th</sup> Ave which includes the University of Providence, the Benefits Hospital, and the surrounding businesses. The purpose of this project is to provide better data speeds and coverage for the drivers along 10<sup>th</sup> Avenue, the University of Providence students and staff, the Benefits Hospital's patients and staff, and the Memorial Stadium at Great Falls High School. This will help with first responder communications, customer communication, and GPS speeds for travelers in this area. In addition to serving the main road, this will help with data speeds in the surrounding areas as well. This location will also allow for offloading from another nearby telecommunications facility and provide better service to other areas of Great Falls. In addition to this being an optimal location for many of our coverage objections, this location was chosen due to the parcel being zoned as allowing telecommunication facilities as well as the existing open and previously disturbed ground on the campus.





#### **Justification for Variance Request:**

The proposed installation will reduce the need for another facility within this area of Great Falls as it will be available for colocation to other carriers. In this zone, PLI-680-Schoosl-Public/Private, the code states a height limit of 45' for a telecommunications facility. However, in Section 17.20.6.250 of the code it states that if the applicant designs the facility with space for two additional carriers to co-locate that another 50' in height can be granted through a variance. With the variance approved for a total of 95' in height, AT&T will design the facility with room for two additional carriers on the facility.

#### **Conclusions:**

Changes in technology over the years, and the way people use their wireless devices, require telecommunications facilities to be built closer to and in many cases near and within residential areas in order to meet the demands consumers place on their wireless communications devices. Many people rely on their wireless communications devices for communication with others and as a means of contacting emergency personnel in cases of fire or accident, since many people no longer have land lines in their homes. People use their wireless devices at home to work and as a source of entertainment, increasing the demand on wireless communications systems and the need for additional facilities. Pursuant to the Municipal Code, 4.1.010, the installation will meet all site requirements, including height and design requirements. The Mono-pine is designed to look like a real pine tree and will protect the visual character of the city by blending in with the surrounding trees in the area and on the campus. The installation will not affect the existing environment of Great Falls as the location chosen has already been previously disturbed and no existing vegetation/trees will be disturbed or removed. Lastly but most importantly, this facility will be a FirstNet site and will serve as an important and effective part of Great Fall's emergency response network. For all these reasons we hope to have this proposed project approved by the Planning Department and Board of Adjustment.

Regards,

Jenelle Humphrey 949-554-8664

Jenelle Humphrey

Jenelle.Humphrey@smartlinkgroup.com

# AT&T University of Providence Great Falls, MT

MTL03020 FA 15743272

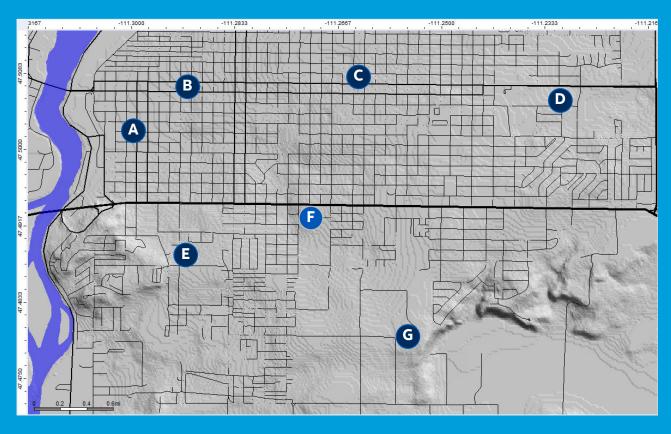
New site proposal to address in building coverage gaps at University of Providence and surrounding area.

J. Shad Rydalch
Radio Access Network & RF Engineering
RAN Design Engineer for South Idaho, Montana, and Wyoming
AT&T Mobility Services LLC
5/10/2022

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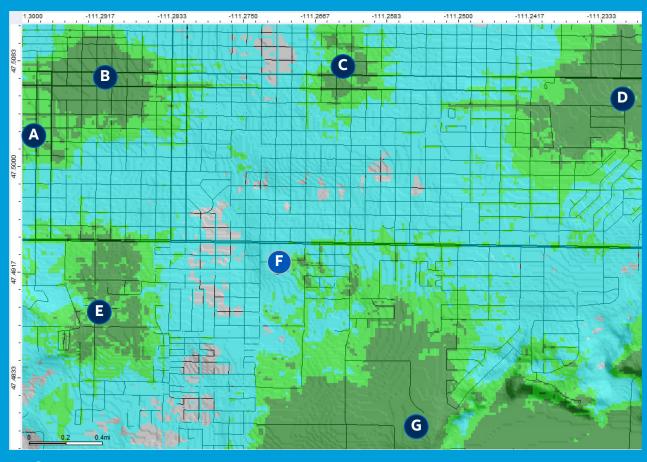
## **Overview Map**



- A) 4th Street South
- B) 9th Street North
- C) 3 Road Ave N
- D) 2<sup>nd</sup> Ave N
- E) 9<sup>th</sup> South
- F) Univ of Providence (Proposed)
- G) 29<sup>th</sup> Street South



## **Coverage Predictions**

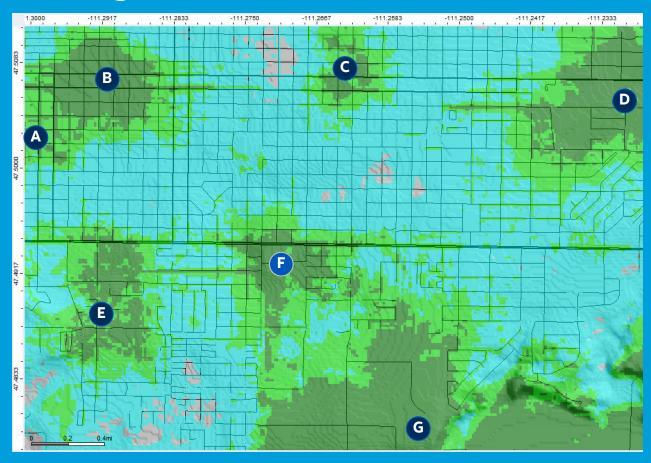




**Before** 

**⊜** AT&T

## **Coverage Predictions**

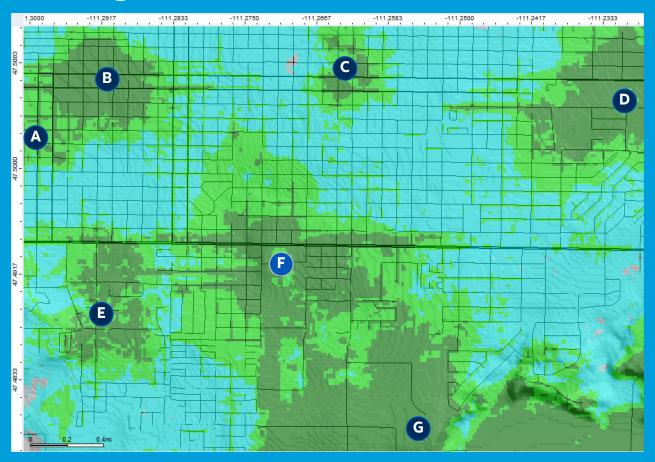


Legend
Good In-Building
Good In-Vehicle
Good Outdoor

After, With Proposed (F), Antennas at 41'

SAT&T

## **Coverage Predictions**



Legend
Good In-Building
Good In-Vehicle
Good Outdoor

After, With Proposed (F), Antennas at 91'

**⊜** AT&T

#### PROJECT TEAM

SMARTLINK LLC

949-554-8664

208-317-0011

TRYLON TSE

MIKE MOORE

JR129E@US.ATT.COM

IRVING, TX 75038

1-855-669-5421

MIKE.MOORE@TRYLON.COM

ANNAPOLIS, MD 21401

7670 S CHESTER ST, CENTENNIAL, CO 80112 SHAD RYDALCH

JENELLE HUMPHREY

**APPLICANT:** 

7670 S CHESTER ST, CITY, STATE, ZIP: CONTACT: CENTENNIAL, CO 80112 BECKY JOHN-HANEY PHONE: EMAIL: BJ739H@ATT.COM

APPLICANT REPRESENTATIVE:

COMPANY: ADDRESS: CITY, STATE, ZIP: CONTACT: PHONE:

FMAII .

ZONING/REAL ESTATE SPECIALIST: COMPANY: ADDRESS:

CITY, STATE, ZIP: CONTACT: PHONE:

RF ENGINEER: COMPANY: ADDRESS: CITY, STATE, ZIP: CONTACT: PHONE EMAIL:

**ARCHITECT & ENGINEER:** 

COMPANY ADDRESS: CITY, STATE, ZIP: CONTACT: PHONE: EMAIL:

SMARTLINK LLC

1997 ANNAPOLIS EXCHANGE PARKWAY, SUITE 200 ANNAPOLIS, MD 21401 STEPHEN PHILIPS

1997 ANNAPOLIS EXCHANGE PARKWAY, SUITE 200

JENELLE.HUMPHREY@SMARTLINKGROUP.COM

801-652-7506 STEPHEN.PHILIPS@SMARTLINKLLC.COM

SITE NAME: UNIV OF PROVIDENCE

**FA#**: 15743272

SITE #: MTL03020

**PROJECT: AT&T NEW BUILD** 

**USID: 317212** 

PACE #: MRUTH048637/MRUTH052714/MRUTH052688/

**AT&T** 

MRUTH052694/MRUTH052687/MRUTH052686/MRUTH052708

PTN #: 3765A129QQ/3765A14JXG/3765A14K71/3765A14K3X/

3765A14JWV/3765A14K7Q/3765A14KBS

SITE ADDRESS: 1301 20TH ST S

GREAT FALLS. MT 59405

#### PROJECT INFORMATION

1825 W. WALNUT HILL LANE, SUITE 120

SITE ADDRESS: 1301 20TH ST S GREAT FALLS, MT 59405

STRUCTURE TYPE: 95'-0" MONOPINE

SITE TYPE: UNKNOWN

LATITUDE (NAD 83): 47.492244° / 47° 29' 32.08" N -111.270647° / 111° 16′ 14.33" W LONGITUDE (NAD 83):

GROUND ELEVATION: 3457.5'± (AMSL)

PROPERTY OWNER: COLLEGE OF GREAT FALLS

1301 20TH ST S GREAT FALLS, MT 59405 ADDRESS:

0001056530 PARCEL NUMBER (APN):

OCCUPANCY GROUP: N/A

COUNTY: CASCADE

CITY OF GREAT FALLS JURISDICTION:

ZONING CLASSIFICATION:

COMPOUND/ LEASE AREA: 2500 SQ. FT.

PROPOSED USE: UNMANNED TELECOMMUNICATIONS FACILITY

HANDICAP REQUIREMENTS:

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED

FLECTRIC: TRD TBD TELCO:

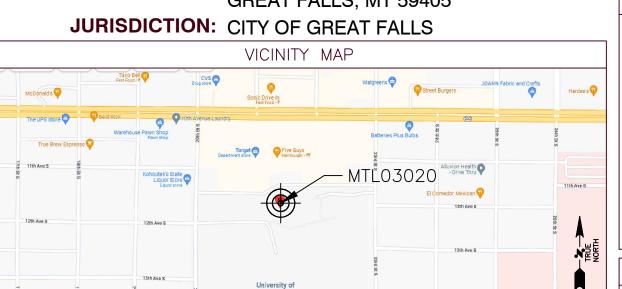
#### LEGAL DESCRIPTION

SEE LS-1 FOR LEGAL DESCRIPTION



TO OBTAIN LOCATION OF PARTICIPANTS YOU DIG IN COLORADO, CALL COLORADO 811 TOLL FREE: 1-800-922-1987 OR

COLORADO STATUTE Know what's below. REQUIRES MIN OF 2 Call before you dig. WORKING DAYS NOTICE BEFORE YOU EXCAVATE



#### DRIVING DIRECTIONS

GET ON 1-15 N FROM AIRPORT DR, HEAD SOUTH TOWARD TERMINAL DR, TURN LEFT TOWARD TERMINAL DR, TURN RIGHT ONTO TERMINAL DR, CONTINUE STRAIGHT ONTO AIRPORT 2ND ST, TURN LEFT ONTO AIRPORT AVE A, TURN RIGHT ONTO AIRPORT DR, TURN LEFT TO MERGE WITH I-15 N, TAKE I-15BL AND 10TH AVE S TO 20TH ST S IN GREAT FALLS, MERGE WITH I-15 N, TAKE EXIT 278 TOWARD I-15BL, CONTINUE ONTO 1-15BL, CONTINUE ONTO 10TH AVE S, CONTINUE ON 20TH ST S, TURN LEFT ONTO 12TH AVE S, DESTINATION WILL BE ON THE LEFT.

#### BUILDING CODES

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE FOLLOWING CODES.

BUILDING CODE:
ELECTRICAL CODE:
INTERNATIONAL BUILDING CODE 2018
INTERNATIONAL FIRE CODE 2018
INTERNATIONAL ELECTRICAL CODE 2017
LIGHTNING PROTECTION CODE: NFPA 780 - 2000, LIGHTNING PROTECTION CODE

SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS

AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE

AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION

TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES:

TIA 607, COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS

INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM

IEEE 1100 (1999) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC EQUIPMENT

IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE") TELCORDIA GR-1275, GENERAL INSTALLATION REQUIREMENTS TELCORDIA GR-1503, COAXIAL CABLE CONNECTIONS ANSI T1.311, FOR TELECOM – DC POWER SYSTEMS – TELECOM, ENVIRONMENTAL PROTECTION

FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVI REQUIREMENT SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

#### PROJECT SCOPE

 □ 1C  $\boxtimes$  3C □ 5C □ 6C □ 4T4R □ 2ND RRH ADD

 $\boxtimes$  2C  $\boxtimes$  4C □ 5G NR 1SR □ RRH SWAP

RFDS ID: 5094332

#### PROJECT DESCRIPTION

THIS PROJECT WILL BE COMPRISED OF:

PROPOSED 95'-0" MONOPINE TOWER SCOPE OF WORK:

PROPOSED (1) SITE PRO 1 - RMV12-4XX T-ARM MOUNT W/SITE PRO 1 PRK-1245 KIT

PROPOSED (6) AT&T PANEL ANTENNAS, (2) PER SECTOR

PROPOSED (15) AT&T RRH'S, (5) PER SECTOR

PROPOSED (3) RAYCAP SURGE SUPPRESSORS, (1) PER SECTOR

PROPOSED (3) FIRER LINES

PROPOSED (6) DC POWER LINES

PROPOSED AT&T GROUND SCOPE OF WORK:

PROPOSED 50'-0"x50'-0" AT&T LEASE AREA / CHAIN LINK FENCED

PROPOSED (1) AT&T 10'-0" x 10'-0" STEEL WALK-IN-CABINET (SWIC) ON PROPOSED 20'-0" x 12'-1" CONCRETE PAD

PROPOSED (1) 30KW DIESEL GENERATOR ON CONCRETE PAD PROPOSED ICE BRIDGE

PROPOSED UTILITY H-FRAME

CLIEET

PROPOSED (1) GPS ANTENNA

PROPOSED 200A ELECTRIC SERVICE WITH 200A METER BASE AND

#### SHEET INDEX DECODIDEION

| SHEET #     | DESCRIPTION                  | REVISION # |
|-------------|------------------------------|------------|
| T-1         | TITLE SHEET                  | 1          |
| LS-1 & LS-2 | SURVEY DETAIL                | 1          |
| Z-1         | SITE PLAN                    | 1          |
| Z-2         | ENLARGED SITE PLAN           | 1          |
| Z-3         | EQUIPMENT AND ANTENNA LAYOUT | 1          |
| Z-4         | TOWER ELEVATIONS             | 1          |
|             |                              |            |
|             |                              |            |
|             |                              |            |
|             |                              |            |
|             |                              |            |
|             |                              |            |

#### GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NC SANITARY SEVER SERVICE, PORTABLE WATER, OR TRASH DISPOSAL IS REQUIRED, NO COMMECIAL SIGNAGE AND NO LANDSCAPING IS PROPOSED.

DO NOT SCALE DRAWINGS CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



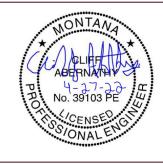


1997 ANNAPOLIS EXCHANGE PARKWAY. SUITE 200 ANNAPOLIS, MD 21401



DRAWING SCALES ARE INTENDED FOR 11"x17" SIZE PRINTED MEDIA ONLY.

**SUBMITTALS** REV DATE DESCRIPTION BY 02/25/22 90% ZD PSK 03/29/22 90% ZD MVF MVF С 04/09/22 90% ZD KSN 04/20/22 100% ZD KSN 04/27/22 100% ZD



SITE INFORMATION

SITE NAME:

UNIV\_OF\_PROVIDENCE LTE 1C/2C/3C/4C/5C/6C/ 5G NR 1SR

> SITE ID: MTL03020 FA#: 15743272

1301 20TH ST S GREAT FALLS, MT 59405

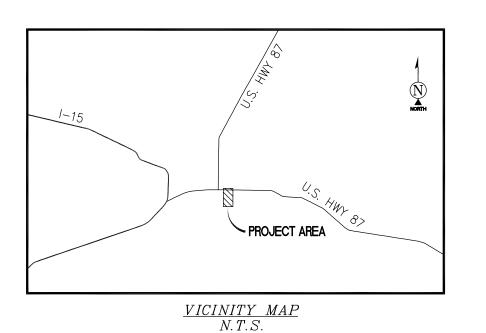
CASCADE COUNTY

SHEET DESCRIPTION

TITLE SHEET

SHEET NO.





CHDVEV DATE

<u>SURVEY DATE</u> 03/18/2022

### <u>BENCHMARK</u>

PROJECT ELEVATIONS ESTABLISHED FROM GPS DERIVED ORTHOMETRIC HEIGHTS BY APPLICATION OF NGS 'GEOID 12B' MODELED SEPARATIONS TO ELLIPSOID HEIGHTS DETERMINED BY RAW STATIC GPS DATA PROCESSED ON THE NGS OPUS WEBSITE. ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD88.

## BASIS OF BEARING

BEARINGS SHOWN HEREON ARE BASED UPON THE MONTANA STATE PLANE COORDINATE SYSTEM BASED ON THE NORTH AMERICAN DATUM OF 1983(2011). DETERMINED BY RAW STATIC GLOBAL POSITIONING SYSTEM EQUIPMENT ON THE NGS OPUS WEBSITE.

GRID-TO-GROUND SCALE FACTOR NOTE

ALL BEARINGS AND DISTANCES ARE BASED ON THE MONTANA"

STATE PLANE COORDINATE ZONE GRID. TO DERIVE GROUND

DISTANCES DIVIDE BY 0.99926575

## FLOOD ZONE

THIS PROJECT APPEARS TO BE LOCATED WITHIN FLOOD ZONE "X". ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP(S), MAP ID #30013C0607E, DATED 03/19/2013

#### UTILITY NOTES

SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS ARE DEFINITE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT 811 AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

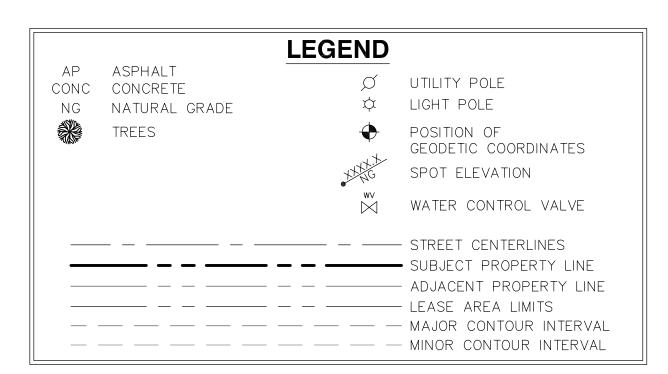
## SURVEYOR'S NOTES

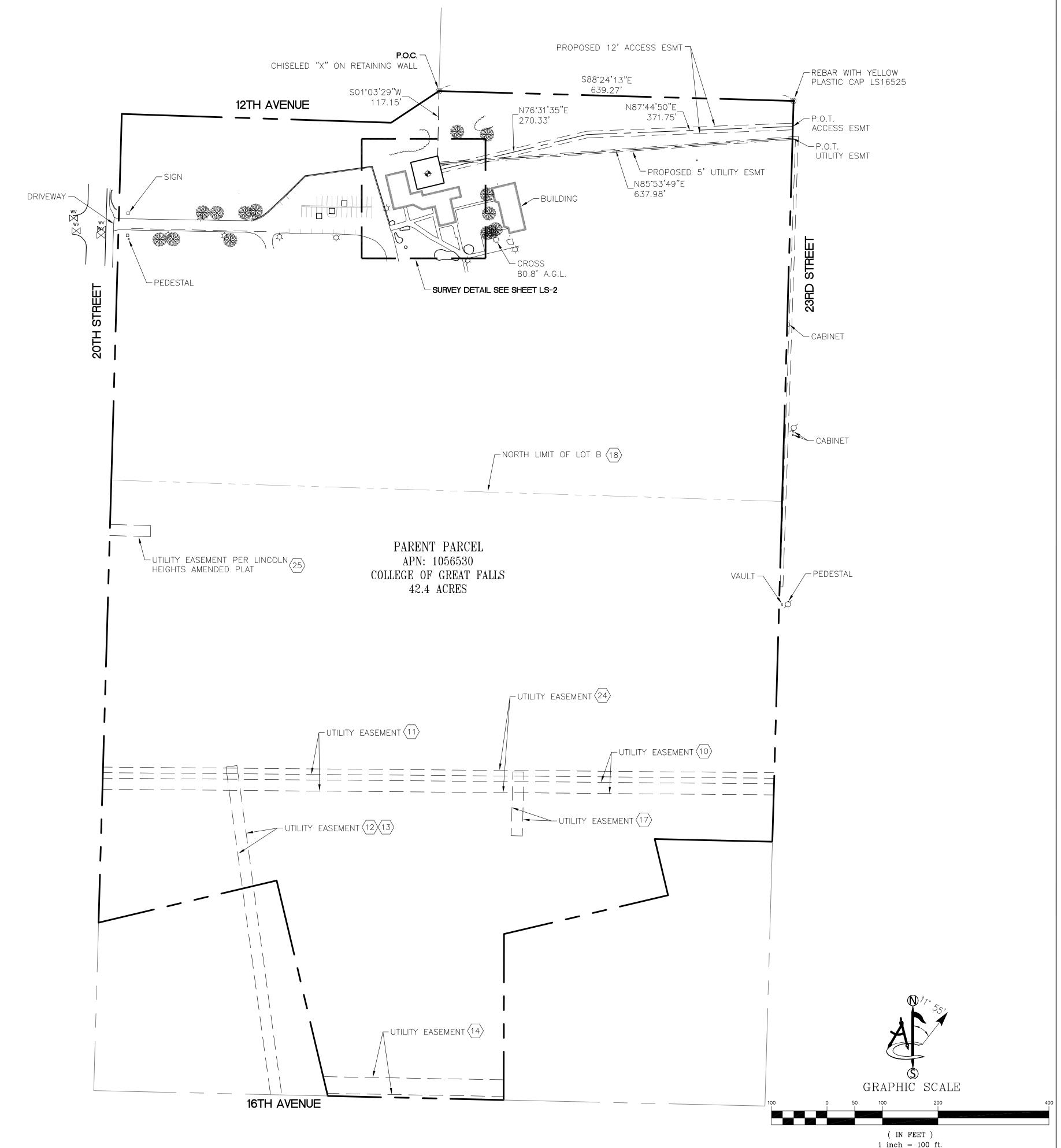
CONTOURS DERIVED FROM DIRECT FIELD OBSERVATIONS AND FOLLOW THE CURRENT NATIONAL MAP STANDARDS FOR VERTICAL ACCURACY.

THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.

SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED.









PLANS PREPARED BY:



1825 W. WALNUT HILL LANE SUITE 302 IRVING, TX 75038

| — NO. —<br>A | DATE 03/23/22 | <b>DESCRIPTION</b> PRELIMINARY | <b>BY</b> — |
|--------------|---------------|--------------------------------|-------------|
| 0            | 04/27/22      | COMMENTS (A)                   | MF          |
|              |               |                                |             |
|              |               |                                |             |
|              |               |                                |             |
|              |               |                                |             |
|              |               |                                |             |
|              |               |                                |             |
|              |               |                                |             |

SITE INFORMATION:

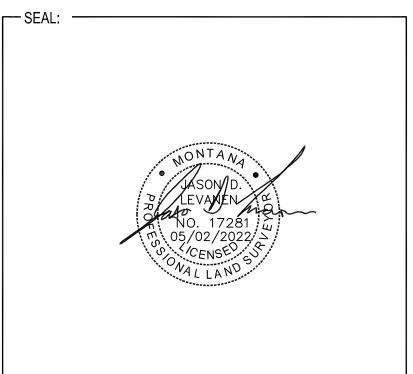
SITE #: MTL03020

SITE NAME: UNIV\_PF\_PROVIDENCE LTE XC

FA#: 15743272

1301 20TH STREET S GREAT FALLS, MT 59405

CASCADE COUNTY

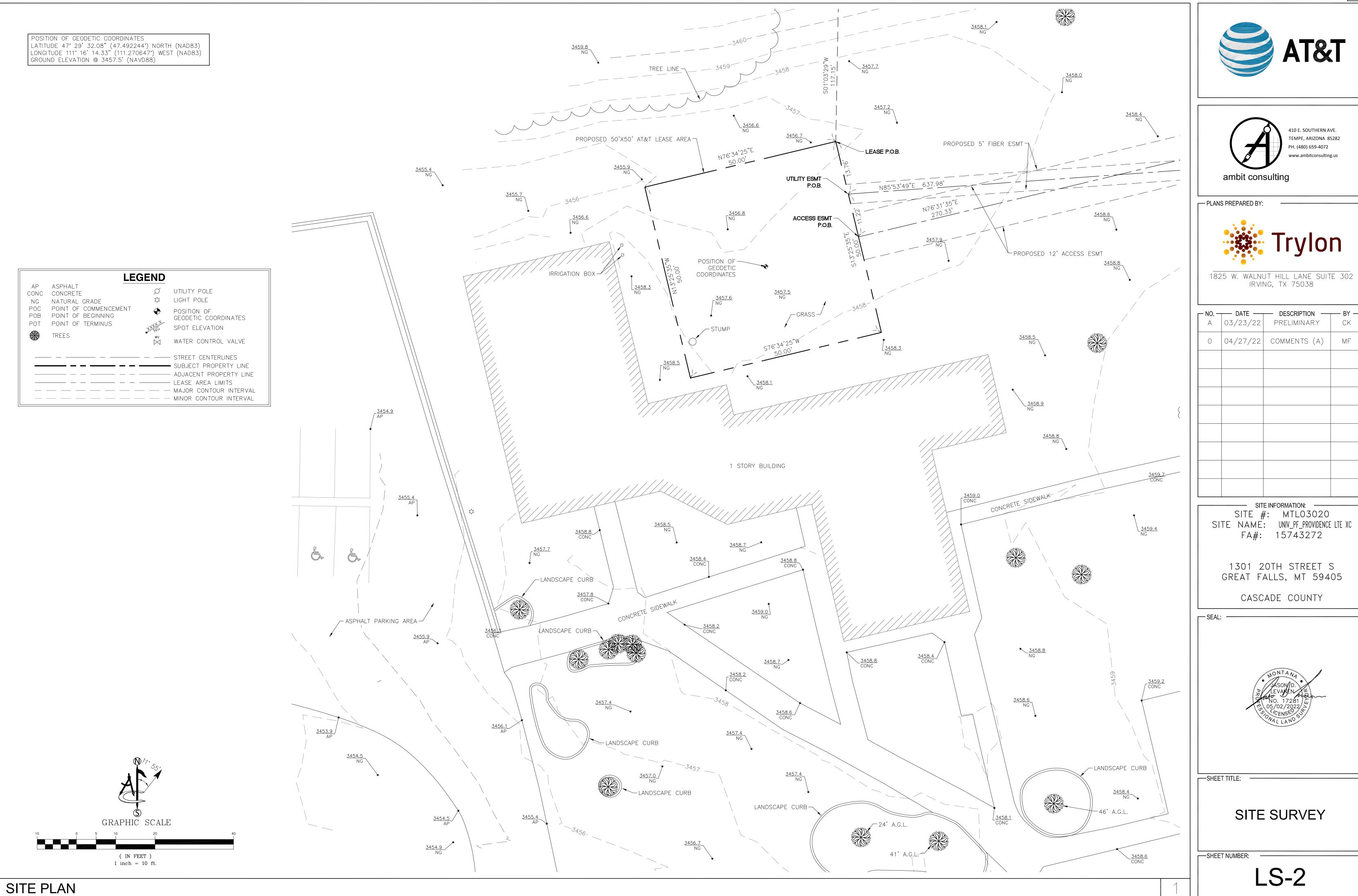


SHEET TITLE:

SITE SURVEY

SHEET NUMBER:

LS-1







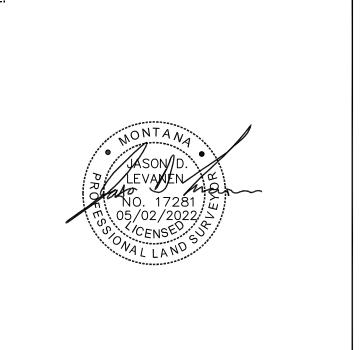


1825 W. WALNUT HILL LANE SUITE 302 IRVING, TX 75038

|   | _ | - NO. — | — DATE — | DESCRIPTION —— | — ВҮ — |
|---|---|---------|----------|----------------|--------|
|   |   | A       | 03/23/22 |                | CK     |
|   |   | 0       | 04/27/22 | COMMENTS (A)   | MF     |
|   |   |         |          |                |        |
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|   |   |         |          |                |        |

1301 20TH STREET S GREAT FALLS, MT 59405

CASCADE COUNTY



#### SCHEDULE "B" NOTE

REFERENCE IS MADE TO THE TITLE REPORT ORDER #1028309-GF, ISSUED BY FIRST AMERICAN TITLE COMPANY, DATED FEBRUARY 02, 2022. ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED.

1. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

2. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF SAID LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

3. EASEMENTS, CLAIMS OF EASEMENT OR ENCUMBRANCES WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

4. ANY ENCROACHMENT. ENCUMBRANCE, VIOLATION, VARIATION. OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE INCLUDING DISCREPANCIES. CONFLICTS IN BOUNDARY LINES. SHORTAGE IN AREA, OR ANY OTHER FACTS THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND, AND THAT ARE NOT SHOWN IN THE PUBLIC RECORDS. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

5. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, DITCH OR DITCH RIGHTS, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B), OR (C) ARE SHOWN BY THE PUBLIC RECORDS. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

6. ANY LIENS, OR RIGHTS TO A LIEN, FOR SERVICES, LABOR OR MATERIAL THERETOFORE OR HEREAFTER FURNISHED. IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

7. ANY RIGHT, TITLE OR INTEREST IN ANY MINERALS, MINERAL RIGHTS OR RELATED MATTERS, INCLUDING BUT NOT LIMITED TO OIL, GAS, COAL AND OTHER HYDROCARBONS, SAND, GRAVEL OR OTHER COMMON VARIETY MATERIALS, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

8. COUNTY ROAD RIGHTS-OF-WAY NOT RECORDED AND INDEXED AS A CONVEYANCE OF RECORD IN THE OFFICE OF THE CLERK AND RECORDER PURSUANT TO TITLE 70. CHAPTER 21. M.C.A., INCLUDING, BUT NOT LIMITED TO ANY RIGHT OF THE PUBLIC AND THE COUNTY OF CASCADE TO USE AND OCCUPY THOSE CERTAIN ROADS AND TRAILS AS DEPICTED ON COUNTY SURVEYOR'S MAPS ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR OF CASCADE COUNTY. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

9. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I - REQUIREMENTS ARE MET. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

10. PERPETUAL RIGHT AND EASEMENT GRANTED TO CITY OF GREAT FALLS, RECORDED JULY 22, 1960 BOOK 302 OF DEEDS, PAGE 377. (AS SHOWN ON SURVEY)

11. PERPETUAL RIGHT AND EASEMENT GRANTED TO CITY OF GREAT FALLS, RECORDED FEBRUARY 10, 1965 REEL 24 DOCUMENT NO. 5985. (AS SHOWN ON SURVEY)

12. ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY RECORD OF SURVEY RECORDED APRIL 28, 1976, AS INSTRUMENT NUMBER C/S 551, JOB NO. 458, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (AS SHOWN ON SURVEY)

13. EASEMENT FOR GRANTED TO HIGH SCHOOL DISTRICT A, RECORDED APRIL 28, 1976 REEL 104 DOCUMENT NO. 1153. (AS SHOWN ON SURVEY)

14. EASEMENT FOR RIGHT OF WAY GRANTED TO CITY OF GREAT FALLS, RECORDED SEPTEMBER 25, 1984 REEL 168 DOCUMENT NO. 1257. (AS SHOWN ON SURVEY)

15. AGREEMENT UPON THE TERMS, CONDITIONS AND PROVISIONS CONTAINED THEREIN: PARTIES: COLLEGE OF GREAT FALLS AND THE CITY OF GREAT

RECORDED: MARCH 6, 1985, REEL 172 DOCUMENT NO. 457 (DOES NOT AFFECT PARENT PARCEL)

16. ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY THE RECORDED PLAT OF SAID SUBDIVISION, RECORDED FEBRUARY 27, 1986, THIRD AMENDED PLAT OF LOT A, REPLAT OF LINCOLN HEIGHTS, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (NOTHING TO PLOT)

17. ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY THE RECORDED PLAT OF SAID SUBDIVISION, RECORDED JANUARY 2, 1992 PL192, AND, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (AS SHOWN ON SURVEY)

18. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED IN WARRANTY DEED RECORDED JANUARY 22, 1992 ON REEL 234 DOCUMENT NO. 209, BUT OMITTING ANY COVENANT, CONDITION OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT THAT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (AS SHOWN ON SURVEY)

19. PROVISIONS AND CONDITIONS AS CONTAINED IN BOULEVARD ENCROACHMENT APPLICATION AND PERMIT RECORDED JUNE 20, 1997 ON REEL 294 DOCUMENT NO. 685 (NOTHING TO PLOT)

20. SIGN EASEMENT AGREEMENT UPON THE TERMS, CONDITIONS AND PROVISIONS CONTAINED THEREIN: PARTIES: DAYTON HUDSON CORPORATION AND UNIVERSITY OF GREAT FALLS, A MONTANA CORPORATION RECORDED: JULY 30, 1999, REEL 324 DOCUMENT NO. 187 (DOES NOT AFFECT PARENT PARCEL)

21. EASEMENT FOR UNDERGROUND ELECTRIC GRANTED TO NORTHWESTERN CORPORATION D/B/A NORTHWESTERN ENERGY. RECORDED MAY 17, 2006 AS INSTRUMENT NO. R0126262. (EXACT LOCATION INDETERMINATE - NOT PLOTTED)

22. EASEMENT FOR UNDERGROUND ELECTRIC GRANTED TO NORTHWESTERN CORPORATION D/B/A NORTHWESTERN ENERGY, RECORDED JUNE 26, 2009 AS INSTRUMENT NO. R0197061. (EXACT LOCATION INDETERMINATE - NOT PLOTTED)

23. EASEMENT FOR CORPORATE UNDERGROUND ELECTRIC GRANTED TO NORTHWESTERN CORPORATION D/B/A NORTHWESTERN ENERGY, RECORDED JULY 8, 2010 AS INSTRUMENT NO. RO217689. (EXACT LOCATION INDETERMINATE NOT PLOTTED)

24. ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY THE RECORDED PLAT OF SAID SUBDIVISION, RECORDED AUGUST 20, 2015 P-2015-0000030, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (AS SHOWN ON SURVEY)

25. ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY THE RECORDED PLAT OF SAID SUBDIVISION, RECORDED OCTOBER 17, 2018, AS INSTRUMENT NUMBER P-2018-0000034. BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C). (AS

26. MAINTENANCE AGREEMENT UPON THE TERMS, CONDITIONS AND PROVISIONS CONTAINED THEREIN: PARTIES: UNIVERSITY OF PROVIDENCE AND THE CITY OF GREAT FALLS RECORDED: MARCH 20, 2020, AS INSTRUMENT NO. R0385199

27. PUBLIC WORKS LIEN. CLAIMANT: THE CITY OF GREAT FALLS AMOUNT: \$896.00

SHOWN ON SURVEY)

(NOTHING TO PLOT)

FOR: UNPAID FEES INVOICE 27422 — ENGINEERING \$48.00 INVOICE 6198 - WATER ANALYSIS \$96.00 INVOICE 33106 - SANITATION \$351.00 INVOICE 33107 - SANITATION \$353.00

INVOICE 32044 - WATER ANALYSIS \$48.00 (NOT A SURVEY MATTER)

28. SEWER AND SANITATION CHARGES ASSESSED BY THE CITY OF GREAT FALLS ARE NOT COVERED HEREUNDER. (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

29. 2022 TAXES AND SPECIAL ASSESSMENTS ARE AN ACCRUING LIEN, AMOUNTS NOT YET DETERMINED OR PAYABLE. THE FIRST ONE-HALF BECOMES DELINQUENT AFTER NOVEMBER 30TH OF THE CURRENT YEAR, THE SECOND ONE-HALF BECOMES DELINQUENT AFTER MAY 31ST OF THE FOLLOWING

GENERAL TAXES AS SET FORTH BELOW. ANY AMOUNTS NOT PAID WHEN DUE WILL ACCRUE PENALTIES AND INTEREST IN ADDITION TO THE AMOUNT STATED HEREIN: YEAR FIRST HALF / STATUS SECOND HALF / STATUS PARCEL NUMBER COVERS

2021 \$8,417.57 PAID \$8,417.57 NOT PAID 0001056530 SUBJECT LAND (EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE SHOWN HEREON)

LESSOR'S LEGAL DESCRIPTION

LOT A2A OF AN AMENDED PLAT OF LOT A2 OF THE THIRD AMENDED PLAT OF LOT A, REPLAT OF LINCOLN HEIGHTS, AND LOT B1A OF THE AMENDED PLAT OF LOTS B1 AND B2 OF AN AMENDED PLAT OF LOT B OF REPLAT OF LINCOLN HEIGHTS, AN ADDITION TO THE CITY OF GREAT FALLS. CASCADE COUNTY. MONTANA, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY.

ACCORDING TO P-2018-0000034 FILED OCTOBER 17, 2018

LEASE AREA LEGAL DESCRIPTION

A PORTION OF LOT A2A OF AN AMENDED PLAT OF LOT A2 OF THE THIRD AMENDED PLAT OF LOT A, REPLAT OF LINCOLN HEIGHTS, AND LOT B1A OF THE AMENDED PLAT OF LOTS B1 AND B2 OF AN AMENDED PLAT OF LOT B OF REPLAT OF LINCOLN HEIGHTS, AN ADDITION TO THE CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY. ACCORDING TO P-2018-0000034 FILED OCTOBER 17, 2018, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CHISELED "X" ON RETAINING WALL AT THE NORTHERLY TERMINUS OF AN ANGLE POINT ON THE NORTH BOUNDARY OF SAID LOT A2A, FROM WHICH A REBAR WITH YELLOW PLASTIC CAP LS16525 AT THE NORTHEAST CORNER OF SAID LOT BEARS SOUTH 88°24'13" EAST, 639.27 FEET;

THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 01°03'29" WEST, 117.15 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 13°25'35" EAST, 50.00 FEET; THENCE SOUTH 76°34'25" WEST, 50.00 FEET; THENCE NORTH 13°25'35" WEST, 50.00 FEET; THENCE NORTH 76°34'25" EAST, 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2500 SQUARE FEET (0.006 ACRES) OF LAND, MORE OR LESS.

ACCESS EASEMENT LEGAL DESCRIPTION A PORTION OF LOT A2A OF AN AMENDED PLAT OF LOT A2 OF THE THIRD AMENDED PLAT OF LOT A, REPLAT OF LINCOLN HEIGHTS, AND LOT B1A OF THE AMENDED PLAT OF LOTS B1 AND B2 OF AN AMENDED PLAT OF LOT B OF REPLAT OF LINCOLN HEIGHTS, AN ADDITION TO THE CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY. ACCORDING TO P-2018-0000034 FILED OCTOBER 17, 2018, LYING 6.00 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A CHISELED "X" ON RETAINING WALL AT THE NORTHERLY TERMINUS OF AN ANGLE POINT ON THE NORTH BOUNDARY OF SAID LOT A2A, FROM WHICH A REBAR WITH YELLOW PLASTIC CAP LS16525 AT THE NORTHEAST CORNER OF SAID LOT BEARS SOUTH 88°24'13" EAST, 639.27 FEET;

THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 01°03'29" WEST, 117.15 FEET; THENCE SOUTH 13°25'35" EAST, 24.98 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 76°31'35" EAST, 270.33 FEET;

THENCE NORTH 87°44'50" EAST, 371.75 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 23RD STREET, SAID POINT ALSO BEING THE POINT OF TERMINUS.

UTILITY EASEMENT LEGAL DESCRIPTION

A PORTION OF LOT A2A OF AN AMENDED PLAT OF LOT A2 OF THE THIRD AMENDED PLAT OF LOT A, REPLAT OF LINCOLN HEIGHTS, AND LOT B1A OF THE AMENDED PLAT OF LOTS B1 AND B2 OF AN AMENDED PLAT OF LOT B OF REPLAT OF LINCOLN HEIGHTS, AN ADDITION TO THE CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY. ACCORDING TO P-2018-0000034 FILED OCTOBER 17, 2018, LYING 2.50 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A CHISELED "X" ON RETAINING WALL AT THE NORTHERLY TERMINUS OF AN ANGLE POINT ON THE NORTH BOUNDARY OF SAID LOT A2A, FROM WHICH A REBAR WITH YELLOW PLASTIC CAP LS16525 AT THE NORTHEAST CORNER OF SAID LOT BEARS SOUTH 88°24'13" EAST, 639.27 FEET;

THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 01°03'29" WEST, 117.15 FEET; THENCE SOUTH 13°25'35" EAST, 13.76 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 85°53'49" EAST, 637.98 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF 23RD STREET, SAID POINT ALSO BEING THE POINT OF TERMINUS.







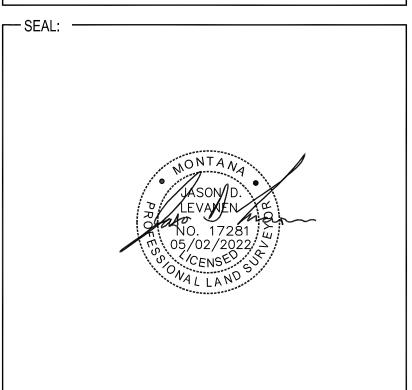
1825 W. WALNUT HILL LANE SUITE 302 IRVING, TX 75038

| NO. — | DATE - 03/23/22 |              | BY — |
|-------|-----------------|--------------|------|
| 0     | 04/27/22        | COMMENTS (A) | MF   |
|       |                 |              |      |
|       |                 |              |      |
|       |                 |              |      |
|       |                 |              |      |
|       |                 |              |      |
|       |                 |              |      |
|       |                 |              |      |
|       |                 |              |      |

— SITE INFORMATION: —— SITE #: MTL03020 SITE NAME: UNIV\_PF\_PROVIDENCE LTE XC FA#: 15743272

1301 20TH STREET S GREAT FALLS, MT 59405

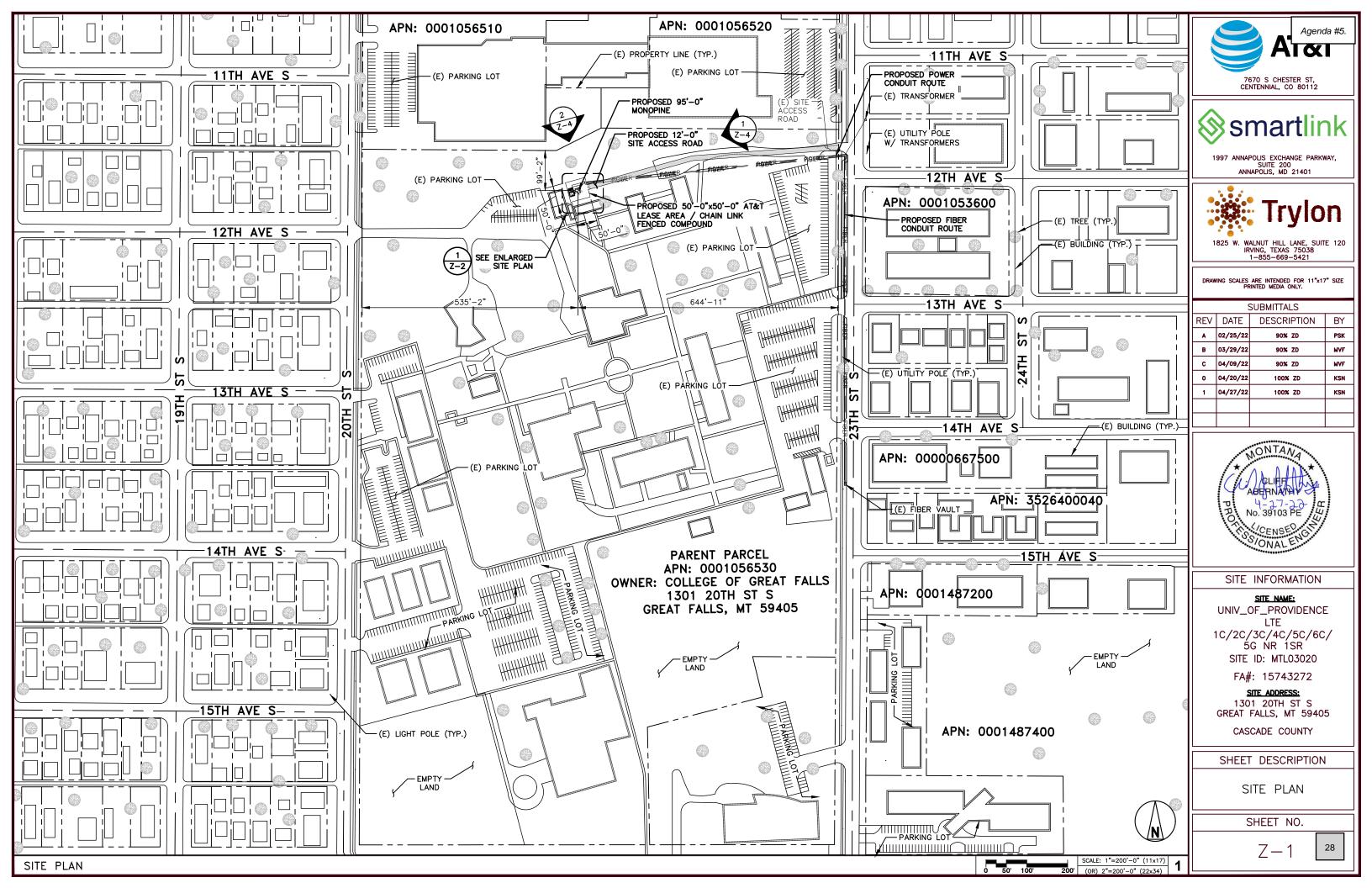
CASCADE COUNTY

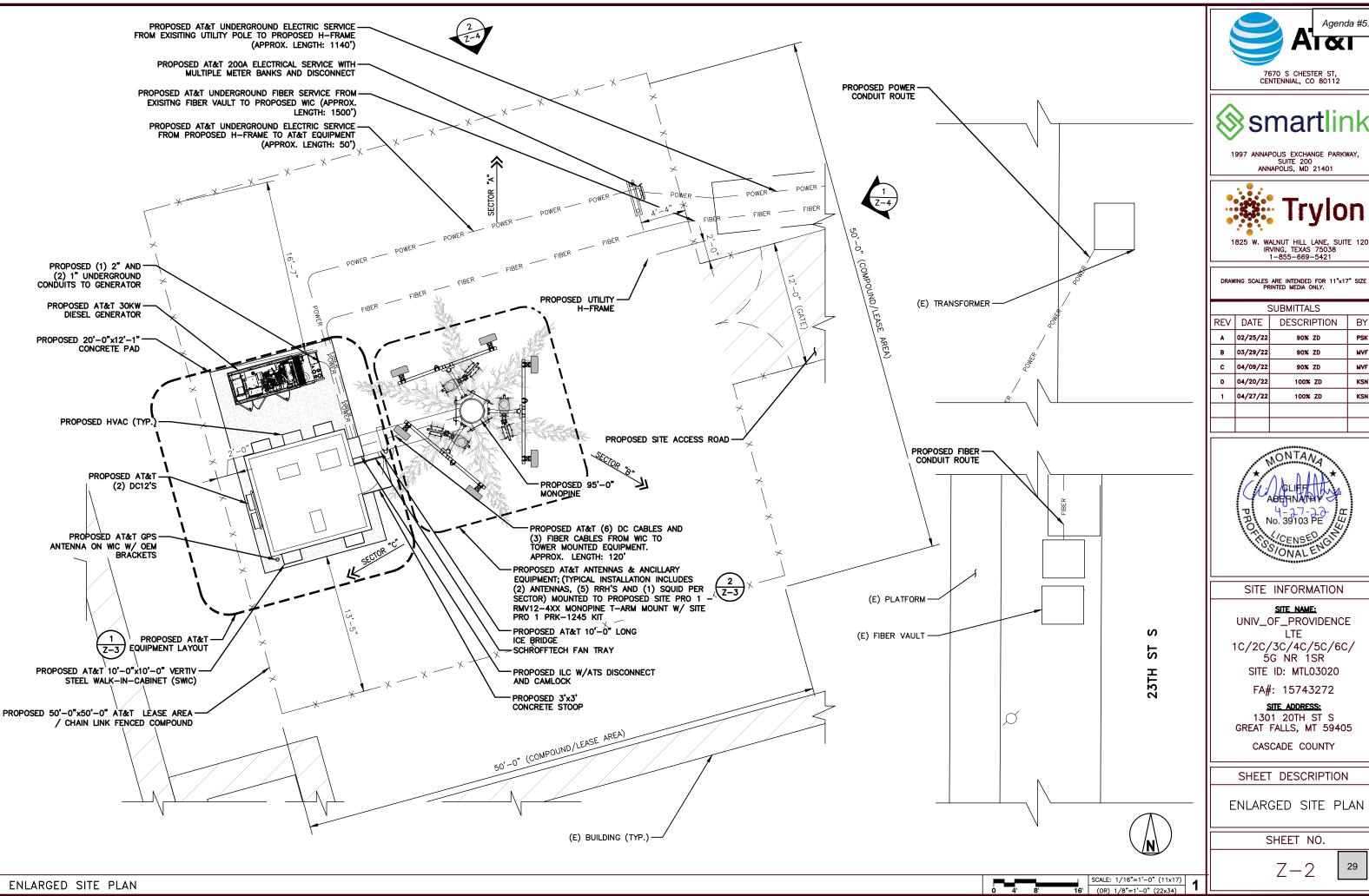


SHEET TITLE:

NOTES

SHEET NUMBER:











1825 W. WALNUT HILL LANE, SUITE 120 IRVING, TEXAS 75038 1-855-669-5421

|     |          | SUBMITTALS  |     |
|-----|----------|-------------|-----|
| REV | DATE     | DESCRIPTION | BY  |
| A   | 02/25/22 | 90% ZD      | PSK |
| В   | 03/29/22 | 90% ZD      | MVF |
| С   | 04/09/22 | 90% ZD      | MVF |
| 0   | 04/20/22 | 100% ZD     | KSN |
| 1   | 04/27/22 | 100% ZD     | KSN |
|     |          |             |     |
|     |          |             |     |



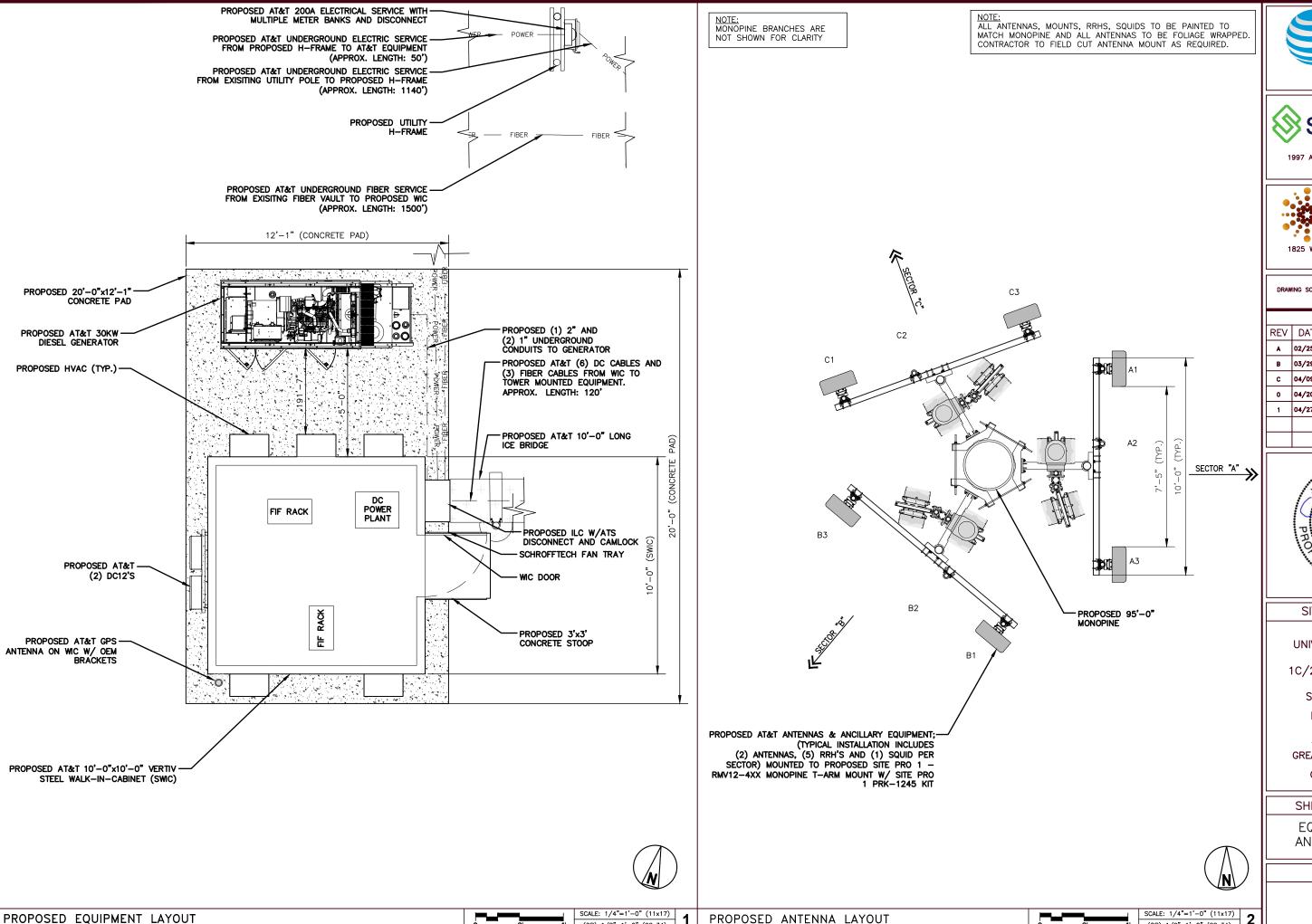
1C/2C/3C/4C/5C/6C/

GREAT FALLS, MT 59405

CASCADE COUNTY

ENLARGED SITE PLAN









1997 ANNAPOLIS EXCHANGE PARKWAY, SUITE 200 ANNAPOLIS, MD 21401



1825 W. WALNUT HILL LANE, SUITE 120 IRVING, TEXAS 75038 1-855-669-5421

DRAWING SCALES ARE INTENDED FOR 11"x17" SIZE PRINTED MEDIA ONLY.

|     | SUBMITTALS |             |     |  |  |  |  |
|-----|------------|-------------|-----|--|--|--|--|
| REV | DATE       | DESCRIPTION | BY  |  |  |  |  |
| A   | 02/25/22   | 90% ZD      | PSK |  |  |  |  |
| В   | 03/29/22   | 90% ZD      | MVF |  |  |  |  |
| С   | 04/09/22   | 90% ZD      | MVF |  |  |  |  |
| 0   | 04/20/22   | 100% ZD     | KSN |  |  |  |  |
| 1   | 04/27/22   | 100% ZD     | KSN |  |  |  |  |
|     |            |             |     |  |  |  |  |
|     |            |             |     |  |  |  |  |



#### SITE INFORMATION

SITE NAME:

UNIV\_OF\_PROVIDENCE LTE 1C/2C/3C/4C/5C/6C/ 5G NR 1SR

SITE ID: MTL03020

FA#: 15743272

SITE ADDRESS:

1301 20TH ST S GREAT FALLS, MT 59405

CASCADE COUNTY

SHEET DESCRIPTION

EQUIPMENT AND ANTENNA LAYOUT

SHEET NO.

Z-3



NOTE: STRUCTURAL ANALYSIS AND MOUNT ANALYSIS TO BE PERFORMED PRIOR TO EQUIPMENT INSTALLATION IN ORDER TO VERIFY THAT THE STRUCTURE IS ADEQUATE TO SUPPORT THE PROPOSED EQUIPMENT.

NOTE:
ALL ANTENNAS, MOUNTS, RRHS, SQUIDS TO BE PAINTED TO
MATCH MONOPINE AND ALL ANTENNAS TO BE FOLIAGE WRAPPED.
CONTRACTOR TO FIELD CUT ANTENNA MOUNT AS REQUIRED.



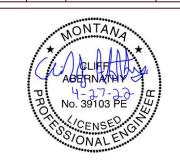


1997 ANNAPOLIS EXCHANGE PARKWAY, SUITE 200 ANNAPOLIS, MD 21401



DRAWING SCALES ARE INTENDED FOR 11"x17" SIZE PRINTED MEDIA ONLY.

|     | SUBMITTALS |             |     |  |  |  |  |  |
|-----|------------|-------------|-----|--|--|--|--|--|
| REV | DATE       | DESCRIPTION | BY  |  |  |  |  |  |
| A   | 02/25/22   | 90% ZD      | PSK |  |  |  |  |  |
| В   | 03/29/22   | 90% ZD      | MVF |  |  |  |  |  |
| С   | 04/09/22   | 90% ZD      | MVF |  |  |  |  |  |
| 0   | 04/20/22   | 100% ZD     | KSN |  |  |  |  |  |
| 1   | 04/27/22   | 100% ZD     | KSN |  |  |  |  |  |
|     |            |             |     |  |  |  |  |  |
|     |            |             |     |  |  |  |  |  |



#### SITE INFORMATION

SITE NAME:

UNIV\_OF\_PROVIDENCE LTE 1C/2C/3C/4C/5C/6C/

5G NR 1SR SITE ID: MTL03020

FA#: 15743272

SITE ADDRESS:

1301 20TH ST S GREAT FALLS, MT 59405

CASCADE COUNTY

SHEET DESCRIPTION

TOWER ELEVATIONS

SHEET NO.

Z-4

31

