



Planning Advisory Board/Zoning Commission
2 Park Drive South, Great Falls, MT
Gibson Room, Civic Center
September 08, 2020
3:00 PM

UPDATES CONCERNING PROCESS OF MEETINGS

Due to the COVID-19 health concerns, the format of the Planning Advisory Board/Zoning Commission meeting will be held in a virtual video-conferencing environment. 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 Planning Advisory Board/Zoning Commission are making every effort to meet the requirements of open meeting laws:

- Planning Advisory Board/Zoning Commission members and City staff will attend the meeting via a remote location, using a virtual meeting method.
- 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 comment will be taken during the meeting as indicated on the agenda with an asterisk. Public participation is welcome in the following ways:
 - Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Gibson Room according to applicable health guidelines.
 - Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, September 08th, 2020, to: jnygard@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the Planning Advisory Board/Zoning 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.
 - Call-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. This is a pilot service to test the feasibility of expanded public participation by phone. We ask for your patience in the event there are technical difficulties

OPENING MEETING

1. Call to Order - 3:00 PM
2. Roll Call - Board Introductions

Pete Fontana - Chair

Charles Pankratz - Vice Chair

Dave Bertelsen

Kelly Buschmeyer

Tory Mills

Samantha Shinaberger

Laura Vukasin

3. Recognition of Staff
4. Approval of Meeting Minutes - August 25, 2020

BOARD ACTIONS REQUIRING PUBLIC HEARING

- 5. Conditional Use Permit to allow a “two-family residence” land use upon the property addressed as 1115 18th Ave SW and legally described as Lot 10, Block 4, Montana Addition, Section 15, T20N, R3E, P.M.M., Cascade County, Montana.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

COMMUNICATIONS

There will be a Planning Advisory Board/Zoning Commission meeting on September 22, 2020. An application for Annexation on Upper River Road will be presented.

PUBLIC COMMENT

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

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.

Planning Advisory Board/Zoning Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Meetings are re-aired on cable channel 190 the following Thursday at 7 p.m.

**MINUTES OF THE MEETING
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION
AUGUST 25, 2020**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Peter Fontana at 3:01 p.m. The meeting was held via Zoom in the Gibson Room.

ROLL CALL & ATTENDANCE

Due to the COVID-19 health concerns, the format of the Planning Advisory Board/Zoning Commission meeting is being conducted in a virtual video-conferencing environment. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), public participation is welcomed and encouraged as follows:

- Attend in person. Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Gibson Room according to applicable health guidelines.
- Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, August 25, to: jnygard@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and address of the commenter. Written communication received by that time will be shared with the Planning Advisory Board/Zoning 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.
- Call-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. We ask for your patience in the event there are technical difficulties.

Planning Board Members present electronically via Zoom:

Peter Fontana, Chair
Charles Pankratz, Vice Chair
Dave Bertelsen (joined at 3:13 PM)
Tory Mills
Samantha Shinaberger
Laura Vukasin

Planning Board Members absent:

Kelly Buschmeyer

Planning Staff Members present:

Craig Raymond, Director Planning and Community Development
Thomas Micuda, Deputy Director, Planning and Community Development
Andrew Finch, Sr. Transportation Planner
Lonnie Hill, Planner I
Alaina Mattimiro, Planner I

Jamie Nygard, Sr. Admin Assistant

Other Staff present:

Joe Cik, Assistant City Attorney

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

MINUTES

Chair Peter Fontana asked if there were any comments or corrections to the minutes of the meeting held on August 11, 2020. Seeing none, Mr. Pankratz moved to approve the minutes. Ms. Shinaberger seconded, and all being in favor, the minutes were approved.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

Annexation of Tract 2 of Certificate of Survey No. S-0005156 located in Sec. 3, T20N, R3E, Mark 5A, PMM, Cascade County, MT and the adjoining right-of-ways of Stuckey Road; and establishment of M-2 Mixed-Use Transitional Zoning

Ms. Alaina Mattimiro, Planner I, presented to the board. She stated that the applicants, Little Shell Tribe of Chippewa Indians of Montana, are proposing the annexation and establishment of M-2 Mixed-Use transitional zoning on a parcel of land that is 2.10 acres as well as the adjoining right-of-way on Stuckey Road. Currently the property houses an event center, which is the proposed future use as well, and is located in Cascade County along Stuckey Road, north of the Montana Egg property. The Little Shell Tribe is requesting annexation into city limits. In order to accommodate the Tribe's desire to increase usage of the event center, proactive measures to meet greater water and sewer demands will need to be taken. Ms. Mattimiro presented an Aerial Map and photos of the site. She stated that currently the property is being serviced by a 1" water line and a drain field north of the property and the Little Shell Tribe is proposing discontinuation of both of those and extending the city water and sewer mains.

Stuckey Road is currently gravel, however, Stuckey Road is slated as a Montana Department of Transportation project for August 2021 that will extend all the way to the driveway approach of the Little Shell property. The applicant will be responsible for the last 30 feet of the road to extend the road to the north property line. Because MDT is reconstructing Stuckey Road, the Improvement Agreement with the applicant and the city will require the extension of both the water and the sewer mains, before MDT starts the project.

Ms. Mattimiro presented the Findings of Fact. The contiguity of the parcel to city limits will be met with the annexation of Stuckey Road. The annexation is consistent with the growth policy. The project has been reviewed by Public Works, Engineering, Environmental, Legal staff, and Planning and Community Development staff and there is capability of extending City services. The second part of the request addresses the establishment of zoning. The applicant is requesting, as well as staff is recommending, M-2 Mixed Use transitional zoning. Ms. Mattimiro presented a Zoning map. A few of the Findings of Fact were presented. The M-2 Mixed Use transitional zoning allows for the current use, creates flexibility of uses in the future and it would

promote mixed use development along the road corridor and act as a buffer between industrial and residential zones.

BOARD QUESTION AND ANSWER SESSION

None.

PUBLIC COMMENT

None.

PROponents

Brett Doney, Great Falls Development Authority (GFDA), 405 3rd St. N.W. Suite 203, called in and stated that they are in support of the application. They were involved in the Montana Egg annexation and the wonderful partnership between Montana Egg and the City that brought water to the area. As a Planner, he stated that the Findings of Fact are appropriate. Having the Mixed Use zoning in the area, they are hoping that Stuckey Road can see more development. He also stated that they support the Little Shell Tribe and their efforts to provide more services and facilities for the tribal members and the community at large.

OPponenets

None.

BOARD DISCUSSION AND ACTION

MOTION: That the Planning Advisory Board recommend the City Commission approve the annexation of the subject property as legally described in the Staff Report, the Improvement Agreement, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.

Made by: Ms. Shinaberger
 Second: Ms. Vukasin
 VOTE: All in favor, the motion carried

MOTION: That the Zoning Commission recommend the City Commission approve the establishment of Mixed-use Transitional zoning for the subject property as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.

Made by: Mr. Pankratz
 Second: Mr. Bertelsen
 VOTE: All in favor, the motion carried

Annexation of Tract 1 B of Certificate of Survey No. 5077 and the adjoining right-of-way of Jasper Road; establishment of C-3 Highway Commercial zoning of Lots 1-3 and R-2 Single-family Medium Density for Lot 4; and a minor subdivision of Double T Estates.

Mr. Lonnie Hill, Planner I presented to the board. The applicant, Turbo Transportation Group, LLC, is proposing annexation, establishment of zoning, and a four lot minor subdivision for Tract 1B of Certificate of Survey No. 5077. The subject property is approximately 40.54 total acres. The property is currently undeveloped. It is in the county adjacent to the city limits. Mr. Hill presented a Zoning Map, site photos and the proposed Double T Estates Amended Plat. Phase 1 would include development of Lot 1, of the proposed amended plat, as a truck wash facility. There would be improvements to 29th Street SW and a turnaround on Poplar Drive. In the future, the applicant has proposed preliminary ideas for a Turbo Trucking service facility, offices, and passenger car storage on Lot 2. On lot 3 they are proposing a 180 unit mini-storage facility, for which a Conditional Use Permit would be required. On Lot 4 the subsequent subdivision would be for residential lots.

Mr. Hill presented a couple of the Findings of Fact for Annexation. The subject property is contiguous to the existing City limits. It is adjacent to Bel-View Palisade and the City water tower. The proposed annexation is consistent with the City's growth policy. Mr. Hill also presented the Findings of Fact for the Zoning Map Amendment. The C-3 fits Lots 1-3, as it matches lots to the west and fits the desired uses of development. The R-2 fits Lot 4 as it matches zoning of Bel-View. The proposal identifies zoning, and does not include subdivision of Lot 4 into multiple lots. That would require a major subdivision in the future. Mr. Hill presented the Findings of Fact for the Subdivision. There will be no impact to existing agriculture. The subdivision is between two areas that are within the City. Sewer exists and water will be constructed. Fire and police already serve the adjacent areas. The project is being phased, so there are some considerations for future development. Existing streets will be evaluated and storm water facilities will need to be looked at for future proposals down the road. Bel-View Palisade does not currently have a lot of existing storm drain infrastructure at the top of the hill

PETITIONER'S PRESENTATION

Spencer Woith, Woith Engineering, 405 3rd St NW, stated that through the State legislature, there have been changes in the County's subdivision regulations. As a result, the process is considerably more difficult to subdivide the parcels in the County and annex them one by one into the City as they go through the development process. That is why they are proposing annexation of entire 40 acre property. They have a plan for Lot 1, a general idea for Lots 2-3, but not much of a plan for Lot 4. They are annexing and zoning, but not creating a subdivision of Lot 4 at this time. Even with the annexation and zoning, the Lot 4 is just one lot, so only one house can go on the entire parcel. To do the actual subdivision, this process would need to be repeated with a plan in place. There is no connection to Bel-View on Lots 1-3 at this point and may possibly never have any connection to Bel-View after Lot 4 is developed. All of the traffic on the project, as presented today, goes to the west, down 29th Street SW, past the Flying J. The intent of the Truck Wash is that there will be three truck stops on the hill along the interstate, and the applicant feels that there will be an opportunity for the truck wash, based on the amount of truck traffic that will be there. Lot 2 and 3 are future proposed developments.

BOARD QUESTION AND ANSWER SESSION

Chair Fontana asked Mr. Hill to explain why the R-2 zoning district was chosen for the large parcel as opposed to suburban residential. Mr. Hill responded that the R-2 zoning will only allow a single house on it, so it is creating a place holder for future land options.

Mr. Pankratz asked what streets within the Bel-View Palisade Addition are being considered for possible connection to this project. Mr. Hill responded that on the southeast corner of the subject property, is Poplar Drive, so that runs into the subject property. There are major grade concerns with that option. Additionally, at the top of the subject property is an existing right-of-way for Jasper Road, which continues into Bel-View Palisade. When you annex land into the city, you have to annex adjacent right-of-ways. In this case, the applicants are annexing an unused Jasper Road right-of-way. It is an old existing road that is not used, except for foot traffic. Within the annexation agreement, this right-of-way is to continue its non-use for motorized traffic and will be maintained by the property owner. There is another right-of-way for 29th Street SW that will be improved and connected on the southwest corner of the subject property.

Mr. Fontana asked if there were topographical challenges on the Poplar Drive right-of-way proposed. Mr. Hill responded that there are many challenges. The southwest corner of the site is flat, but as you move northeast, the grades start picking up and it gets pretty steep.

PUBLIC QUESTIONS

Mike Hoey, 2708 Jasper Road, applauds the applicant for bringing businesses in. He wanted to know why 29th Street Southwest cannot be extended all the way east to access the new housing development on Lot 4 and then north to the Interstate from there. If you walk on Jasper, there is a 30-40 foot, 60 degree cliff on both sides. When they were doing dirt work on the houses up there, it destroyed about \$10,000.00 worth of landscaping on his property. The wind is terrible up there. The project should not have Jasper connected to the neighborhood.

Mr. Woith responded as the plan shows today, the access to the existing lot is via 29th Street SW., because there are no other roads connecting to anything. Until there is a better plan developed for Lot 4, that is the connection.

Mr. Fontana asked then, if hypothetically the one house was built on Lot 4, the only way to get to it would be 29th Street SW and Mr. Woith responded that yes that is correct.

Mr. Bertelsen asked if the 29th Street SW improvement is a paved road. Mr. Hill responded that yes that is correct. Staff has been coordinating with Public Works and it will be developed to city standards, including sidewalks, curb, gutter, boulevards, and trees.

Ben Meyers, Great Falls, asked if Jasper Road was the only access and if big equipment would be running through it. Mr. Woith responded that there would not be big equipment coming through there. The access would be coming off of the Interstate, down 38th Avenue SW, and then up 29th Street SW. Mr. Meyers also asked why the property needed to be zoned as residential.

Mr. Micuda responded that when a property is not ready for development, but ready for annexation and zoning, the adjoining property's zoning is looked at. The property right next to it is R-2 Single-family zoning. The city does not have agricultural zoning like the county does.

Mr. Meyers also asked why this property needs to be annexed into the city. Mr. Woith responded that a truck wash cannot be done in the county, as you would need city water and

sewer. Also, for the subdivision, there is a state statute that says if you are within a certain amount of feet of city water and utilities, you must annex into the city.

PROPONENTS

Brett Doney, Great Falls Development Authority, 405 3rd St NW Suite 203, called in and stated that he agrees with the staff’s report and findings of fact and believes the zoning is appropriate. From an economic standpoint, logistics is an important industry for Great Falls and a wonderful opportunity to grow in the city and beyond. The truck wash facility will fit a niche in the community that will help grow the competitiveness for more logistical operations. They strongly urge the board to support the project.

OPPONENTS

Mr. Hill read an email that was received prior to the meeting from Val and Brad Scheevel and Walter and Donna Vashaw, 2717 Jasper Road. They understand that the new land use may be valuable to the community, but the egress and ingress of the area on Jasper and Acacia is at its maximum. They feel there should be a new Jasper Road with a connection to 31st Street and feel that it is irresponsible of the Planning Commission to approve the application.

Dave McIendon, Jasper Road, is against the cut across to possibly connect the proposed project to Jasper Road within Bel-View Palisade.

BOARD DISCUSSION AND ACTION

MOTION: That the Planning Advisory Board recommend the City Commission approve the annexation of Tract 1 B of Certificate of Survey No. 5077 as legally described in the staff report, the Improvement Agreement and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.

Made by: Mr. Mills
 Second: Ms. Vukasin
 VOTE: All in favor, the motion carried

Mr. Bertelsen stated that the Montana Department of Transportation has plans for the reconstruction of the roadway on 31st Street and access to I-15 on both sides, and wants to know if the increase in traffic potential for this project has been addressed in the study. Mr. Micuda responded that based on the application, staff did a study on trips for all four of the lots. The surrounding street network is equipped to handle the trips generated.

Mr. Fontana stated that he understands that there are challenges for a residential subdivision, but the focus today should be on the annexation of the whole project.

MOTION: That the Planning Advisory Board recommend the City Commission approve the establishment of C-3 Highway Commercial zoning for Lots 1-3 and R-2 Single-family Medium Density zoning for Lot 4 of the proposed Double T Estates subdivision and the accompanying

Findings of Fact and Basis of Decision subject to the Conditions of Approval being fulfilled by the applicant.

Made by: Mr. Bertelsen
 Second: Ms. Vukasin
 VOTE: All in favor, the motion carried

MOTION: That the Planning Advisory Board recommend the City Commission approve the preliminary plat of Tract 1B of Certificate of Survey No. 5077 as legally described in the staff report and the accompanying Findings of Fact/Basis of Decision, subject to the Conditions of Approval being fulfilled by the applicant.

Made by: Ms. Vukasin
 Second: Ms. Shinaberger
 VOTE: All in favor, the motion carried

Mr. Fontana asked where the process goes from here and Mr. Hill responded that their recommendation will go to City Commission on September 15, 2020.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

Federal Fiscal Year (FFY) 2021 Unified Planning Work Program

Andrew Finch, Senior Transportation Planner, presented to the board. He stated that annually, the Great Falls Planning and Community Development Department, as the host agency for the Great Falls Metropolitan Planning Organization (MPO), prepares a “Unified Planning Work Program” (UPWP) as required by Federal transportation planning requirements. The UPWP outlines the various work activities that will be performed during the next Federal fiscal year by the department and the Great Falls Transit District, as well as projected staff hours and funding for the City of Great Falls. Mr. Finch stated that there are two bodies that also need to approve the UPWP. The Technical Advisory Committee (TAC), which is made up of practitioners involved in transportation, and the Policy Coordinating Committee (PCC). The PCC is made up of City and County Commissioners as well as representatives from the Montana Department of Transportation and Great Falls Transit District. Mr. Fontana is on the PCC board. The UPWP is a work program for the staff. It will tell the planning partners what is intended to be accomplished over the next year and how it will be funded. The major activities for FFY 2021 are a North Great Falls Sub-Area Study, which is underway currently, Fox Farm Road Corridor Study (has been hold), and the initial phases of an update to the Long Range Transportation Plan.

BOARD DISCUSSION AND ACTION

MOTION: That the Planning Advisory Board approve the Federal Fiscal Year 2021 Unified Planning Work Program, inclusive of any minor edits required by the Federal Highway Administration and Federal Transit Administration.

Made by: Mr. Pankratz

Second: Mr. Mills
VOTE: All in favor, the motion carried

COMMUNICATIONS

Mr. Micuda did let the board know that there will be an agenda item for the September 8, 2020 meeting. It is a Conditional Use Permit for a two unit dwelling on 18th Street SW.

PUBLIC COMMENT

None.

ADJOURNMENT

There being no further business, Chair Fontana adjourned the meeting at 4:23 p.m.

CHAIRMAN

SECRETARY



Meeting Date: September 8, 2020

**CITY OF GREAT FALLS
PLANNING ADVISORY BOARD / ZONING COMMISSION AGENDA REPORT**

Item: Conditional Use Permit to allow a “two-family residence” land use upon the property addressed as 1115 18th Ave SW and legally described as Lot 10, Block 4, Montana Addition, Section 15, T20N, R3E, P.M.M., Cascade County, Montana.

Initiated By: John Mieyr, Owner

Presented By: Brad Eatherly, Planner II, Planning and Community Development

Action Requested: Recommendation to the City Commission.

Public Hearing:

1. Chairman of the Board conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
2. Chairman of the Board closes public hearing and asks the will of the Board.

Suggested Motion:

1. Board Member moves:

“I move that the Zoning Commission recommend the City Commission (approve/deny) the Conditional Use Permit to allow a two-family residence land use located at 1115 18th Ave SW, subject to the Conditions of Approval being fulfilled by the applicant.”

2. Chairman calls for a second, board discussion, and calls for the vote.

Background:

The applicant is requesting to obtain a Conditional Use Permit in order to construct a two-family residence (duplex) on the subject property. The property is zoned R-2, Single-family medium density. This zoning district generally limits property usage to single family homes, but the Land Development Code allows owners to seek Conditional Use Permits for two-family residences. This requires the applicant, through a public hearing review process, to justify that the proposed Conditional Use Permit can be accomplished without negative impacts. The applicant’s rendering and site plan for the duplex show a one-story structure with full finished basements, front porch areas for each unit, shared driveway accessing side-by-side two car garage areas, and a pitched roof design. The applicant hopes that either he or a family member would reside in one of the two units.

Conditional Use Permit – Compliance with the Land Development Code:

The applicant intends to build the duplex with a footprint of 3,139 square feet which translates to 34% lot coverage. The OCCGF allows for up to 35% maximum lot coverage in the R-2 zoning district. The

duplex's four car garage will satisfy the off-street parking requirements – two parking spaces per unit. For the benefit of the Zoning Commission, staff notes that the number of bedrooms proposed is relatively high – four in one unit and five in the second unit. However, the City's parking requirement is calculated on a per unit basis.

The project will be in full compliance with R-2 zoning district dimensional requirements and all other development standards including, but not limited to, setbacks, landscaping, off-street parking, driveway widths and surfacing, sidewalk construction, and structural height and lot coverage.

The basis for decision for a Conditional Use Permit is listed in OCCGF §17.16.36.040. The Zoning Commission's recommendation and the City Commission's decision to approve, conditionally approve, or deny an application shall be based on whether the application, staff report, public hearing, and additional information demonstrates that the criteria which are attached as Findings of Fact - Conditional Use have been met.

Impact Analysis:

The Subject Property is surrounded on all sides by single-family homes. There are no other duplexes within the area. A Multi-family residential apartment is located just a few lots to the east. Commercial uses, including a church and the Best Western Heritage Inn Hotel and Convention Center are a short distance from the Subject Property. Additionally, Meadowlark School and Meadowlark Park are located only a few minutes away. Despite the R-2 zoning and dominance of single family homes on 18th Avenue SW, the larger area is a transitional zone between completely residential areas to the south and non-residential uses to the north and east.

The Subject Property is approximately 9,115 square feet in area, which actually makes the lot size below the minimum 11,000 square foot area for new lots in the R-2 district. However, the lot width is well above the 80 foot minimum standard in the district. This allows the proposed duplex to comply with all dimensional standards even though it is clearly larger than the adjacent homes.

Neighborhood Council Input:

The applicant is planning on attending the Neighborhood Council #1 meeting that is scheduled for September 8, 2020 at 7:00 pm. The recommendation of the Neighborhood Council will be included in the agenda report for the City Commission. City Staff sent notices to all property owners within a 150 foot radius of the subject property and posted a public hearing sign on the property. Staff has received one inquiry about the project to date.

Concurrences:

Representatives from the City's Public Works, Fire/Rescue, and Building Departments have reviewed the proposal and have no objections to the issuance of the Conditional Use Permit.

Fiscal Impact:

Approval of the CUP would have no adverse financial impact upon the City of Great Falls. Approval would result in the legal use of the second unit on the parcel, which would increase the value of the property.

Staff Recommendation:

Staff recommends approval of the Conditional Use Permit, subject to the conditions stated within the agenda report.

Conditions of Approval:

1. **Subsequent Modifications and Additions:** If, after establishment of the conditional use, the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the finding for one or more review criteria found in OCCGF 17.16.36.040. If such proposed change would alter a finding, the proposal shall be submitted for review as a new conditional use application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.
2. **Expiration:** The Conditional Use Permit shall expire one year after the date of issuance, if a Certificate of Occupancy has not been issued. The Administrator may extend the expiration date by up to one year if substantial work is ongoing. The Administrator may issue a Temporary Certificate of Occupancy that is valid for no more than one year if the only condition(s) remaining to be fulfilled involve landscaping that cannot be successfully established until the weather permits.
3. **Abandonment:** If the permitted conditional use ceases to operate for more than six months, the Conditional Use Permit shall expire.
4. **General Code Compliance:** The proposed project shall be developed consistent with the conditions of approval adopted by the City Commission, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
5. **Acceptance of Conditions:** No zoning or building permits shall be issued until the property owner acknowledges in writing that it has received, understands, and agrees to comply with the conditions of approval.

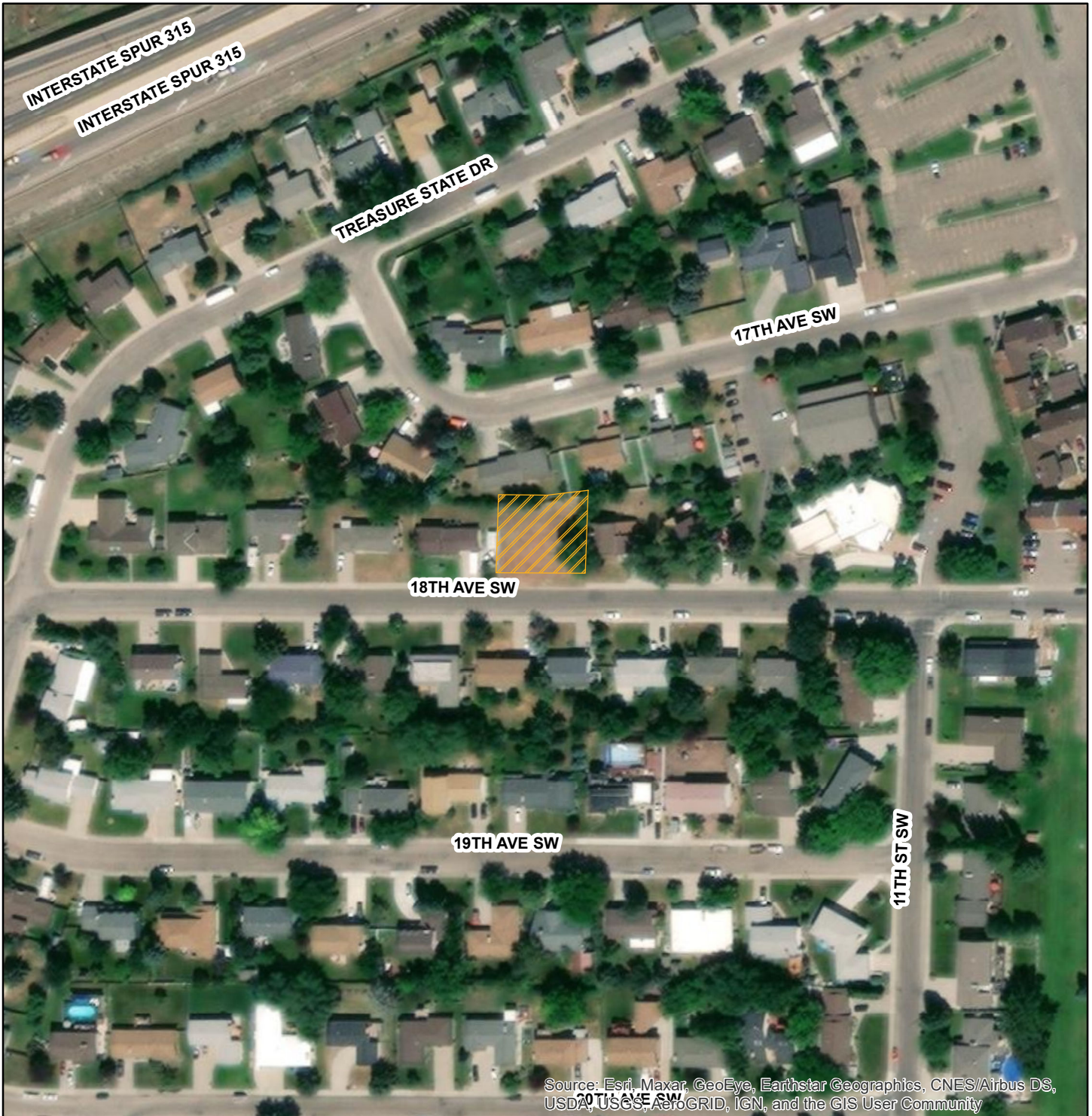
Alternatives:

The Zoning Commission could recommend denial of the Conditional Use Permit, providing an alternate Basis of Decision to support the action.

Attachments/Exhibits:

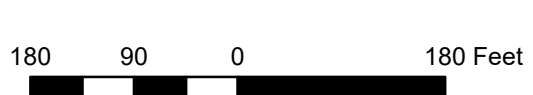
Aerial Map
 Zoning Map
 Basis of Decision
 Site Plan
 Applicant Narrative

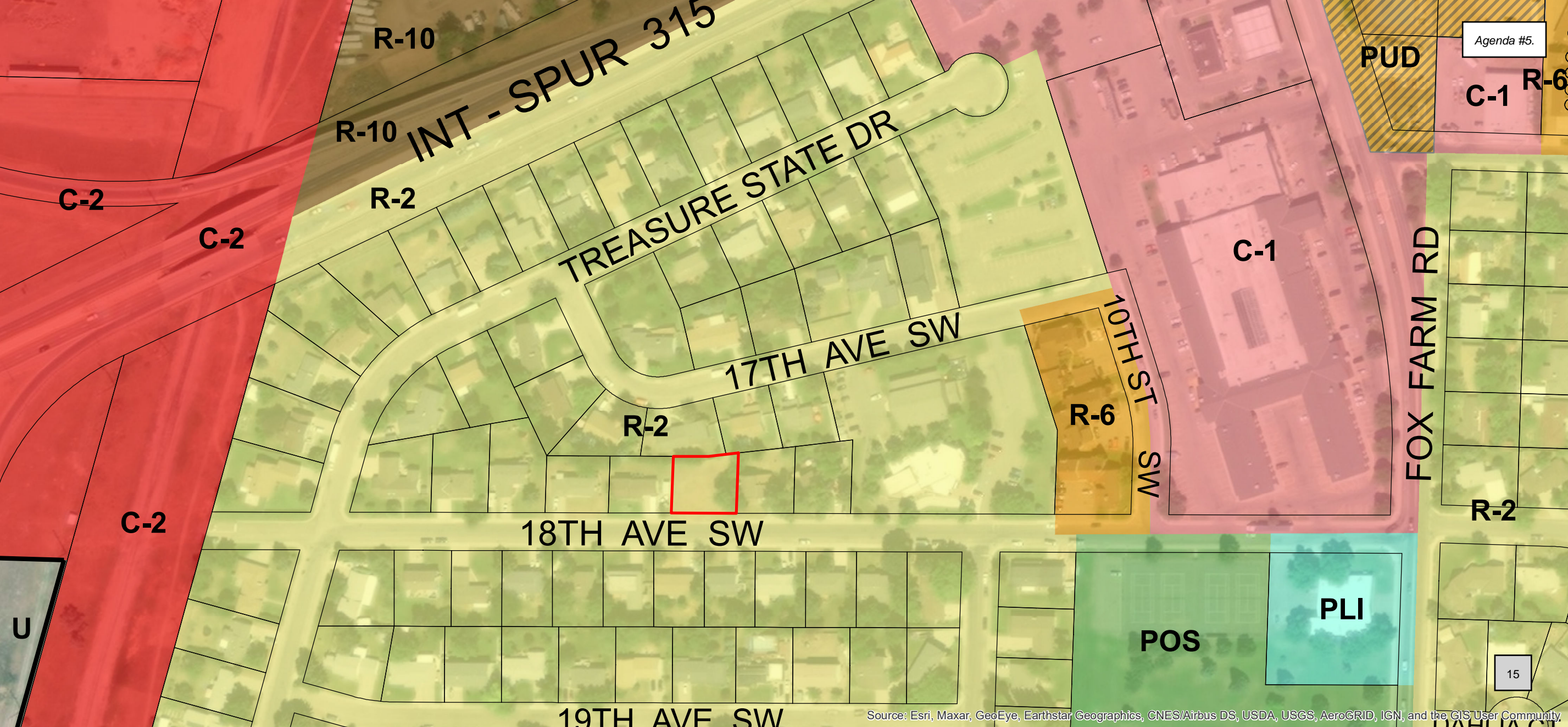
EXHIBIT A



 Parcel selection

 City Limits





R-10

R-10

R-2

R-2

R-6

PUD

Agenda #5.

C-1

R-6

C-1

C-2

C-2

C-2

R-2

POS

PLI

15

INT - SPUR 315

TREASURE STATE DR

17TH AVE SW

18TH AVE SW

19TH AVE SW

10TH ST SW

FOX FARM RD

CONDITIONAL USE PERMIT - BASIS OF DECISION

The applicant is requesting the approval of a Conditional Use Permit (CUP) for a Two-Family Residence in the R-2 district.

1. The zoning and conditional use is consistent with the City's Growth Policy and applicable neighborhood plans, if any.

The proposed two-family residence provides housing diversity and increased density in the core of the City and also takes advantage of existing street and utility infrastructure. More specifically, it is consistent with the following policies in the City's Growth Policy:

Phy4.1 – Encourage a balanced mix of land uses through-out the City.

Phy4.3 – Optimize the efficiency and use of the City's Public facilities and utilities.

2. The establishment, maintenance or operation of the zoning and conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.

The CUP will have no detrimental impact upon the health, safety, morals, comfort or general welfare. The proposal for the subject property has been reviewed by various city departments, and the appropriate plans will be submitted for building permit review if the CUP is approved. Access to the proposed two-family residence from 18th Avenue SW can be provided without any negative public safety impacts to pedestrians or motorists using this City street. Visibility for street users is excellent at this location. Additionally, the request will allow for the last section of sidewalk to be constructed along the street.

3. The conditional use 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.

While the majority of uses in the area are single-family, there are a number of area properties just to the east along 18th Avenue SW, 10th Street SW, and Fox Farm Road that are zoned and utilized as multi-family and commercial. The existing appearance of the residential structure looks very similar to existing nearby single-family structures. Although the duplex has a larger footprint than many other residences in the area, it does not exceed the lot coverage regulations according to the City's Land Development Code. Parking is proposed to be contained within the garage and driveway. The driveway width of 40 feet is allowed through the City's Land Development Code. All other development standards regulated by city code will be met by the developer. Because of these factors, the conditional use will not adversely impact the use, enjoyment or property value of any property in the immediate vicinity.

4. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The project will not impede the normal and ordinary development and improvement of surrounding properties. All of the residentially zoned lots located north, east and west of the property are already developed. The multifamily and commercially zoned areas to the east will not be affected by the allowance of a two family unit. Adjacent property owners have been notified about the project and City staff has received no questions regarding the project.

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

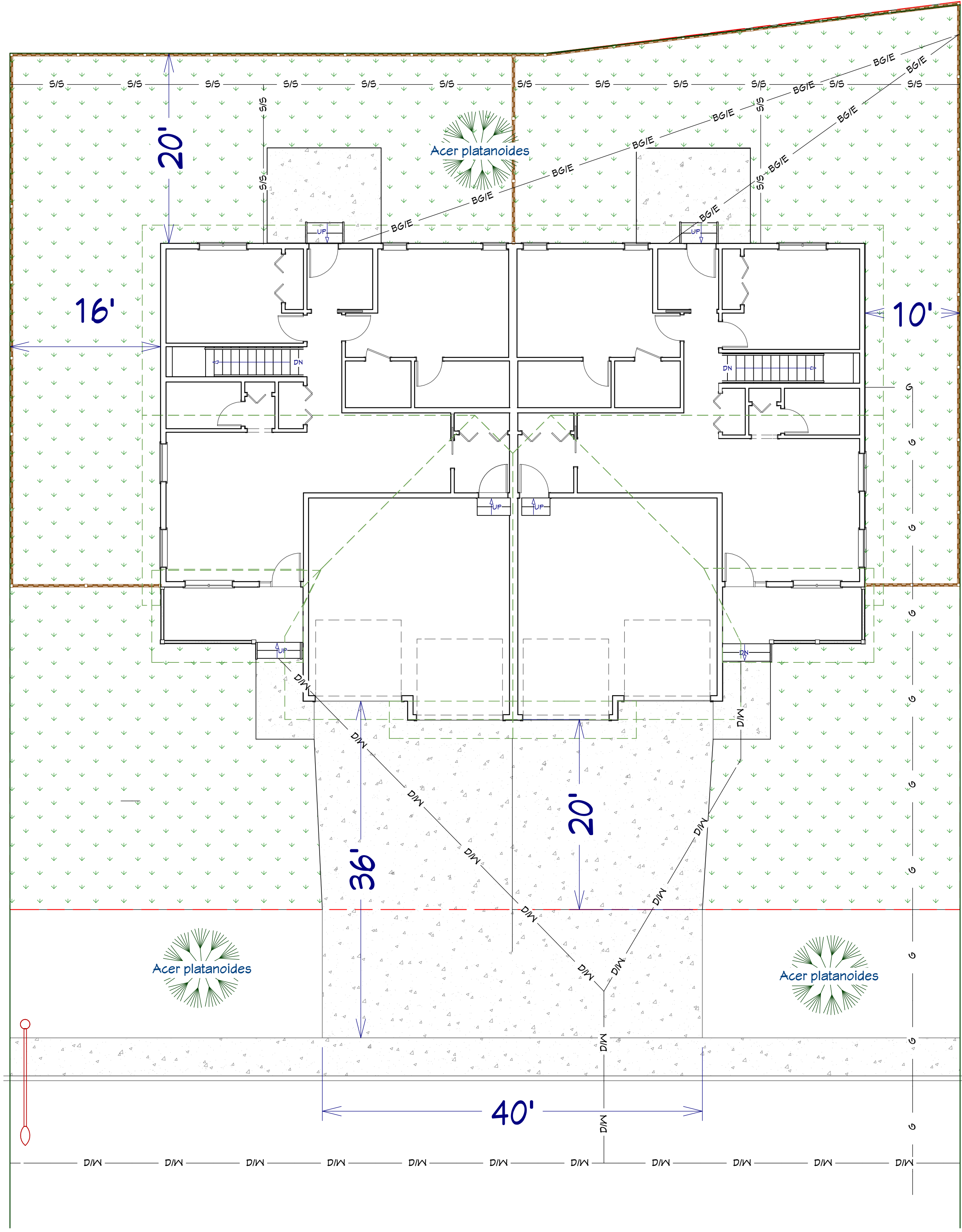
Adequate services and infrastructure are available to serve the two family dwelling. Full sidewalks, water, sewer and paved roads already exist adjacent to the subject parcel. The applicant will be providing service lines for water and sewer.

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

The project will generate little daily traffic, and will have no discernible impact upon the area road network. According to the Institute of Transportation Engineers (ITE), a duplex can be assumed to generate 20 trips per day. The project will also be required to provide four off-street parking spaces and the curb cut will meet city standards.

7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.

The lot is of sufficient size to comply with all applicable regulations in the City's Land Development Code and, more specifically, the R-2 Zoning District. The applicant intends to build the duplex with a footprint of 3,139 square feet which translates to 34% lot coverage. The OCCGF allows for up to 35% maximum lot coverage in the R-2 zoning district. The duplex's four car garage will satisfy the off-street parking requirements – two parking spaces per unit. All other dimensional standards set forth by the City's Land Development Code will be met as well.



SITE PLAN
1 in = 7 1/2 ft

SITE PLAN GENERAL NOTES:

1. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.
2. ALL FINISH GRADES TO BE SMOOTH AND UNIFORM.
3. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
4. CONTRACTOR TO CONTROL EROSION AND RUN OFF FROM BUILDING SITE.

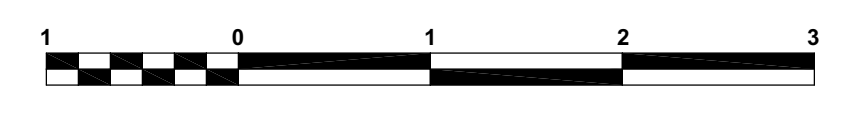
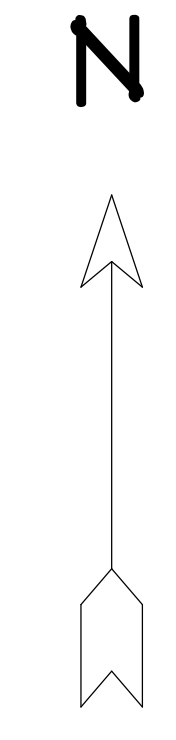
PROJECT NAME: Mieyr Duplex
DEVELOPER/LANDOWNER: John Mieyr
LEGAL DESCRIPTION: MONTANA ADDITION, S15, T20 N, R03 E, BLOCK 004, Lot 010
LOT SIZE: .210 Acres/9115 Sq. Ft.
ZONING: R-2

ALLOWABLE MAX LOT COVERAGE BY PRINCIPAL BUILDING - 35% OR 3190 Sq. Ft.
DESIGNED LOT COVERAGE BY PRINCIPAL BUILDING - 34% OR 3139 Sq. Ft.

REQUIRED TURF GRASS COVERAGE 50% OR 4557 Sq. Ft.
DESIGNED TURF GRASS COVERAGE 50% OR 4607 Sq. Ft.



Camera 3



— G —	GAS LINE
-BG/E-	BELOW GRADE ELECTRIC
— — — —	OVERHEAD ELECTRIC
— — — —	DOMESTIC WATER
- F/W -	FIRE WATER
S/S	SANITARY SEWER
— — — —	STORM SEWER
- D/C -	CABLE TV
- D/P -	TELEPHONE
- - - -	DATA
- - - -	PROPERTY LINE
- - - -	EASEMENT
- - - -	SETBACK

REVISION TABLE	NUMBER	DATE	DESCRIPTION

JOHN MIEYR
 406-231-3569
 johnmieyr@gmail.com

SITE PLAN

DRAWINGS PROVIDED BY:
 Mike Gorecki
 Big Sky Custom Home Design, LLC
 406-231-6392
 admin@bigskycustomhomedesign.com

DATE:

7/8/2020

SCALE:

SHEET:

P-3

July 17, 2020

RE: CUP Request, 1115 18th Ave. SW, Great Falls, MT

Attention: City of Great Falls Planning Department Staff and other City Staff/Officials:

I am requesting that I be granted a Conditional Use Permit for the aforementioned property.

I am a licensed Construction Contractor operating out of this City and I am also the owner of the property for which the CUP request is being made.

As you will see upon review of the Site Plan and Project Drawings which accompany this request, I would like to construct a high quality, two family dwelling, aka: duplex home, on this currently vacant property.

I feel the upscale project design will further enhance the neighborhood, while serving the useful purpose of providing quality housing in an area of this City that has much to offer. There are schools, shopping, dining and other important services available in this immediate area, making it a very desirable living location.

At this time, if allowed to proceed with this project, I intend to operate as the General Contractor and will self-perform the majority of the construction. Appropriate Licensed Sub-Contractors will be hired to perform aspects of the project as required by applicable Laws and Codes.

If possible, a family member, or myself, will reside in one of the homes.

I would certainly appreciate your consideration in granting this request.

Please contact me with any questions or concerns you may have.

Thank you.

Sincerely,

John Mieyr
John Mieyr Construction.
406 231 3569

Attached:

Check # 3661 - \$ 1,500.00

Land Use Application

Site Plan/Project Drawings

Site Plan/ Project Drawings – Thumb Drive