



**Planning Advisory Board/Zoning Commission
January 09, 2024 Agenda
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 Planning Advisory Board/Zoning Commission 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, January 9, 2024 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 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.

OPENING MEETING

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

Dave Bertelsen - Chair

Tory Mills - Vice Chair

Julie Essex

Lindsey Gray

Pat Green

Samantha Kaupish

Jake Schneiderhan

3. Staff Recognition
4. Approval of Meeting Minutes - November 14, 2023

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

5. Election of Officers for 2024

BOARD ACTIONS REQUIRING PUBLIC HEARING

6. Conditional Use Permit for a “Type II Community Residential Facility” land use for the property addressed as 2201 11th St SW and legally described as Lot 7 of Block 5 of the Montana Addition.

COMMUNICATIONS

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
November 14, 2023**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Julie Essex at 3:00 p.m. in the Commission Chambers at the Civic Center.

ROLL CALL & ATTENDANCE

UPDATES CONCERNING PROCESS OF MEETINGS

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:

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Planning Board Members present:

Julie Essex
Lindsey Gray
Samantha Kaupish
Jake Schneiderhan

Planning Board Members absent:

Dave Bertelsen, Chair

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Tory Mills, Vice Chair

Pat Green

Planning Staff Members present:

Brock Cherry, Director, Planning and Community Development

Tom Micuda, Deputy Director, Planning and Community Development

Rachel Campbell, Permit Technician

Sara Doermann, Associate City Planner

Lonnie Hill, Senior City Planner

Kayla Kryzsko, Assistant City Planner

Jamie Nygard, Sr. Administrative Assistant

Other Staff present:

Rachel Taylor, Deputy City Attorney

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

MINUTES

Julie Essex asked if there were any comments or corrections to the minutes of the meeting held on August 22, 2023. Seeing none, the minutes were approved.

COMMISSION ACTIONS REQUIRING A PUBLIC HEARING

Conditional Use Permit for a “Type II Community Residential Facility” land use for the property addressed as 2201 11th St S.W. and legally described as Lot 7 of Block 5 of the Montana Addition

Tom Micuda, Deputy Director, stated that the recommendation by staff was to table the Agenda Item until the January 9, 2024 meeting, due to some late public input that staff would like to look into further. The applicant is aware of the public input and is looking into answering the concerns.

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Brock Cherry, Director, stated that staff's job is to insure that recommending bodies and decision makers have the best information possible.

BOARD DISCUSSION AND ACTION

MOTION: That the Planning Advisory Board move the Agenda Item, for the Conditional Use Permit, until the January 9, 2024 Planning Advisory Board meeting.

Made by: Ms. Essex

Second by: Ms. Kaupish

VOTE: 4-0

COMMISSION ACTIONS NOT REQUIRING A PUBLIC HEARING

Reappointment of Board Members – Grey and Mills

Mr. Micuda stated that the Board members need to make a recommendation to the City Commission on who they wish to serve on the Planning Advisory Board/Zoning Commission.

Mr. Micuda stated that Lindsay Grey and Tory Mills terms are ending in December 2023, and that they both wish to still serve. He also stated that two other applications were received for the open positions and were included in the Agenda Packet.

BOARD QUESTIONS

Ms. Shinaberger asked if Ms. Grey would need to abstain from voting for herself. Mr. Micuda responded that she was allowed to vote for herself.

Mr. Schneiderhan stated that if a Board Member would like a second term, they should get one.

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BOARD DISCUSSION AND ACTION

MOTION: That the Planning Advisory Board reappoints Lindsay Grey and Tory Mills to second terms on the Board.

Made by: Ms. Kaupish

Second by: Mr. Schneiderhan

VOTE: 4-0

COMMUNICATIONS

Brock Cherry, Director of Planning and Community Development, gave a presentation on the Growth Policy Update. He stated that the Growth Policy is a document that provides data and analysis and how the data and analysis pertain to the existing condition of the community. It is a strategic roadmap, including goals and objectives that are measurable, realistic, and provide residents with tangible results.

Mr. Cherry stated that the Planning Board's role will be to help guide the staff and consultant to perform the Growth Policy Update and will make a formal recommendation of the final Plan document to the City Commission.

PUBLIC COMMENTS

Nicholas Sudan, Great Falls, wanted to know if the Growth Policy would be returned to the public, after the input is received, to look at before being finalized. Mr. Cherry responded that there will be an active working draft which will always be available for the public to view. He stated that the public engagement will not be a singular event, but rather a constant dialogue throughout the process.

ADJOURNMENT

There being no further business, Julie Essex adjourned the meeting at 3:29 p.m.

DAVE BERTELSEN, CHAIRMAN

BROCK CHERRY, SECRETARY



Meeting Date: January 9, 2024

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

Item: Conditional Use Permit for a “Type II Community Residential Facility” land use for the property addressed as 2201 11th St SW and legally described as Lot 7 of Block 5 of the Montana Addition.

Initiated By: Annaliza Koczur, Park View Assisted Living

Presented By: Sara Doermann, Associate City Planner, Planning and Community Development

Action Requested: Recommendation to the City Commission

Public Hearing:

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

Suggested Motion:

1. Commission Member moves:

“I move that the Zoning Commission recommend the City Commission (approve/deny) the Conditional Use Permit as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.”

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

Background:

The applicant, Annaliza Koczur with Park View Assisted Living, has submitted an application to request a Conditional Use Permit (CUP) to allow for an increase in the number of residents from 14 to 17 within an established assisted living facility. The subject property is located at the southeast corner of 22nd Ave SW and 11th St SW, and west of Meadow Lark Elementary School. The subject property is zoned Single-family Medium Density (R-2) on an approximately 12,850 square foot lot.

The proposed addition of three (3) residents to increase the total number of occupants to seventeen (17) requires the applicant to request a CUP to expand what is known as a Type II Community Residential Facility. As defined within OCCGF 17.8.120, a Type I Community Residential Facility means a community residential facility with eight (8) or fewer individuals, whereas a Type II Community Residential Facility means a community residential facility with nine (9) or more individuals. Type I Community Residential Facilities only require staff level approval, while larger Type II Facilities require a Conditional Use Permit process.

The use of the property for a Community Residential Facility occurred in 1999 with the establishment of Donnalee's Assisted Living Care. This facility was originally certified by the City through the issuance of a Safety Inspection Certificate (SIC) for eight (8) beds as a Type I Community Residential Facility. Later, in 2000, Donnalee's Assisted Living Care received state licensure for up to twelve (12) beds. In 2014 Donnalee's Assisted Living Care came under its current ownership, and the applicant received a Type I Community Residential Facility SIC to allow a twelve (12) bed facility.

Between 2014 and the present, Park View Assisted Living increased from twelve (12) beds to its current fourteen (14) bed occupancy. At the time of this report, Park View Assisted Living is up to date on their state licensure as a Category A facility with the ability to have up to nineteen (19) beds. According to staff's research, Category A facilities provide services to residents that need limited assistance, are generally in good health, and are not a danger to themselves or others. The state has confirmed that no additional state licensing is required for the applicant's proposal to add three (3) new beds. However, a Conditional Use Permit is required to allow an intensification of the Type II Community Residential Facility from 14 to 17 residents.

Framework for the Zoning Commission's Recommendation and Staff's Recommendation

The Conditional Use Permit process prescribes a public decision making process to consider whether a land use not otherwise permitted by City code can fit into its locational setting without triggering specific negative impacts. In order for the Zoning Commission and eventually the City Commission to consider this decision, the City staff's role is to provide as much information as possible to determine whether impacts are either reasonable or clearly negative. The applicant's request is difficult to evaluate because the increase in beds from 14 to 17 is rather small. However, there are two circumstances related to the applicant's existing operation that have led to concerns from the neighborhood and questions from staff. First, the location of the assisted living facility happens to be next to an active student drop-off location where motorists drop off their children to walk to Meadow Lark Elementary School. Second, the facility receives a larger number of EMS calls than the typical single family residences in the area.

The potential for conflict between EMS responders and the school drop-off activity was repeatedly noted in public input received by staff prior to the scheduled December 12 Zoning Commission Public Hearing. As a result, the applicant agreed to postpone her application until the Commission's January 9 Public Hearing in order for staff to get more questions answered and give the Commission better information to make its recommendation. The applicant's specific responses to staff's questions are outlined in Exhibit A, which is attached as an exhibit to this agenda report.

Because of the need to hear from the applicant and the public at the hearing itself, staff is not providing a positive or negative recommendation on this Conditional Use Permit request. Later in the report, under Conditional Use Criterion #2, staff has provided justifications for both approval and denial of the applicant's request. After hearing all testimony, the Commission should determine which of these justifications is most appropriate.

Staff Evaluation of the Applicant's Conditional Use Permit Request:

Proximity to Other Uses

The subject property is bounded on the north, west, and south by single-family residences. Directly east of the subject property is Meadow Lark Elementary School. A map showing the surrounding zoning districts is provided as an attachment to this agenda report. The map clearly shows the dominance of single family zoning in this area. However, the applicant's assisted living facility has co-existed near

residential zoning and uses for over 20 years. Additionally, there is another smaller facility, known as Bluebird Assisted Living, located at 1101 24th Ave SW.

Improvements related to the requested increase in residents from 14 to 17

Representatives from the City's Building Division, Public Works Department, and Fire Department have participated in the review of the applicant's request. If the applicant's CUP is approved, the interior remodeling of the building required to convert interior space for residential occupancy requires a building permit. The building permit requirement is listed as a condition of approval to this CUP request. Such a permit must be reviewed and approved before any beds may be added.

Originally, staff believed that the installation of fire sprinklers would be required to increase residential occupancy. However, staff also reviewed the State's requirements for fire sprinkler installation associated with assisted living facilities with 19 or fewer beds. Fire sprinklers are not a State code requirement for the applicant's proposed 17-resident occupancy level.

Transportation

Using information provided by the Institute of Traffic Engineers (ITE) Trip Generation Manual (11th Edition), an Assisted Living Facility in a residential setting can be expected to generate an average of 0.18 vehicle trips per bed during the morning peak hour of traffic, and 0.24 trips per bed during the evening peak hour. With a proposed increase of 3 beds, the expected increase would be less than 1 vehicle trip during either the morning or evening peak hours.

Based upon the above estimation, as well as the applicant's follow-up responses to staff questions outlined in Exhibit A, the proposed increase in beds would be expected to have little to no discernable increase in traffic during the most congested parts of the day. However, as previously noted by staff in this report, the area just north of the facility functions as a school children drop off area for Meadow Lark School. City staff has received a large amount of input that school children might not be safe in this location as they make their way to school. Staff must note that the largest proportion of vehicle and pedestrian travel north of the property comes from nearby residents using this drop off, not from the applicant's assisted living operation.

Impacts of the proposed Conditional Use Permit

Based on the information provided by the applicant in Exhibit A, staff believes that the applicant has answered all questions related to employee traffic impacts, facility related transit usage, and nearby resident concerns about the way the assisted living residents are vetted and supervised. Additionally, there are no specific parking requirements for community residential facilities within Title 17 of the OCCGF. The applicant has stated that none of the 17 senior residents drive. As a result, it is logical to determine parking impacts based on the number of employees per shift. Because there are only 1-2 employees on the same shift, the existing circle drive on the property can accommodate the vehicles needed to meet employee parking needs.

The issue that remains an open question for staff is that the current operation of Park View Assisted Living does generate a larger than normal EMS call volume for the City's Fire Department. As shown in the chart below, annual emergency responses range from from 2018 to a portion of 2023, range between 19 to 42 per year with an average of 31 responses per year since 2018. Additionally, as noted in Exhibit B, a heat map showing the geographic dispersion of calls for the southwest and southcentral area of the community has been provided by the Fire Department. The Park View Assisted Living facility generates one of the highest call volumes on this map. Not only is this call volume clearly a greater number than what typically occurs in a single family home, it is reasonable to conclude that call volumes will

increase if the bed count increases from 14 to 17. The question is whether the additional EMS traffic to the site, particularly in light of the nearby school drop off area, will create a negative effect or negligible impact in comparison to what is happening today.

Year	Total Number of Responses: 2201 11 th St SW
2018	31 Responses
2019	19 Responses
2020	42 Responses
2021	36 Responses
2022	33 Responses
2023	27 Responses

Information provided by the City of Great Falls Fire Department.

Neighborhood Council Input:

The applicant presented the request to Neighborhood Council #1 at its regularly scheduled meeting on October 10, 2023. The Council voted unanimously to support the proposed CUP. Since then, the Council has requested an additional meeting for the applicant to present her request and to hear from residents who have been very concerned about this request. This meeting is scheduled for January 9, 2024. Because the Zoning Commission's action is strictly advisory, it is acceptable for the Commission to make a recommendation prior to the Neighborhood Council meeting. Staff will provide a full report of the Council's discussion to the City Commission.

Public Comment:

Notice of the original December 12 public hearing was published in the Great Falls Tribune on Sunday, October 29, 2023. Additionally, notices were sent to adjoining property owners within 150 feet of the subject property, and a sign was placed upon the premises per code requirements. The notices to nearby residents and the sign placement on the property generated significant concerns which can be found within the correspondence labeled Exhibit C. Residents also asked for more information from both the applicant and staff regarding: 1) the public notice process, 2) number of current residents in the facility, 3) parking requirements, and 4) state certification.

Since the postponement of the project's public hearing to January 9, staff have received fewer comments. One new letter from the Great Falls Public School District is attached as Exhibit D.

Basis of Decision

The basis for decision on Conditional Use Permits is listed in OCCGF §17.16.36 and included as a separate attachment to this agenda report.

After careful consideration, staff believes that the most relevant criterion to determine whether or not the Zoning Commission should recommend approval or denial is Criterion #2. Below are staff's two different findings.

Basis of Decision for Approval Option;

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 proposed use of a Type II Community Residential Facility will allow the applicant to increase the facility by three (3) individuals, which will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare. In this regard, the Commission can only

consider whether the incremental increase in activity from 14 to 17 residents will create a new endangerment. The applicant has provided enough information to staff for a conclusion to be made that the applicant vets her residents, manages them appropriately, has adequate on-site parking for employees, and minimizes traffic impacts due to usage of transit. The delivery of equipment is reasonable, and there are virtually no visitors to this facility. The only issue identified by staff that is a potential cause for denial is EMS response. On this topic of concern, the applicant is not responsible for the school drop off activity to the north that has created the public safety concern expressed by nearby residents. Staff has no measurable data indicating that additional call volumes generated by the small increase will result in public safety incidents.

Basis of Decision for **Denial** Option;

2. The establishment, maintenance or operation of the zoning and conditional use will be detrimental to, or endanger the health, safety, morals, comfort or general welfare.

The applicant's request to increase the residential occupant limit from 14 to 17 residences will increase the amount of EMS visits to the facility. Based on 5-year time series data provided by the Fire Department, the number of visits is already higher than what would typically be expected with a permitted use in a single family zoning district. Additionally, the applicant's facility adjoins a location with high amounts of vehicle and pedestrian activity during certain periods due to the proximity of Meadow Lark Elementary School. Approval of the applicant's Conditional Use Permit will increase these conflicts and be detrimental to public safety.

Staff Recommendation:

If approval is recommended by the Zoning Commission, such a recommendation should note the following conditions of approval.

Conditions of Approval:

1. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Land Use & Zoning.** The proposed plans shall conform to the R-2 Single-family Medium Density zoning district development standards contained within the Official Code of the City of Great Falls.
3. **Building Permit Review.** The final architectural drawings and specifications for improvements to the subject property shall be submitted to the Planning and Community Development Department for review and approval.

Attachments/Exhibits:

- Basis of Decision – Conditional Use Permit
- Aerial Map
- Zoning Map
- Application and original project narrative
- Exhibit A – Follow-up information in response to staff questions
- Exhibit B – Heat Map
- Exhibit C – Public comment prior to December 12
- Exhibit D – School District letter

CONDITIONAL USE PERMIT - BASIS OF DECISION

The applicant is requesting the approval of a Conditional Use Permit (CUP) for a Type II Community Residential Facility within an R-2, Single-family Medium Density zoning district for the property located at 2201 11th St SW.

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

The proposed conditional use including the addition of three (3) residents to the existing community residential facility is consistent with the following policies in the City's Growth Policy:

- Soc1.4.0 Encourage a diverse, safe and affordable supply of housing in Great Falls.
- Soc1.4.5 Continue to support the development of accessible housing units for those with physical and mental challenges and special needs, including members of the community with disabilities, etc.
- Soc1.4.8 Ensure that the area's existing housing stock is maintained in safe and sanitary condition through zoning review, inspection and building code enforcement activities.
- Soc1.4.9 Continue to ensure that the City promotes equal opportunity housing and access to housing for all residents and is in compliance with Federal and State requirements aimed at preventing housing discrimination.
- Phy4.3.0 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 Zoning Commission must find either:

Approval

The proposed use of a Type II Community Residential Facility will allow the applicant to increase the facility by three (3) individuals, which will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare. In this regard, the Commission can only consider whether the incremental increase in activity from 14 to 17 residents will create a new endangerment. The applicant has provided enough information to staff for a conclusion to be made that the applicant vets her residents, manages them appropriately, has adequate on-site parking for employees, and minimizes traffic impacts due to usage of transit. The delivery of equipment is reasonable, and there are virtually no visitors to this facility. The only issue identified by staff that is a potential cause for denial is EMS response. On this topic of concern, the applicant is not responsible for the school drop off activity to the north that has created the public safety concern expressed by nearby residents. Staff simply has no measurable data indicating that additional call volumes generated by the small increase will result in public safety incidents.

Denial

The applicant's request to increase the residential occupant limit from 14 to 17 residences will increase the amount of EMS visits to the facility. Based on 5-year time series data provided by the Fire Department, the number of visits is already higher than what would typically be expected with a permitted use in a single family zoning district. Additionally, the applicant's facility adjoins a location with high amounts of vehicle and pedestrian activity during certain periods due to the proximity of Meadow Lark Elementary School. Approval of the applicant's Conditional Use Permit will increase these conflicts and be detrimental to public safety.

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.

The residential uses in the neighborhood are generally single-family residences with the exception of Meadow Lark Elementary School, which is located east of the subject property. The increase of three (3) individuals to the facility is not significant enough to impair the character of the neighborhood because the additional individuals do not drive and can be managed by the same numbers of staff. As a result, the conditional use would not adversely impact the use and enjoyment, or property value of 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 proposed project will not impede the normal and orderly development and improvement of surrounding properties. Adjacent properties are already developed. In addition, the applicant is required to submit for a building permit to ensure the proposed request conforms to all applicable codes and regulations.

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

Adequate services and infrastructure already exist. Sidewalks, water and sewer mains, and improved roads are adjacent to the subject property.

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 proposal to increase the resident count by three individuals would generate minimal additional traffic, and will have no discernible impact upon the area road network. The applicant has stated the increase in beds will not require any additional staffing. Therefore, no additional off street parking spaces are required as part of this proposal.

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 requested conditional use conforms to the applicable regulation of the Land Development Code. Further, any proposed improvements upon the subject property shall comply with all applicable City codes and regulations.

Aerial Map

Agenda #6.



Zoning Map

Legend

CityStreets

City Limit

Parcels

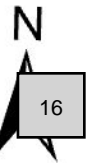
LotLines

Zoning

- R-1 Single-family Suburban
- R-2 Single-family Medium Density
- R-3 Single-family High Density
- R-5 Multi-family Medium Density
- R-6 Multi-family High Density
- R-9 Mixed Residential
- R-10 Mobile Home Park
- PUD Planned Unit Development
- C-1 Neighborhood Commercial
- C-2 General Commercial
- C-3 Highway Commercial
- C-4 Central Business Core
- C-5 Central Business Periphery
- M-1 Mixed-use District
- M-2 Mixed-use Transitional
- I-1 Light Industrial
- I-2 Heavy Industrial
- PLI Public Lands and Institutional
- POS Parks and Open Space
- AI Airport Industrial
- U Unincorporated Enclave



0 55 110 220 Feet



CITY OF GREAT FALLS
PLANNING & COMMUNITY DEVELOPMENT DEPT.
P.O. BOX 5021, GREAT FALLS, MT, 59403 5021
406.455.8430 • WWW.GREATFALLSMT.NET

CUP-000017-2023

10/4/2023

LAND USE APPLICATION

Park View Assisted Living

Name of Project (If applicable):

2201 11th St. SW 6F, MT. SAMPSON

Project Address:

Annaliza Koczur

Applicant/Owner Name:

2806 16th Ave South 6F, MT. SAMPSON

Mailing Address:

- ☐ Annexation by Petition: \$500
☐ Preliminary Plat, Major: \$1,500 + \$50/lot
☐ Final Plat, Major: \$1,500 + \$25/lot
☐ Minor Subdivision: \$1,250
☐ Zoning Map Amendment: \$2,000
☒ Conditional Use Permit: \$1,500
☐ Planned Unit Development: \$2,000
☐ Amended Plat, Non-administrative: \$1,000

Phone:

(406) 868-0744

Email:

parkviewaf@gmail.com

Representative Name:

Annaliza Koczur

Phone:

Email:

LEGAL DESCRIPTION:

Lot/Block/Subdivision:

Section/Township/Range:

ZONING (ZONING MAP AMENDMENT ONLY):

LAND USE (CONDITIONAL USE ONLY):

Community Facility Type I

Community Facility Type II

Current:

Proposed:

Current:

Proposed:

I (We), the undersigned, understand that the filing fee accompanying this application is not refundable. I (We) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application. I (We) further understand that public hearing notice requirements and associated costs for land development projects are my (our) responsibility. I (We) further understand that other fees may be applicable per City Ordinances. I (We) also attest that the above information is true and correct to the best of my (our) knowledge.

Applicant/Owner's Signature:

Annaliza Koczur

Date:

10/4/23

Representative's Signature:

Date:

Mrs. Annaliza Koczur
 Park View Assisted Living
 2201 11th Street SW
 Great Falls, MT 59404
 September 26, 2023

To Whom It May Concern:

I respectfully request a conditional use permit for Park View Assisted Living, an assisted living facility that I own and operate within the City of Great Falls, to refurbish an unused garage into two bedrooms – one private and one semi-private.

According to Montana Department of Public Health and Human Services *Montana State Plan on Aging* signed August 27, 2021:

- Montana's population is rapidly becoming older, often referred to as the "aging tsunami". In fact, in 2017, the percentage of adults age 60 and older in Montana ranked 5th in the United States. According to the Montana Department of Commerce's Research & Information Services Bureau, the population over age 60 has increased by 26.3% between 2001 and 2017, from approximately 159,412 to 255,841 in 2017. The population over age 60 represents 25.4% of the total population in Montana. Our fastest growing age group is 85 and older, with a total of 22,384. According to the AARP Across the States 2018 publication, by 2030 there will be an increase of 57% and by 2050 an increase of 208% in this age group. In contrast, the working-age population is projected to decrease, potentially reducing the number of workers in relation to the aging population needing support. (<https://dphhs.mt.gov/assets/sltc/AgingReports/MontanaStatePlanonAging.pdf>)

I work very closely with the Montana Department of Public Health & Human Services as well as Medicaid Waiver and the Center for Mental Health to provide a safe, happy and healthy home for our elderly Montanans.

Park View Assisted Living is licensed as a Category A facility meaning that my residents are mostly ambulatory. At times I have residents who use a wheelchair to get around; they can transfer themselves as necessary to perform life functions. I do not take in violent residents and my resident's mental and physical health conditions are at an appropriate level to reside in an assisted living home without requiring the advanced services of a nursing home.

My residents are quiet, spending most of their time resting and relaxing within the home. I employ eight staff members. My staff and I take care of cooking, cleaning and providing necessary services to keep our residents clean, safe and healthy. I have worked diligently with local contractors to keep the facility running very well. I have provided beautiful remodels to the exterior, adding a new deck, new fencing and replacing an old retaining wall boarding the Meadowlark Elementary School

Council Members
September 26, 2023
Page 2

grounds. The additions/renovations have been in line with and even above what might be expected of a home in the Fox Farm community and, driving through the community, one would never know that the home is an assisted living. Vehicle traffic is minimal and usually accommodated by the driveway where up to four vehicles can park at one time. Most days, there is only one or two vehicles parked in the driveway. Park View's residents may have visitors too and thus, one or two visitor's vehicles may be parked on the street.

The safety of residents and staff are paramount in my facility. All appliances are modern and in good working order. I have a modern fire alarm installed at the facility which is tested and maintained on a regular basis. All residents can safely evacuate the facility and staff are trained to help evacuate residents in an orderly fashion. I assign rooms based on the resident's ability to safely evacuate the facility. My facility is located 0.4 miles from Great Falls Fire Station 4 and medical services are also just moments away. In accordance with City of Great Falls codes, a fire sprinkler system is part of the renovation.

Considering the discussion above, I would like to remodel the attached garage to add room for three residents. This would take the form of both a private room and a semi-private room. I am working with a local contractor, SAMS Construction and Painting, to accomplish the project if the City of Great Falls will grant permission to continue with the project.

I have been taking care of the elderly for over 28 years and wish to provide a beautiful home setting for those elderly in need of a place to live. I love taking care of the elderly; it is part of my culture and is certainly my passion. I love my elderly Montana residents; they deserve the safe, happy, caring environment that Park View Assisted Living offers.

Thank you for your time and consideration in this matter. I deeply appreciate the City of Great Falls and love serving its community. I look forward to your approval of the conditional use permit allowing for the remodel and addition of three more residents. If you have any questions at all, please don't hesitate to contact me at (406) 868-0344.

Very Respectfully Yours,



Mrs. Annaliza Koczur, RN
Owner/Administrator; Park View Assisted Living
(406) 868-0344 (mobile)
(406) 315-2811 (fax)
ackoczur74@gmail.com

PARKVIEW ASSISTED LIVING

2201 11th Street SW
Great Falls, Montana 59404
Office: (406) 452-5810
Fax: (406) 761-3845

December 4, 2023

I'd like to say at the start that I appreciate the community's concern for traffic safety and the safety of kids going to and from school and I'm happy to address their concerns.

Parkview's concern for safety is paramount, not just for the community we serve but also for neighbors, children and elderly residents. This is why we're installing a sprinkler system - code says to install it for safety and that's what we're going to do. We recently replaced the retaining wall in the back between the school and Parkview to ensure the safety of the children that live and play in the area as well as ensuring no damage to the environment occurs and that Parkview remains a beautiful addition to the community. We also installed a lovely patio and replaced the fence for both safety and aesthetics. Additionally, Parkview pays its fair share and more in property taxes ensuring the community benefits from its presence.

Operational traffic - Many community members are concerned about possible traffic-related impacts and dangers between the facility and school drop off/pick up.

Of note, Parkview doesn't track traffic data. Thus, there isn't any hard and fast traffic data that can be referenced. However, a discussion of different traffic should suffice in answering the questions posed by community members.

Above all, the community should understand that there will not be any appreciable increase in traffic by adding three residents. This is because UPS and FedEx deliver to the area regardless of Parkview's business. Deliveries won't be more frequent though they might be heavier should the need arise to order additional items. Parkview's deliveries are delivered in standard UPS and FedEx trucks; no deliveries take place using larger commercial tractor-trailer vehicles. Like any other residence in Fox Farm, furniture deliveries from such places as Ashley and Furniture Row are brought in using larger commercial vehicles though Parkview hasn't had a delivery of that sort in quite some time.

Staffing won't increase either as the same staff that now cares for the residents of Parkview will be able to serve the three additional residents. This again means that there won't be additional traffic due to our expansion.

Parkview's residents typically don't have many visitors, if any at all; a sad and discouraging testament to how the elderly are treated. Thus, additional visitors are of little concern when considering visitation against increased traffic.

1. How many deliveries, service visits, and staff drop offs are made each day and throughout a normal week (not holiday), including the hours of 8am - 9am and 3pm - 4pm?
 1. Deliveries amount to approximately three times per week or approximately 12 per month. Parkview may receive more packages or heavier packages should additional supplies be necessary but this would still come on a standard delivery truck and at the same frequency as historically has been occurring. Deliveries typically do not occur between 8am and 9am. UPS and FedEx travels around the community later in the mornings and afternoons servicing Parkview and the other residents of Fox Farm.
 2. Service Visits -
 - Typically a medical primary care provider visits the residents once a month.
 - A Medicaid Waiver Social Worker visits the residents twice a year (routine six month visit).
 3. A majority of the residents stay home. Two residents do their outing every Monday Through Friday. Of these two residents, one resident leaves at 7:45 am and returns home at 12:30 pm. The other resident leaves for adult daycare at 10:30 am and returns home at 4:30 pm. A third resident attends The Peak for swimming classes twice a week.
 4. Residents, like anyone else in the Fox Farm community, may have Uber, Lyft, Paratransit or family and friends pick them up and drop them off as they need to in the conduct of their lives. They use publicly acceptable transportation; Parkview residents have never had visitors or other transportation with loud mufflers. They use acceptable vehicles allowed on the public roads. They also only use the public roads; Parkview has never had a complaint that our residents were using driveways and other private areas of the residents of Fox Farm.
 5. My staff does use public transportation at times. Only two staff members drive. When they come to work, they always park in the driveway.
 6. Parkview does not have residents or services that come and go on a routine basis between 8am - 9am or 3pm - 4pm.
2. How many staff do you have at the facility during the day and where do they park?
 1. Parkview is staffed by two employees in the morning, one employee in the afternoon and one employee in the evening. The afternoon shift changes between 3pm and 4pm.
 2. Staff park in the driveway where there is plenty of room for three or even four vehicles. Should there be any overflow, staff may also park on the public road in front of Parkview. Typically, staff only use the driveway.
3. On average, how many personal visitors do the residents receive per day and week?
 1. Only two residents at Parkview receive a weekly visit from their family. Most of the time these visits occur between 10am and 1pm and, very infrequently, in the evening.

Every now and then, we may have a family that will come on weekends but it's not a routine visit. Visits rarely last an hour. Some of the residents may get a visit every four to six months. Regarding the other residents, they don't receive visitors so I and my staff become their family. Not everyone is fortunate enough to have family come see them.

Supervision of residents - There have been comments submitted about residents wandering the community unsupervised by staff. Please describe incidents that have been brought up in the comment letters received.

To be sure, Parkview is not a detention facility or an institution. Residents may come and go as they please, just as anyone in the community might come and go. Residents are allowed to travel within the boundaries of the laws of the City of Great Falls.

Residents are also allowed to use public infrastructure, particularly public roads and sidewalks just as any resident of Fox Farm or the City of Great Falls might do.

1. Where these comments based on a specific resident?
 1. Parkview did have a resident at one time who would travel on the sidewalks and, at times, linger in one spot or another, enjoying the sun and fresh air, and just wanting to be outside. This resident is no longer at Parkview.
2. What is the normal procedure for these incidents?
 1. Since Parkview residents may come and go at will as residents of the Fox Farm community, there isn't any "normal" procedure for a situation. Residents may use the public roads and sidewalks as any citizen might. If a community member called or stopped in to call attention to a resident who was on private property, staff would assist the resident back to Parkview.
3. When did the facility change from having category B to only Category A?
 1. Parkview changed from a Category B facility to a Category A facility on or about October 1st, 2014 during change of ownership.
4. How do you evaluate new residents before accepting them into the facility?
 1. Parkview goes through a thorough and exhaustive assessment process before introducing new residents into the Parkview family and the community. This assessment includes background checks on mental wellbeing, physical issues, social challenges (i.e. criminal activity, smoking, drinking and/or abuse of illegal substances). Throughout the resident's stay at the facility, the staff RN observes residents closely and continuously monitors them to ensure that the residents are safe within their home.

2. Parkview doesn't take residents based on a need for placement alone. A rigorous assessment process informs decisions. The assessment process ensures that a careful selection is made so that the resident has a high likelihood of fitting in well both at Parkview and within the community. The goal is to match the correct resident with our facility so as to keep Parkview and the community a happy and peaceful place for all.

Emergency calls - are records kept on how many and what kind of emergency calls are made?

1. While Parkview keeps safety records, there isn't any statute or code requiring Parkview to keep records of emergency calls. On the other hand, by state requirements, we are required to keep an incident report for any unusual event that occur within the home (e.g. a resident falls and is injured).

Specifically, what are the top three average calls for emergency calls?

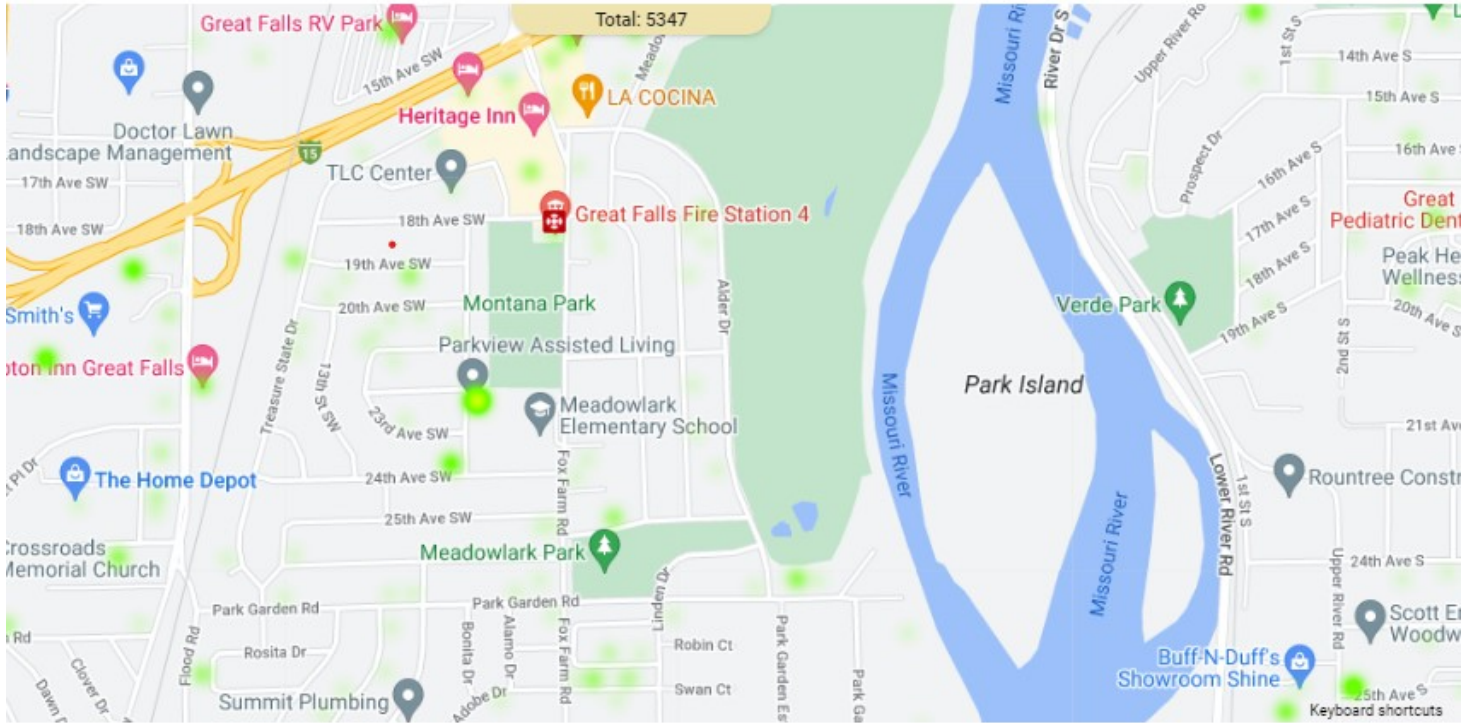
1. Severe pain
2. Respiratory distress
3. Significant change in condition

As the owner of Parkview, I strive to create a harmonious place for my elderly residents to live out the remainder of their lives while being mindful and respectful of our community. I believe my investments into my home speak for themselves in keeping the highest standards within the community. While Parkview does not collect the type of data being requested by neighbors, I do hope that I have been able to provide some clarity as well as ensuring all that the addition of three new residents will not add to existing traffic or place children and community in harm's way. If you have additional questions, I would love to meet with you and discuss your concerns. Please reach out to me at parkviewafl@gmail.com or by phone at 406-868-0344. Thank you for your time and consideration in this matter and have a wonderful day.

Yours Most Respectfully,


Annaliza Koczur

Heat Map





Great Falls Public Schools

District Offices • 1100 4th Street South • P.O. Box 2429 • Great Falls, Montana 59403
406.268.6052 • www.gfps.k12.mt.us

October 27, 2023

City of Great Falls
Great Falls Planning Advisory Board
Attn: Brock Cherry
PO Box 5021
Great Falls, MT 59403

To Whom It May Concern,

Thank you for your letter denoting the Park View Assisted Living Permit Application. This property is located within our school district boundaries. The following is a response to the information sent to the Great Falls Public School District. We have formulated the questions below to comment on the proposed subdivision.

1. Will the existing school facilities be able to accommodate additional students?

The addition of the development will have an not have an impact on the Great Falls Public School District student numbers because this is a retirement home project.

2. Do you have any other comments or requirements on the proposed subdivision as it affects the public school system?

There may be a slight increase in traffic by Meadow Lark Elementary school, but not be significant enough for the school district to be concerned about.

Sincerely,

Brian Patrick
Director of Business Operations
Great Falls Public Schools

Vision Statement: All kids are engaged in learning today... for life tomorrow.
Mission Statement: We successfully educate students to navigate their future.

City of Great Falls Planning Advisory Board/Zoning Commission

To Whom it May Concern;

My wife and I are writing to speak against the conditional use permit for Park View Assisted Living, as we are unable to attend the public meeting. This house should have never been allowed to be an assisted living home to begin with. Too many stairs and the house was built for multifamily in 1976. Marge Dahlquist built the home and snuck an apartment on the main level next to the single garage. I have lived at my home across the street for 30+ years and the two prior owners always rented out that apartment. It is unlawful in our neighborhood, as it is zoned for single family residence only. No house in this neighborhood should have THIRTEEN + people in it!

Traffic/Noise:

Just today during the 8:15 school drop off time, there was an ambulance and a fire engine in front of the house, creating major traffic issues while parents were dropping off their kids. It was a very unsafe situation for the children. (See enclosed photo)

We talked to Mike Macintosh at Great Falls Fire/Rescue. He said there has been 150 plus calls to the home since 2018.

On school mornings and afternoons during the drop-off and pick-up times for the Meadowlark School children, there is approximately 50 or more cars dropping kids off in front of this home, since it borders the school playground. It is extremely unsafe and difficult to drive in the area, as parents park on both sides of the street. The children are attempting to cross the street, as well as the children who are walking to school. In addition to this, we have the cars of the employees that work in the home as well as the Great Falls Transit paratransit van. This van parks in the driveway to pick up and/or drop off residents backs up

during this congested time, and children are also walking to the school, creating more danger. The van has back up alarms that can be heard three houses away, which occurs multiple times a day.

When the caretaker's spouses/boyfriends, etc. come to pick up their wives from work, they often leave their vehicles running (many times for 10-15 minutes) and/or leave their stereo blasting while they wait.

Many times my next door neighbor has to park his car in front of my house due to the visitors and employees parking in front of his house. Many times, he has to park his boat in front of my house just to unload it.

Unruly/mentally unstable people:

About 10 days ago in October, our outside cameras picked up a woman trying to hide out by our large stone mailbox. As we were watching, she eventually sat down on the lawn and then laid down. Finally, a police officer showed up and figured out she belonged to the assisted living home and after much talking, finally had to walk her back to the home.

Our neighbor who lives two houses down from the home is a single elderly lady. She has had men from the home ring her doorbell and stand on her porch for some time. I have had to call her and let her know there is a strange man at her door.

We as neighbors have all had to help with the residents that wander away. This happens quite frequently as many of the residents are outside with no supervision. Two of the men in wheelchairs/scooters ride them right down the middle of the street. We have been in the car behind them, and they are either unaware that there is a vehicle behind them, or don't care.

They have a bench in front of the home that gets used all day long by the smokers and workers who smoke. The parents of the young children

that are walking to school have told us that their kids are frightened by these residents and are scared to walk by the home.

Neighbors are aware that there is a sexual predator living in the home. His record was updated 7/20/23 and shows that this home was his current address (see enclosed attachment.) And this is at a home that is bordering a school playground?!? The owner is always advertising vacancies in the home via her Facebook page, and from what we have seen, she is obviously not vetting any of these people.

In conclusion, our preference would be that this business was never allowed in the neighborhood in the first place. But since we obviously are stuck with it now, our wishes would be that lets not make it bigger and add even more people and more traffic/problems.

Why is it possible for this owner to currently have 13 residents, when they are not allowed to have over 9 residents without a fire sprinkler system installed? Once they are allowed to refurbish/remove the garage, this will never be a family home. It will lose its curb appeal and will forever look like a commercial business. Please do not approve this conditional use permit to allow this assisted living business to grow even more and have even more residents than it already does.

Thank you for your consideration in this matter.

Steve and Lynne Durkin

1101 23rd Ave SW

Great Falls Mt 59404

REDACTED



Typical morning Congestion
When parents are dropping
off Meadowlark Students !

From: Lori Luoma <loriannluoma@hotmail.com>
Sent: Thursday, November 9, 2023 12:34 PM
To: Jamie Nygard <jnygard@greatfallsmt.net>
Subject: Opposition to CUP for Park View Assisted Living Facility

To whom it may concern-

I am opposed to granting Park View Assisted Living Facility located at 2201 11 St. SW in Great Falls, MT a conditional use permit in order to convert their garages into additional bedrooms which allows for an increase in residents living in this facility. We have lived kitty-corner to the facility since 2019.

The facility is located next to a well-used path that leads to Meadow Lark Elementary School. Parents drop their children off and neighborhood kids are crossing the street right next to the facility. This busy business located in the middle of a residential neighborhood significantly contributes to the traffic congestion due to frequent emergency vehicle visits, numerous staff vehicles coming and going and paratransit vehicles. Increasing the number of residents will lead to further traffic congestion.

Facility residents have wandered away from the facility ending up in our neighbor's yards or at their front door. This is especially concerning because one of the residents is a convicted 3rd degree felon child sex offender from Utah. Allowing a sex offender to reside in a facility that is next to an elementary school and within in a neighborhood full of children shows lack of proper screening and concern by the facility's owner for the wellbeing of the neighborhood children. This is particularly alarming as we have four children.

I request the Great Falls Planning Advisory Board/Zoning Commission to please deny the conditional use permit for Park View Assisted Living Facility.

Sincerely,

Lori Luoma
1101 22nd Ave SW
Great Falls, MT 59404

-----Original Message-----

From: Terri Lester <terri.lester@icloud.com>

Sent: Friday, November 10, 2023 8:25 PM

To: Jamie Nygard <jnygard@greatfallsmt.net>

Subject:

My name is Terri Lester. I am a former resident of the Meadowlark school neighborhood, a retired teacher from Meadowlark, school and currently a grandparent of children in the area one who attends Meadowlark school. I would like to submit my opposition for a conditional use permit at 2201 11th St. SW.

As a parent, my husband and I raised three children in that neighborhood at that time it was a very family friendly place to live. I now have great concerns as a grandparent, for my grandchildren walking to school down the path, walking to the park, playing with their friends and riding their bikes around the assisted living home.

I question the safety of the children with the increase in traffic and emergency vehicles not to mention the fact that a sexual offender resides in the home.

I realize this is one business in one neighborhood however, it also affects the entire city of Great Falls.

Therefore, more notice should be given to the entire city of Great Falls not just to a small number.

Thank you for the opportunity to submit my opinion. I hope you do what is best for our children.

Terri Lester

Sent from my iPhone

-----Original Message-----

From: Mary <marykelly5@hotmail.com>

Sent: Friday, November 10, 2023 3:39 PM

To: Jamie Nygard <jnygard@greatfallsmt.net>

Subject: Planning and Advisory Board and Zoning Commission

> Planning Advisory Board and Zoning Commission,

>

> Re: Conditional Use Permit for a "Type II Community Residential Facility" land use at 2201 11th St. SW

>

> Thank you for your request for public comment and considering our concerns in this matter. I wanted to be present at the meeting to read my letter but had to leave town to attend a work conference in Minneapolis.

>

> My name is Mary Bowe, and my family and I reside next door (across the path) from the Park View Assisted Living Residence at 2109 11th St. SW. I am writing today to express our strong opposition to the proposed expansion of the business in the above-stated residence.

>

> Our personal experiences with the facility, coupled with our aspirations for the neighborhood's growth and thriving community, have led us to the firm opinion that expanding the business would be detrimental.

>

> We have encountered multiple instances of residents attempting to escape, causing distress to our children and placing an uncomfortable burden on both my husband and me.

>

> Our neighborhood, which we take great pride in, is negatively affected by the increased number of residents and workers smoking out front. Additionally, the four to five garbage cans lining the streets, compared to the typical one at other residences, detract from the residential atmosphere we value.

>

> Moreover, we are concerned about safety issues associated with the assisted living residence. Despite claims of thorough vetting, a registered Sex Offender resides in close proximity to a school and a bus stop as well as near my five and seven-year-old children. The rise in traffic, both from residents and employees using the driveway and emergency vehicles frequenting the residence, further exacerbates safety concerns.

>

> Converting the garages into living spaces and installing an industrial fire sprinkler system would permanently eliminate the possibility of the property reverting to a single-family residence.

>

> We have always had concerns with the current residence. I have read in the Agenda's supporting document that it has resided in the neighborhood with no issues for 20 years. This is not true. The issues have just not been presented or neighbors have not had the opportunity to state their opinion. It is disappointing how the notice has gone out to a small contingent of neighbors. The sign presented in the lawn can only be read if you go physically onto the property to read the details. It is simply a piece of paper taped to a public hearing sign. I have had several parents of children inquire to us what it is about because it is not easy to find the details.

>

> I would like to request a listing of the Neighborhood Council names and addresses and question how they can have an educated opinion on this matter. The school's response is also disappointing referencing no increase in student population and little traffic issues. There are greater issues impacting the students that were not addressed in his response, but again the responder does not live in the area or work at Meadow Lark Elementary School.

>

> For the aforementioned reasons, we respectfully request that you deny the proposal from the Assisted Living Facility to add additional residents and renovate living spaces.

>

> Thank you for your attention to this matter.

>

> Sincerely,

>

> Mary Bowe and family

>

From: Brad Bergman <brad.bergm@gmail.com>
Sent: Saturday, November 11, 2023 7:17 PM
To: Jamie Nygard <jnygard@greatfallsmt.net>
Subject: Conditional Use Permit application

To whom it may concern,

This letter concerns the conditional use permit (CUP) for a Type II Residential Facility at 2201 11th St SW, Great Falls, MT.

We reside directly across the street from Park View Assisted Living. We recognize the need for assisted living availability in our community, and we appreciate the services that Park View Assisted Living has provided for Great Falls. However, when taking into consideration the pros and cons of the facility expansion, our opinion is that this permit should not be approved.

Our primary concern relates to the safety of children attending Meadowlark Elementary School. Park View Assisted Living is located at a very busy location. During the school year, dozens of vehicles park out front to drop off and pick up children at Meadowlark Elementary school. This occurs twice daily. During these drop off times there are many children entering the road from behind parked vehicles. Over our 22 years here, we have witnessed some scary near-misses between child and vehicle. Vehicle traffic at Park View Assisted Living is also significant and will be expected to worsen should the expansion occur. I am concerned that the additional traffic will increase the likelihood of a child getting hit by a vehicle. I am not aware of any traffic safety measures occurring in front of our house, and I suspect the majority of non-bussed students are dropped off at this location.

As you are probably aware, there is another assisted living facility within two blocks of Park View Assisted Living. The other assisted living facility can be seen from Park View Assisted Living. As a longstanding resident of our neighborhood, we feel that promoting expansion of this business, especially when there is another similar business in such close proximity, detracts from the appeal and character of our neighborhood. If Great Falls is interested in maintaining desirable neighborhoods, which are necessary to preserve and attract valuable community members, we should be very careful about promoting development of businesses in our neighborhoods. We worry about the precedent this would establish for our community.

It appears that the permit application fulfills, or plans to fulfill conditions, required for approval. Please keep in mind that Park View Assisted Living does not appear to be substantially larger than the other single family homes in the neighborhood. We question the wisdom and safety of housing the proposed 17 residents in that home. I could not imagine trying to live comfortably with half that many people in my home. Moreover, in the case of an emergency one or two staff members would not be able to evacuate 17 residents, many of which are mobility-impaired, from the two story home in a timely fashion.

Thank you for considering our concerns regarding this permit application.

Sincerely,
 Bradford and Billi Bergman

From: Cory P. Moran <cory@cobbmechanical.com>
Sent: Sunday, November 12, 2023 10:05 PM
To: Jamie Nygard <jnygard@greatfallsmt.net>
Subject: Parkview Assisted Living - 11.14.23

Dear distinguished Members of the Council,

45-5-513. Geographic restrictions applicable to high-risk sexual offenders. (1) A high-risk sexual offender as provided in this section may not:

(a) establish a residence within 300 feet of a school, day-care center, playground, developed or improved park, athletic field or facility that primarily serves minors, or business or facility having a principal purpose of caring for, educating, or entertaining minors. This subsection (1)(a) does not apply if the residence was established on or before May 5, 2015.

The intent of my writing you today is in order to memorialize my family's staunch protest of the proposed expansion of the Parkview Assisted Living Facility located at 2201 11th St SW that is scheduled for vote of approval on November 14, 2023 by our Council. The aforementioned Section of Montana Code (annotated 2021) should represent substantial cause for a vote denying the requested expansion of the facility. As of this writing, a convicted sexual offender resides in the Facility.

I believe this letter's impact would be best served by starting with our family's background, as I'm certain no reasonable vote in support of the request could be cast whilst having this information. My wife, Lacie, was born at the Columbus Hospital on 2nd Ave N. She attended Montana State University Great Falls receiving her degree in Surgical Technology. She worked at Great Falls Clinic as a surgical technician for five years. Our first daughter, Payslie, 8, was born in Great Falls and is currently a second grader at Meadowlark Elementary that abuts the Parkview Facility. Our daughter Charlotte, 2, was born while we were temporarily relocated to Bozeman, and will be attending Meadowlark Elementary in a few short years. We are a family with whose roots run deep in our beloved Town.

I began this letter with Section of Montana Code. There is a convicted sexual predator (male) living as a patient in a *mental health facility* directly next door to where my wife and I are raising two young girls. He is living in a facility that directly backs up to the playground of Meadowlark Elementary, as well as Montana Park where families from throughout our Town bring their children on weekends. There is never a shortage of children playing with one another any day of the week. The idea that a convicted sexual offender, who has already demonstrated a compromised ability to rationalize right from wrong, is living next door to my children keeps me awake at night. I am fully able to appreciate the need for help for individuals requiring assistance navigating life, but that assistance should not be rendered in a family neighborhood. The fact that this facility is able to exist in its current locale is unfathomable to Lacie and me. Furthermore, the Facility is only listed as *assisted living* and not licensed as specializing in *mental health*, which should be specifically noted by the determining Board in their vote.

Based on past policies voted on by this Council, it is evident that you support the growth of this Town we all love so deeply. Growth is not a bad thing- it benefits our local economy and helps improve the resources and facilities that our families are able to use. Benefits not known here in Great Falls prior. It's a wonderful time to live here, and my family and neighbors do not take this privilege for granted. However, growth with universal benefit can not subsist without a logical separation between residential and commercial entities. A common sense understanding of zoning areas particular to Great Falls must be applied and followed. I trust the permit for a single-family home in the retail center between Target and Albertson's would not be granted- why is this situation any different? This is the only commercial entity within five blocks of its location, and, as mentioned earlier, we are at a loss that it is able to exist at all.

Living next door to the Facility has not been a pleasant experience for my family. There are ambulances responding to calls on a weekly basis, often times in the middle of the night. Explaining to a skittish 8-year old with a blossoming imagination why the police are trying to come to our home at 2:00 AM because she heard sirens and saw red and blue strobing lights illuminate her bedroom is impossibly difficult- let alone trying to get her back to sleep after. The infrastructure of the neighborhood was simply not planned and built to accommodate the level of traffic the Facility creates. When the number of residents coupled with the number of staff coupled with the support required to run the Facility are totaled it creates a completely unreasonable sum of traffic that puts undue burden on the Facility's neighbors. Additionally, the path adjacent to the Facility is a heavily trafficked thoroughfare for the *children* who attend the elementary school. On a myriad of occasions my wife and I have witnessed resident acquaintances and staff commute to and from the Facility with complete disregard for the children who are ever-present on their bikes and on sidewalks. Whether driven by naivety or a lack of regard for common courtesy, the speeds by which many visitors have exhibited while traveling to and from the Facility are dangerous and, with the fear of having young children playing in the neighborhood always on my mind, could end up being deadly. Bottomline: the family neighborhood (lots of children) along the presence of the school (hundreds of children) means that the only prudent decision that should be made in this vote is that of denial of expansion. The street is well beyond traffic capacity as it is, the Facility accommodates residents of compromised mental capacity, and there is a sexual offender amongst the resident roster (could more become residents?). If anything, the real decision should be that of whether to introduce an article toward eliminating the Facility altogether.

I appreciate your time in reading this and the genuine consideration of what your vote means to the residents of this neighborhood- most importantly the children.

Most sincerely,

Cory, Lacie, Payslie, and Charlotte Moran

2205 11th St SW

To whom it may concern,

I am writing this letter in opposition to Park View Assisted living facility being granted the conditional use permit and being changed to a Type 2 facility. Our house lies between Park View and Bluebird assisted living facilities which are roughly 100 yards apart.

I want to share some first hand perspectives that address some of the impact this facility has on the immediate neighborhood. Per Sara at the planning department this impact is not written into the guidelines of the code, so it was not of consideration by the planning department.

The home has 2 off street parking spaces, which is mostly sufficient for the staff parking, and none of the residents require parking spaces. The issue that was not considered is the impact from the 13 current residents needing the support services brought to them. Some of these services include; medication delivery, oxygen delivery, home health, hospice nurses, nurse practitioners, mobile lab/imaging, and Great Falls transit services. The higher the occupancy at this facility, the greater the impact there will be in the immediate neighborhood from these service providers. This is compounded by the frequency of fire trucks and ambulances at the facility, per Mike at GF Fire Department, 154 calls since 2018.

The facility also lies right next to the walking path leading to Meadowlark Elementary. There is oftentimes a lot of congestion at this location when kids are going to and from school, or during events at the school. Often we see the support services trying to back out of the driveway at these same times, or emergency vehicles are trying to get to, or leave this residence. This creates a lot of traffic congestion and a potentially very dangerous situation for the kids and parents. Not to mention the potential delay in response time to the home.

I also found it interesting that Brian Patrick at GFPS provided a letter saying this has no impact on Meadowlark Elementary, but I question what research may have done before giving his statement. This change would not impact the school by adding any children, but it does affect a very high traffic location that is very important to the school. It was also brought to my attention that this home currently has a registered sexual offender with charges that were related to children.

I do believe Great Falls has a need for assisted living facilities, but I feel the proximity to the school and how close it is to the other assisted living facility (which uses the same supporting services) already puts a lot of strain on the neighborhood. It is my opinion that an approval of this request would compromise the integrity and character of this well established neighborhood. I ask that you deny this request.

Sincerely,

Kevin Taggart
1100 23rd ave sw
Great Falls, MT

From: sldurkin@bresnan.net <sldurkin@bresnan.net>

Sent: Monday, November 13, 2023 10:42 AM

To: Jamie Nygard <jnygard@greatfallsmt.net>

Subject: Parkview Assisted Living Facility

To: All Planning Board/Zoning Commission and Staff

ie: Conditional use Permit Meeting for 2201 11th st SW GF, Mt

I am aware that the Board likes to see Public involvement and Public participation in there meetings. I believe the 6 homes that received the notice have all submitted a letter as opponents. All six cannot attend the meeting due to work schedules and I am in Arizona. There is Two Drs that couldn't change there appointment schedule, one pharmacist who cant leave work, one school teacher, stockbroker that has to be in Minneapolis, and the Electrical engineer that works in Wyoming. Our retired lady got in a small fender bender today so now she cant show up either and then there is me in Az. Please consider this as to why nobody showed up.

Sincerely, Steve and Lynne Durkin
1101 23rd Ave SW
Great Falls Mt. 59404
406-788-7104

November 13, 2023 (Monday)

This response is to the Notice of Public Hearing at the Great Falls Planning Advisory Board/Zoning Commission on Tuesday, November 14, 2023 at 3:00 pm in the Commission Chambers, Room 206, Civic Center, 2 Part Drive, Great Falls, Montana. Said hearing is to consider a request from Annaliza Koczur, Park View Assisted Living.

My name is Jane Mart and I own my home/property located at 2209 11th St SW, Great Falls, MT 59404. I have resided here since December 7, 1978, which will be 45 years next month. My children, now adults, attended Meadowlark School from K-6.

I am opposed to this request for the following reason: the safety of elementary students attending Meadowlark Elementary School.

1. Monday through Friday during the school year and for other activities at the park adjacent to Meadowlark School, there is a line-up of vehicles to pick up and drop off students. Students – some not as tall as the vehicles, dart out to try to get to the vehicle that is there waiting for them. Vehicles are lined up on both sides of 11th St SW.
2. Many vehicles are not driving 30mph and less! There are no speed limit signs on 11 St SW.
3. There is no designated crosswalk; no attendants.
4. Weather is nice now. There are days when visibility is very low due to blowing snow, high wind, etc. Not good for children trying to get in/out of vehicles and off to school, on a very busy street.
5. Parking for picking up students is not adequate now, nor will it be adequate in the future if additional parking is required for the Park View Assisted Living facility.
6. Employee parking, vehicles picking up and/or delivering residents, medical supplies, etc., vehicles transporting the residents to/from medical and therapy appointments, are frequent. Ambulances and fire trucks are often required, 24/7. More residents and staff --more vehicles.
7. Employee smoking takes place alongside the southside of the building.
8. Visitor parking is not adequate for families and friends visiting residents, times of moving residents into or out of the facility, groups visiting for memorial services, relatives from out-of-town, etc. The groups may be small and/or the time of parking short; however, when students are being picked up or dropped off, the street becomes overcrowded and dangerous.

We need facilities like Park View Assisted Living. The Park View Assisted Living building and the attractive fencing, deck and the yard area, and the inside as well, is being kept up nicely; however, I believe that the Park View Assisted Living, with the additional traffic and considering the safety of elementary school children, would not be safe for the elementary school children.

Thank you.

*Jane Mart 406-750-9247
2209 11 St SW
Great Falls, MT 59404*

-----Original Message-----

From: Kevin Johnson <kskejohnson@gmail.com>

Sent: Monday, November 13, 2023 2:43 PM

To: Jamie Nygard <jnygard@greatfallsmt.net>

Subject: Conditional Use Permit - Type II Assisted Living Facility 2201 11th St SW

My name is Kevin Johnson, 1100 24th Ave SW, and have lived in the neighborhood that will be affected by an increase in occupancy of the Park View assisted living facility. The following are questions that I have regarding the CUP:

1. I notice that Park View Assisted Living is not registered with the Secretary of State in Montana. What is the legal name of the business? Should a formal approval for a change in use require the legal name of the entity that is applying for the CUP?
2. It was stated in the documents presented for the upcoming CUP that Park View was previously approved for an increase in occupancy to a Type II facility 12 residents and then to current occupancy of 14. When were these approvals granted? I've lived in the same home for 32 years and don't recall seeing a notice of a Planning Advisory Board meeting for these changes.
3. I noticed that there is a registered sexual offender - William Lauren Kitto - that lists the 2201 11th St SW address as his home. Is there any special training that is required to manage a high risk individual within the assisted living community? Given that the facility has a Type A license that requires minimal supervision, I am curious as to what measures have been undertaken regarding this situation. The letter written by the manager of the property indicates that they take in no violent individuals.
4. It is difficult to understand how a single family home in an area of Great Falls zoned R2 can handle the proposed 17 individuals that will be living in this home. Do all of the bedrooms in this home have more than one occupant? If so, what is the occupancy per bedroom? Are there any private rooms? How does this commercial property comply with the Americans With Disabilities (ADA) act? It appears that the majority of living space is on the second floor. Are there elevators located in the home? Because changes to the building are being made to accommodate additional residents, would the property require compliance with ADA? If there are barriers to access should these now be addressed?
5. I notice that a sprinkler system must be installed when the occupancy increases to 17. What is the City code for fire suppression? I'm surprised that a sprinkler system was not required when the occupancy increased to 14 or even 12.
6. I understand that currently none of the residents drive. Is it a requirement of the assisted living facility that no residents can drive?
7. Are CUP approvals grandfathered or would a new owner have to reapply upon a purchase of the business?
8. In a Type A assisted living facility there are no minimum staffing levels other than there must be one person on site 24 hours per day. At a minimum there could be just one staff member responsible for all residents. The application letter indicates that there are 8 employed for this facility. What are Park View's staffing requirements? What if the property were sold and the new owner had less stringent requirements?

9. When I looked on the State of Montana DPHHS site I noticed a more recent Administrative Rule of Montana Healthcare Facilities 37.106 sub chapter 28 -Assisted Living Facilities dated 9/24/2022. The document included in the package is from 2015. It seems that there are differences in the two documents. For example, there must be at least one toilet for every 4 residents. How many bathroom's will there be with 17 proposed residents? According to the 9/24/22 document this would indicate 5 separate toilet facilities. I see the appraisal for property tax purposes indicates only 3 baths and 6 bedrooms.

10. Changes in the number of facility beds requires the approval of DPHHS. Is there a formal approval in place?

Thank you for your time In reviewing these questions and my concerns regarding the business.



Great Falls Public Schools

Director of Business Operations • 1100 4th Street South • P.O. Box 2429, Great Falls,
MT 59403 • 406.268.6051 • Fax 406.268.6022 • www.gfps.k12.mt.us

December 8, 2023

City of Great Falls
Great Falls Planning Advisory Board
Attn: Brock Cherry
PO Box 5021
Great Falls, MT 59403

To Whom It May Concern,

Please consider this as a revised letter from Great Falls Public Schools regarding the Park View Assisted Living Permit Application. This property is located near Meadow Lark Elementary School. The school district has concerns about increased traffic in the vicinity of the school as it is located on a busy street, and it is our understanding that the City of Great Falls will be conducting a traffic study on this area because the increased traffic has an impact on the safety of students before and after school. In our first correspondence on this issue, we indicated that *"There may be a slight increase in traffic by Meadow Lark Elementary school, but not be significant enough for the school district to be concerned about."* We would like to review the results of the traffic study before deciding on the impact that traffic from this facility would have on the school. Our concern also lies with the ability of emergency vehicles to access the school building.

The District also has concerns about any registered sex offenders who may have the option or may be living in the facility. Due to the proximity to the school building, this situation would be considered as a potential threat to our students.

Sincerely,

Brian Patrick
Director of Business Operations
Great Falls Public Schools