



**Planning Advisory Board/Zoning Commission
Agenda October 25, 2022
3:00 P.M.
2 Park Drive South, Great Falls, MT
Commission Chambers. Civic Center**

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, October 25, 2022, to: jnygard@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the 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 - Board Introductions

Tory Mills - Vice Chair

Lindsey Bullock

Kelly Buschmeyer

Pat Green

Samantha Kaupish

Chuck Pankratz

3. Recognition of Staff
4. Approval of Meeting Minutes - October 11, 2022

BOARD ACTIONS REQUIRING PUBLIC HEARING

5. Conditional Use Permit for a "Community Residential Facility, Type II" land use upon the property addressed as 1201 7th Avenue Northwest and legally described as Lots 16-17, Block 9, Bloomingdale 1st Addition, Section 3, T20N, R3E, PMM, Cascade County, MT.

6. Annexation of the property addressed as 3801 2nd Avenue North and legally described as Mark 5 within the N ½ NW NW of Section 9, T20N, R4E, PMM, Cascade County, Montana; and establishment of City zoning classification of R-6, Multi-family High Density for the newly created Tract 1, and C-1, Neighborhood Commercial for the newly created Tract 2 in the N ½ N ½ of Sections 8 and 9, T20N, R4E, PMM, Cascade County, Montana.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

COMMUNICATIONS

7. Upcoming - November 22, 2022 Meeting - Conditional Use Permit for a Duplex at 1929 6th Avenue South

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
OCTOBER 11, 2022**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Dave Bertelsen 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:

Dave Bertelsen, Chair
Tory Mills, Vice Chair
Lindsey Bullock
Pat Green
Samantha Kaupish at 3:04 P.M.

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Planning Board Members absent:

Kelly Buschmeyer

Chuck Pankratz

Planning Staff Members present:

Craig Raymond, Director Planning and Community Development

Sara Doermann, Planner I

Brad Eatherly, Planner II

Jamie Nygard, Sr. Administrative Assistant

Chastity Tarrow, Permit Technician

Other Staff present:

David Dennis, Deputy City Attorney

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

MINUTES

Chair Dave Bertelsen asked if there were any comments or corrections to the minutes of the meeting held on September 27, 2022. Seeing none, the minutes were approved.

COMMISSION ACTIONS REQUIRING A PUBLIC HEARING

Conditional Use Permit for a “Two-family residence” land use upon the property addressed as 306 21st Avenue South and legally described as Lot 10, Grandview Tracts Addition, Section 13, T20N, R3E, P.M.M., Cascade County, Montana.

Brad Eatherly, Planner II, presented to the Board. He stated that the applicant, Casey Carter, submitted an application to request a Conditional Use Permit to allow for the legalization of a “two-family residence” land use upon the property addressed as 306 21st Avenue South. He

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stated that the subject property is zoned R-2 Single-family medium density, wherein a “two family residence” land use is permitted upon receiving approval of a Conditional Use Permit and fulfillment of any required conditions.

Mr. Eatherly presented some background on the project. He stated that the subject property is currently a single-family residence and that the applicant would like to convert it into an up/down “two-family” residence. The dwelling sits on a 1.58 acre city lot that has a two-car garage with a wide, long driveway which allows for the required four off street parking spaces.

Mr. Eatherly presented an Aerial Map, Zoning Map, and Site Photos.

Mr. Eatherly stated that the applicant must demonstrate that code requirements can be met for development of the lot and prove that the two-family dwelling will be compatible.

Mr. Eatherly presented the proposed improvements of the project. The applicant will finish interior renovations including adding a kitchen and will fire/rate the floor/ceiling to pass building code.

Mr. Eatherly presented the Basis of Decision.

1. The zoning and conditional use is consistent with the City’s Growth Policy.
 - Provides housing diversity and increased density in the City
 - Phy4.1 – Encourage a balanced mix of land uses through-out the City.
 - Soc1.4.6 – Encourage a variety of housing types and densities so that residents can choose by price or rent, location, and place of work.
 - Phy4.3 – Optimize the efficiency and use of the City’s Public facilities and utilities.
2. The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - All of the residentially zoned lots located north, east, and west of the property are already developed.
3. 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.

Mr. Eatherly stated that there were two phone calls from the public in regards to the application, and once the questions were answered there were no concerns. He also stated that the proposal was brought to Neighborhood Council #6 on October 5, 2022, and the Council unanimously voted to recommend approval to the City Commission.

APPLICANT PRESENTATION

Casey Carter, the applicant, was available to answer any questions.

OPPONENTS

None.

PROPONENTS

None.

BOARD DISCUSSION AND ACTION

Mr. Bertelsen asked if the subject property had a walk out basement on one side and wanted to know if egress windows would be taken care of. Mr. Eatherly responded that the applicants would need to meet all building codes and the property does have a walk out basement on one side.

Mr. Mills asked if there was a limit on how many Conditional Use Permits can be issued in a neighborhood. Mr. Raymond responded that there is not a limit as they are on a case by case basis.

MOTION: That the Zoning Commission recommend the City Commission approve the Conditional Use Permit subject to the applicant fulfilling the listed Conditions of Approval.

Made by: Mr. Mills

Second: Ms. Bullock

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

COMMUNICATIONS

Mr. Raymond stated that at the Planning Advisory Board/Zoning Commission meeting scheduled for October 25, 2022 there will be a significant project that is on a tight timeline, so he requested that the Planning Advisory Board members do everything that they can to be in attendance that day.

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Mr. Raymond stated that there has been a lot of discussion in Montana in regards to affordable housing. The governor convened a Task Force to help address the concern state wide. He stated that there is a draft report of the Task Force available that has some concerns in it to many of the communities in Montana. Some of the members of the Task Force are pretty adamant that local governments need to be preempted from exercising their self-governing powers through zoning. They are suggesting that there be no minimum lot size requirement in residential zoning districts and that multi-family should be allowed in many more cases. Mr. Raymond stated that the report would be forwarded to the Board members. He stated that there are areas within the Zoning Code that could be done better, so staff will be taking a look at it.

PUBLIC COMMENTS

None.

ADJOURNMENT

There being no further business, Chair Bertelsen adjourned the meeting at 3:19 p.m.

CHAIRMAN

SECRETARY



Meeting Date: Oct 25, 2022

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

Item: Conditional Use Permit for a “Community Residential Facility, Type II” land use upon the property addressed as 1201 7th Avenue Northwest and legally described as Lots 16-17, Block 9, Bloomingdale 1st Addition, Section 3, T20N, R3E, PMM, Cascade County, MT.

Initiated By: Kairos Youth Services

Presented By: Alaina Mattimiro, Planner II, 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 Board.

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, subject to the Conditions of Approval being fulfilled by the applicants.”

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

Background:

Kairos Youth Services has been a non-profit organization operating in Great Falls since 1980, and operates as a United Way supported service. The Missouri River Shelter Care youth group home currently provides 24/7 care for up to eight (8) individuals aged 10-18, with a goal to provide a safe transitional home for those youth. While the individuals stay at the home, they are required to attend school and the residents are encouraged to participate in volunteer opportunities and community activities. There is also a staff member present on the property, and the organization has measures in place to ensure safety and security of the residents and property.

Conditional Use Request:

The applicant, Kairos Youth Services, has submitted an application to request a Conditional Use Permit to allow a Community Residential Facility, Type II on the lot addressed as 1201 7th Avenue Northwest. The lot has a Community Residential Facility, Type I, operated by Kairos, currently in operation, which houses up to eight (8) youth at a time. A Community Residential Facility, Type I is a permitted use in an

R-3 Single family High Density zoning district. To establish a Type II facility in this zoning district, a Conditional Use Permit must be requested and approved. If approved, the applicant's request for a Type II facility at Missouri River Shelter Care would permit the operation to have additional individuals residing on the property. The organization is proposing to have up to twelve (12) youth on the property at a time. In conjunction with the request, Kairos Youth Services will be licensed with the State and will be completing an interior remodel to add an additional bedroom and bathroom to the house per State licensure requirements.

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 Basis of Decision - Conditional Use have been met.

Neighborhood Council Input: The subject property is located in Neighborhood Council #2. The project was presented to the Council at their meeting on October 12, 2022. The Council voted in favor of the project and recommend approval of the request.

Concurrences: Representatives from the City's Fire, Public Works, Environmental, and Building Departments have reviewed the proposal and have no objections to the issuance of the Conditional Use Permit and the associated remodel.

Fiscal Impact: Approval of the CUP would have no adverse financial impact upon the City of Great Falls.

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.
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:

Basis of Decision

Application

Zoning Map

Aerial Map

CONDITIONAL USE PERMIT - BASIS OF DECISION

The applicant is requesting the approval of a Conditional Use Permit (CUP) for a Community Residential Facility, Type II in the R-3 district.

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

The proposed Community Residential Facility Type II 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:

Soc1.4.1 - Work with the private sector and non-profits to increase housing opportunities in the City.

Soc1.6.1 – Ensure that community facilities are designed, constructed, and maintained as attractive social and environmental assets in the neighborhoods where they are located.

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 subject property has been researched and reviewed by Planning, Engineering, Fire, and Building staff. Because a Community Residential Facility, Type I has existed for so many years, impacts to safety related to parking, traffic, security concerns, or access have been integrated into the surrounding area and will not be adversely impacted by adding four more residents. Additionally, because of the nature of the facility, there will actually be an increase in the safety and general welfare for a vulnerable population in the community.

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, the subject parcel is only a few blocks from both the Northwest Bypass and 6th Street Northwest, both of which are high traffic streets with commercial development. The existing appearance of the residential structure on the lot looks very similar to existing nearby single-family structures. Parking will not be an issue due to the limited number of staff, and operation of the shelter which prohibits residents from having vehicles. 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 lots located north, south, east and west of the property are

residentially zoned and are already developed. Adjacent property owners have been notified about the project and City staff has received no questions regarding project specifics. As of October 14, 2022, there have been no comments.

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 Community Residential Facility, Type II. Water, sewer and paved roads already exist adjacent to the subject parcel.

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. Driveway access to the property is off 12th Street NW, although none of the residents are permitted to have any vehicles, and will not contribute to local traffic.

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-3 Zoning District.

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

DEVELOPMENT APPLICATION

Missouri River Shelter Care

Name of Project:

Kairos Youth Services

Owner Name:

PO Box 3066 Great Falls, MT 59403

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

406-727-0076

Phone:

snorton.kairos@outlook.com

Email:

Sherrin Norton

Representative Name:

406-564-8004 cell

Phone:

snorton.kairos@outlook.com

Email:

PROPERTY DESCRIPTION / LOCATION:

16 & 17

Mark/Lot:

9

Section:

9

Township/Block:

First Addition to Bloomingdale Addition

1207 7th Ave NW

Street Address:

ZONING:

LAND USE:

R1

Current:

R3

Proposed:

Group Hm (8)

Current:

Group Hm (9-more)

Proposed:

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

Property Owner's Signature:

Date:

Sherrin Norton

Representative's Signature:

9/21/2022

Date:

Land Use Application Checklist

All applicants are required to complete and submit the Land Use Application, associated fee, checklist, and required material per the checklist for the proposed development. This fee is non-refundable whether the request is approved or not. No processing will be performed until this fee has been paid. The applicant will also be responsible for the costs associated with publishing the legal ad. Per the Official Code of the City of Great Falls (OCCGF) Title 17 - Land Development Code, applicants requesting any of the following developments noted in the chart below are required to have a pre-submittal meeting with City Staff. Further, when directed by the City, the applicant will be required to present the proposed development to the Neighborhood Council.

APPLICANT SHALL SUBMIT ALL INFORMATION THAT IS MARKED REQUIRED BY STAFF FOR A COMPLETE SUBMITTAL

Completeness Checklist		Req.	App.	Staff
Annexation by Petition	Annexation requires an aerial exhibit or an amended plat/certificate of survey of the property to be annexed. Applicant is also required to submit a narrative of the proposed use of the property to be annexed and the requested zoning to be established.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preliminary Plat, Major Subdivision	All major subdivisions require the approval of a preliminary plat. Submittal for the preliminary plat process also requires a narrative of the project as well as submittal of all information outlined in Table 1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Final Plat, Major Subdivision	A final plat is required for each phase of a major subdivision. Submittal for final plat also requires submittal of all information outlined in Table 2. This information shall be submitted before the project will be put on an agenda for the Planning Advisory Board. Before a final plat can be recorded, all information noted in Table 2 must be approved.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Minor Subdivision	All minor subdivisions require a narrative of the project and a site plan showing compliance with the Development Standards as stated in the OCCGF as well as submittal information to show compliance with stormwater regulations (See Table 3), and a minor subdivision plat (See Table 2).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zoning Map Amendment	Zoning map amendments require an exhibit of all properties to be proposed for the rezone, a narrative explaining the reasons for the rezone request, as well as submittal information to show compliance with stormwater regulations (See Table 3).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conditional Use Permit	A conditional use permit requires a narrative explaining the project and the reason for the request of a conditional use permit along with a site plan of the project (See Table 3).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned Unit Development	A planned unit development request requires the submittal of a narrative explaining the project and reason for the request of a planned unit development. The submittal also requires the applicant to provide requested development standards that differ from those put forth in the OCCGF, a site plan showing the requested standards, as well as submittal information to show compliance with stormwater regulations (See Table 3).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amended Plat, Non-Administrative	Any amended plat altering six or more lots is required per State Statute to be reviewed by the governing body. This submittal requires a narrative of the project and an amended plat (See Table 2 for requirements).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Land Use Submittal Checklist - (continued)

APPLICANT SHALL SUBMIT ALL INFORMATION THAT IS MARKED REQUIRED BY STAFF FOR A COMPLETE SUBMITTAL

Table 1 - Preliminary Plat Checklist		Req.	App.	Staff
General Plat Requirements	Plat shall include all applicable items per Title 17 - Appendix A :			
	▪ Title Block - Title shall contain the words amended plat, subdivision, or certificate of survey (COS), the legal description, and the quarter section, section, township, range, principal meridian and county	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Name of owners, adjoining platted subdivision names, and adjoining COS numbers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ North arrow, scale and description of monuments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Legal description of boundary perimeters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All lots and blocks in the subdivision designated by number, the dimensions of each lot and block, the area of each lot, and the total acreage of all lots	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All streets, alleys, avenues, roads and highways; their widths and bearings; the width of all right-of-way; and the names of all streets, roads, and highways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ The location, dimensions and areas of all parks, common areas, and all other grounds dedicated for public use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Date of survey and purpose statement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Show all phases if project is phased	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plans and Supplemental Information	One (1) hardcopy of all plans, all manuals, and one (1) electronic submittal via CD or thumb drive are to be submitted and contain the following items:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Conceptual Plans for Public Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Soils/Geotechnical Information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Estimated Water and Wastewater Demands/Discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Drainage Plan(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Any Special Funding Proposal for Public Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Easements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Table 2 - Final Plat and Minor Subdivision Checklist		Req.	App.	Staff
General Plat Requirements	Plat shall include all applicable items per Title 17 - Appendix A and the Cascade County Clerk and Recorder Checklist:			
	▪ Title Block - Title shall contain the words amended plat, subdivision, or certificate of survey (COS), the legal description, and the quarter section, section, township, range, principal meridian and county	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Name of owners, adjoining platted subdivision names, and adjoining COS numbers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ North arrow, scale and description of monuments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Legal description of boundary perimeters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All lots and blocks in the subdivision designated by number, the dimensions of each lot and block, the area of each lot, and the total acreage of all lots	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All streets, alleys, avenues, roads and highways; their widths and bearings; the width of all right-of-way; and the names of all streets, roads, and highways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ The location, dimensions and areas of all parks, common areas, and all other grounds dedicated for public use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Date of survey and purpose statement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ The signature and seal of the registered land surveyor responsible for the survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Land Use Submittal Checklist - (continued)

APPLICANT SHALL SUBMIT ALL INFORMATION THAT IS MARKED REQUIRED BY STAFF FOR A COMPLETE SUBMITTAL

Table 3 - Site Plan Checklist		Req.	App.	Staff
Site Plan Requirements	Site Plan shall include all applicable items per Title 17 - Appendix A :			
	▪ Title Block containing project name, developer and landowner name, north arrow, graphic scale, property boundaries, and acreage of subject property	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Land Use/Development Standards tables with applicable information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Existing buildings and site amenities as applicable including; contours, wetlands, existing vegetation, water resources, floodplains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All proposed buildings and site features including, access drives, pedestrian facilities, parking, landscaping, and lighting per Title 17 requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ All proposed utilities and stormwater facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plans and Supplemental Information	One (1) copy of all plans, all manuals, and one (1) electronic submittal via CD or thumb drive are to be submitted and contain the following items:			
	▪ Conceptual Plans for Public Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Soils/Geotechnical Information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Estimated Water and Wastewater Demands/Discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Drainage Plan(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Any Special Funding Proposal for Public Infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	▪ Preliminary Easements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

September 21, 2022

Kairos Youth Services is a non-profit organization since 1980, that operates a community-based Shelter/Group Home, we are located in Great Falls, MT. We offer youth the skills necessary to become productive members of our community. We serve 8 youth at a time that requires 24-7 care, the ages range from 10-18. We offer a safe place to transition in returning home or meeting other placement goals.

We assist the youth in developing his own- individualized goals that meet their unique and individual needs as we form a basic foundation of accountability, responsibility, integrity, respect and help build self-esteem. The Youth are placed in the homes by the Department of Health & Human Services, Youth Court Service, and Foster Care as a result of emotional, social, legal or family issues.

To ensure the safety of everyone involved we have alarms on all the windows and perform 15-minute bed checks during the night. We offer a safe and secure environment for our youth and community.

Kairos Youth Services, helps the youth achieve personal growth and success by helping each individual develop a strong sense of self, the importance of healthy relationships, building skills that they will use for the rest of their lives, and become a contributor to their community.

- a.) All youth are required to attend school. Our goal is that they all become High School Graduates. Some of the youth continue their education by attending College and/or Vo-Tech. We help them build life skills that will benefit them throughout their whole life's and improve the community as a whole.
- b.) Reinforce positive youth development strategies on forging relationships, with individuals, groups and community.
- c.) Our goal is to equip youth with the tools they need to succeed as they launch their professional lives and become contributing members of their communities.
- d.) One of Kairos Youth Services goals is to offer youth a future and help youth achieve self-sufficiency by helping with education, employment and training.
- e.) Youth are treated as individuals and encouraged to engage with their communities, schools, organizations, peer groups and families in ways that are both constructive and productive.
- f.) Kairos Youth Services is a United Way supported service, and with this partnership we are able to serve the community in offering, Stuff the Bus (collect school items for needy youth), clean-up parks, streets and individual yards. Shows youth the power of giving back to their community.

We are requesting to add one bedroom and one bathroom to existing home (remodel), so that we can add 4 more youth to our services. This is required per licensing with the State of Montana. A service that is greatly needed in our State.




























If you have any question's please, feel free to contact me at 406-727-0076 or cell 406-564-8004

Thank you,

Sherry Norton
Executive Director

Street View Map

Untitled layer

-  Space Shirts
-  Perrone Photography
-  Perrone Properties
-  Beauty in Flooring
-  Sumo Monkey
-  TJ Nails
-  Finest Floors of Brevard
-  Enchanted Spirit
-  Oceansports World
-  Oceansports World
-  Conway Veterinary Hospital
- 
- Bilt Surf Shop Retail/ Bilt Surfboard Rentals Lessons and Bike Rentals
-  Island Breakers Billiards
-  Graphic Details Inc.
- 
- Hayes Meats & Gourmet Foods
-  Jackson's Bistro
-  Fishy Bizness
-  Horizon Mini Storage Cocoa
- 
- Lightholder Building Contractors
-  Perrone Commercial
-  Perrone Village
-  Perrone Plaza
-  My VIP Auto Sales
- 
- PERRONE REALTY REFERRAL CO.
-  Lynk Mortgage Group
- 
- Treasure Island Resort Wear & Gifts
-  Celebration Suites



Google Maps 1200 7th Ave NW



Image capture: Oct 2021 © 2022 Google



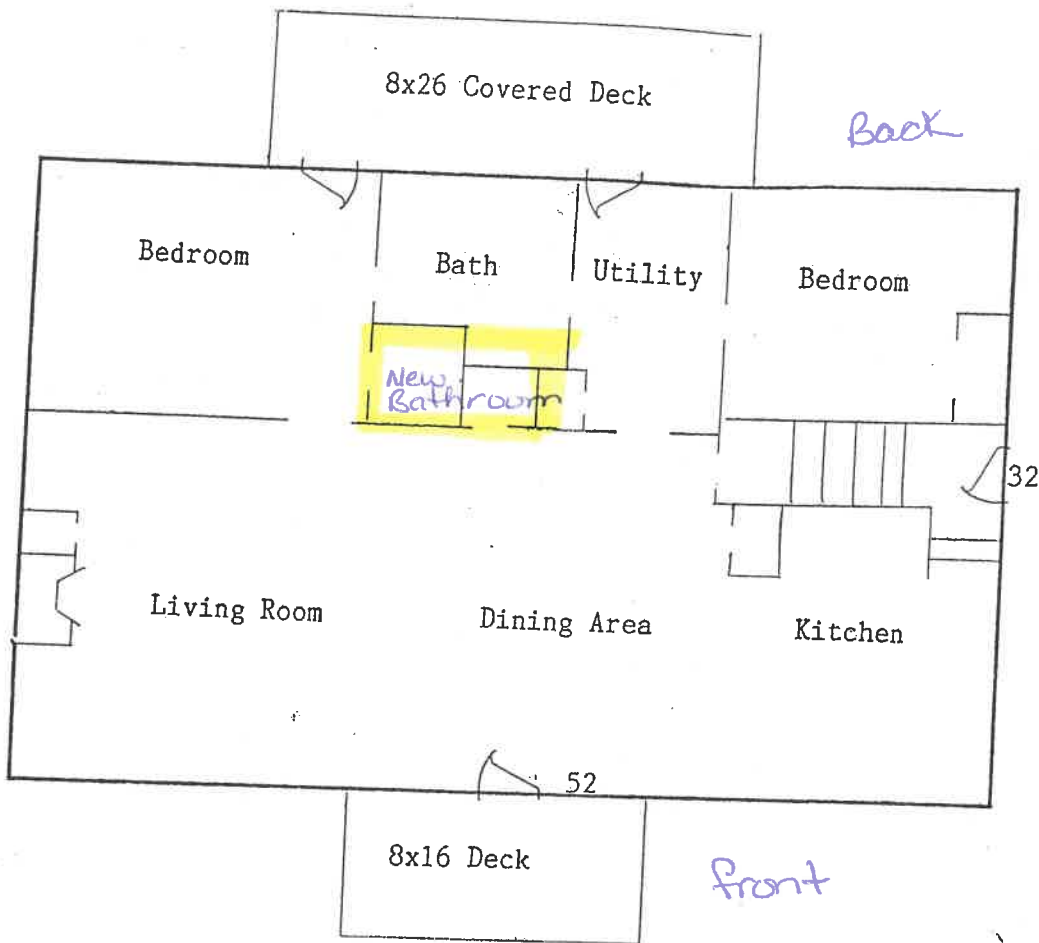
1207 7th Ave NW

Great Falls, Montana

Google

Street View - Oct 2021

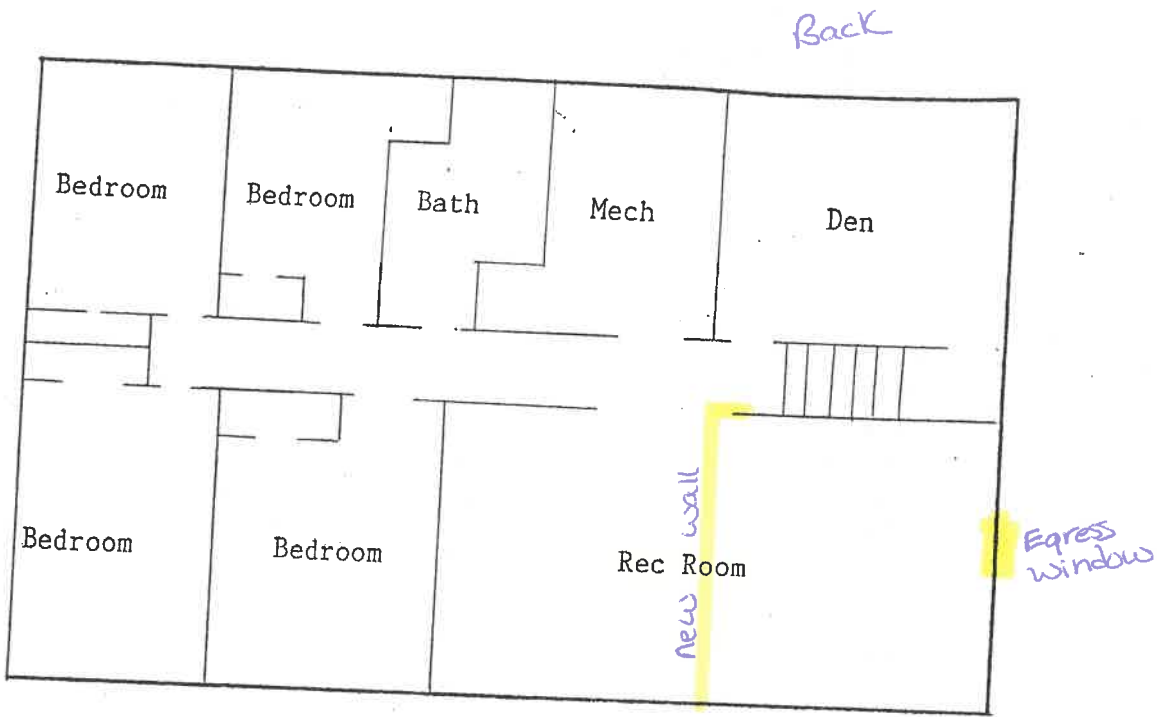




12th Street NW

MAIN LEVEL

7th Ave NW



BASEMENT

Front



7th Ave NW

12th Street NW

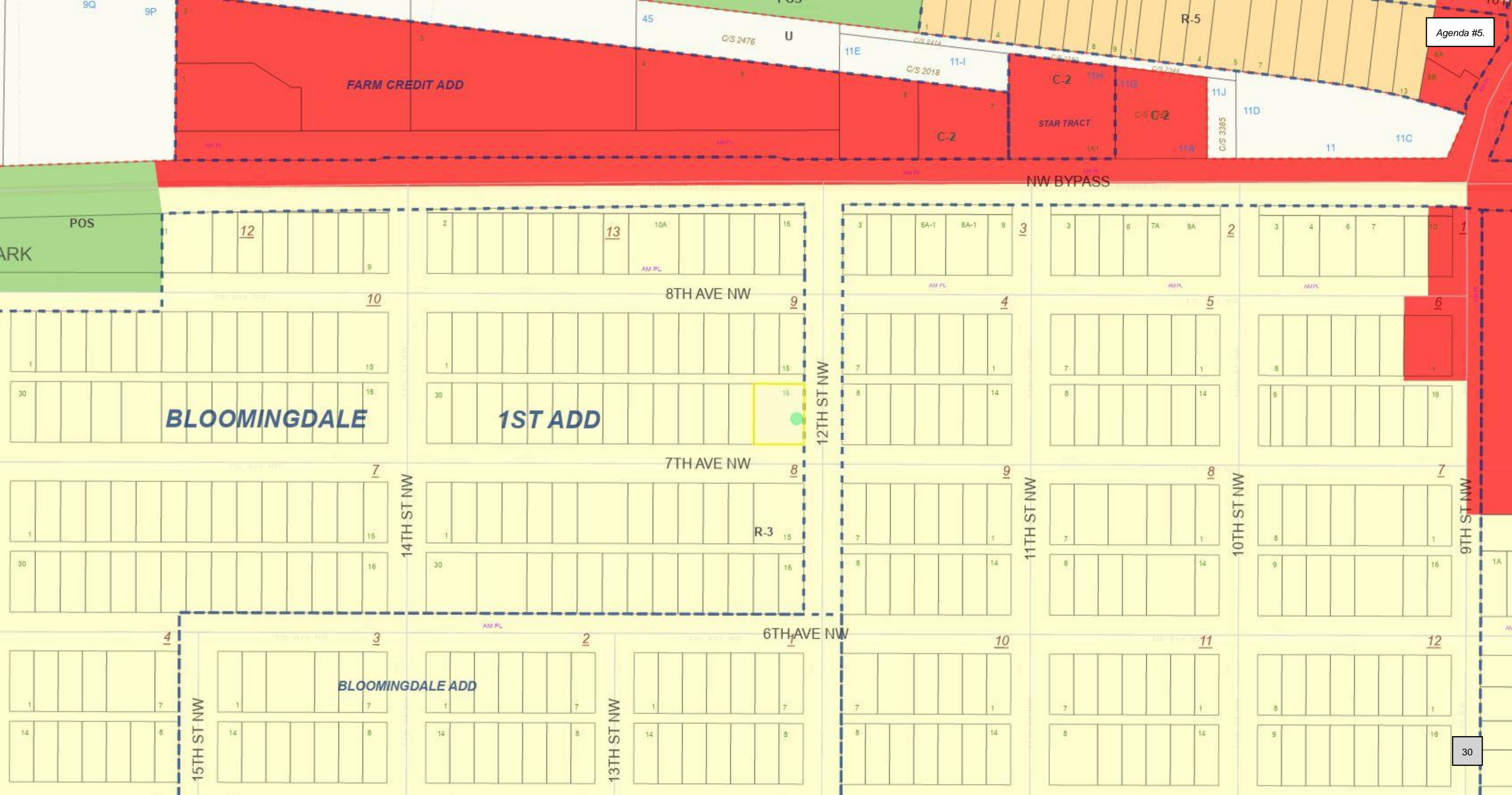
1201 7th Ave NW

Legend

Agenda #5.

-  1201 7th Ave NW
-  Missouri River Youth & Shelter





FARM CREDIT ADD

R-5

C/S 2476 U

11E C/S 2018 11-I

C-2 11H

11G C/S C-2

STAR TRACT

C-2

11J C/S 3385

11D

11C

NW BYPASS

POS

12

13

10A

6A-1 8A-1

6 7A 9A

BLOOMINGDALE

1ST ADD

8TH AVE NW

7TH AVE NW

R-3

6TH AVE NW

BLOOMINGDALE ADD

15TH ST NW

14TH ST NW

13TH ST NW

12TH ST NW

11TH ST NW

10TH ST NW

9TH ST NW



Meeting Date: October 25, 2022

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

Item: Annexation of the property addressed as 3801 2nd Avenue North and legally described as Mark 5 within the N ½ NW NW of Section 9, T20N, R4E, PMM, Cascade County, Montana; and establishment of City zoning classification of R-6, Multi-family High Density for the newly created Tract 1, and C-1, Neighborhood Commercial for the newly created Tract 2 in the N ½ N ½ of Sections 8 and 9, T20N, R4E, PMM, Cascade County, Montana.

Initiated By: Silver Stone Enterprises, LLC

Presented By: Lonnie Hill, 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. “I move that the Planning Advisory Board recommend the City Commission (approve/deny) the annexation of the property legally described as Mark 5 within the N ½ NW NW of Section 9, T20N, R4E, PMM, Cascade County, Montana and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.”

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

And;

- II. “I move that the Zoning Commission recommend the City Commission (approve/deny) the establishment of City zoning classification of R-6, Multi-family High Density for the newly created Tract 1, and C-1, Neighborhood Commercial for the newly created Tract 2 in the N ½ N ½ of Sections 8 and 9, T20N, R4E, PMM, Cascade County, Montana and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.”
2. Chairman calls for a second, commission discussion, and calls for the vote.

Summary:

Silver Stone Enterprises submitted an application on August 10th, 2022 to annex and assign City zoning to the 15.67 acre property addressed as 3801 2nd Avenue North located at the northeast corner of 2nd Avenue North and 38th Street North and legally described above. The applicant proposes development of an apartment complex consisting of 12 36-unit buildings for a total of 432 units. The project is likely to be built in phases beginning in the northwest corner of the subject property. The anticipated build-out of all phases could take approximately 5 years.

The parcel proposed for annexation is an unincorporated enclave, meaning it is wholly surrounded by City limits. The 0.68 parcel immediately west of the subject property is also part of this proposed development project site, but is already within the City limits as shown on the *Aerial Map* and does not require annexation into the City. The applicant is proposing reconfigure both of these parcels to create the desired lots for the proposed development project site. The applicant is required to apply for and file an amended plat described as a boundary line adjustment to create the lots described in this report as the proposed Tract 1 and Tract 2. This amended plat is reviewed administratively by Planning staff and does not require legislative approval. The proposed lot configuration is shown on the submitted *Draft Amended Plat* provided as an attachment.

The applicant requests City zoning classification of R-6, Multi-family High Density for the newly created Tract 1 which covers approximately the northern two-thirds of the proposed development project site, and requests City zoning classification of C-1, Neighborhood Commercial for the newly created Tract 2 which covers approximately the southern one-third of the proposed development project site. The proposed lot configuration and zoning of Tract 1 and Tract 2 is shown on the *Zoning Map*.

Public Notice for the Planning Advisory Board/Zoning Commission Public Hearing was published in the *Great Falls Tribune* on October 9, 2022, a notice was sent in the mail to neighbors within 150 feet, and two signs were placed on the premises of the subject property.

Background:**Annexation by Petition Request:**

The subject property proposed for annexation consists of approximately 15.67 acres and is contiguous to the existing City limits on all sides, making it an unincorporated enclave. The subject property is located within Cascade County with Commercial zoning designation and is currently undeveloped. As previously mentioned, the tract to the west of the subject property is within City limits and is part of the proposed development project site. To the north of the subject property are existing residences within the City within R-6 and R-3 zoning districts. These residences range from single-family homes to four-plex condos and apartments. Existing single-family residential homes within the City are located to the east which are zoned R-3. To the south of the subject property is 2nd Avenue North with the newly developed Copperview Condos upon property that is zoned R-6 and the Montana School for the Deaf and Blind upon property that is zoned PLI. The right-of-way of 2nd Avenue North and 38th Street North are both already within the City boundary and do not need to be annexed as part of this project.

The basis for decision for an annexation by petition request is listed in OCCGF § 17.16.7.050. The recommendation of the Planning Advisory Board and the decision of the City Commission shall at a minimum consider the criteria which are attached as *Findings of Fact/Basis of Decision – Annexation by Petition*.

Establishment of Zoning Request:

The applicant's request to establish R-6 zoning on the northern two-thirds of the property aligns with neighboring properties developed to the north of the east-west alley that borders the site to north. This zoning designation meets specific goals and objectives within the City of Great Falls 2013 Growth Policy Update, including encouraging a diverse, safe, and affordable supply of housing in the City. This project will substantially expand the supply of apartment residential opportunities and encourages a variety of housing types and densities so that residents can choose by price or rent, location and place of work.

The proposed R-6 zoning also aligns with appropriate uses for the location of the site. The proposed project is at the corner of 38th Street North and 2nd Avenue North, both of which function as minor arterial streets. Generally, intersections of higher classification streets are appropriate for higher intensity of use. In this case, the location of a large apartment complex adjacent to these streets is advantageous to connect these residents to the greater surrounding area. The applicant will be responsible for extending utility mains and transportation improvements per City requirements as referenced in the provided *Draft Improvement Agreement*.

The reason the applicant has requested C-1 zoning for the southern third of the property is that it accomplishes two goals. First, C-1 zoning allows multifamily housing, which allows the proposed apartment development to be consistent with the City's zoning code. Second, it will provide the applicant with another option if he wishes to establish some commercial development along 2nd Avenue North. Because C-1 zoning is present east, west, and southwest of the property, the request is consistent with the zoning code and supported by City staff.

The basis for decision on zoning map amendments is listed in Official Code of the City of Great Falls (OCCGF) §17.16.40.030 of the Land Development Code. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the criteria which are attached as *Findings of Fact/Basis of Decision – Zoning Map Amendment*.

Required Improvements:

Access. All vehicular traffic will ingress/egress from the access points shown on the *Site & Infrastructure Plan* along 38th Street North across from 3rd Avenue North, and from 2nd Avenue North at the existing break in the median. The project will have no vehicular connections to the alley located between the subject property and the residential properties located north of the proposed development project. On the east side of the subject property, the applicant is required to construct and dedicate right-of-way for a new vehicular turnaround to facilitate fire protection and sanitation service connecting 3rd Avenue North and the alley to the south along the eastern property line of the subject property. This turnaround shall be fenced and there shall be no vehicular connection made between the proposed development and the turnaround. Although vehicular connectivity is often prioritized to incorporate new projects into the existing street network, both staff and the applicant agreed directing traffic from the apartments onto the minor arterials was beneficial to keep the apartment traffic from using local streets as a shortcut, and keep neighborhood traffic from using the apartment as a shortcut. Staff is requiring the applicant to construct a pedestrian connection to the 40th Street North sidewalk to future apartment residents will have another walking option to access nearby park and school facilities.

Water Main Improvements. The applicant agrees to extend public water mains through the proposed development project according to City standards. The improvement is to be owned and maintained by the City upon completion.

Sanitary Sewer Main Improvements. Installation of a public sanitary sewer main shall extend from the existing eight (8) inch mains located along the east and west property lines of the subject property. The City will be responsible for the reconstruction or lining of the existing main located between 38th Street North to the first manhole on the property east of 38th Street North. The remainder of the sewer main improvements are the responsibility of the applicant. The lines shall be installed to conform to City standards and serve all units within the proposed development. The improvement is to be owned and maintained by the City upon completion.

Roadway and Sidewalk Improvements. The applicant agrees to construct and/or reconstruct curbing, sidewalk, and boulevard landscaping along 38th Street North and 2nd Avenue North adjacent to the Subject Property as construction commences adjacent to those locations. Design and installation shall be consistent with City standards and submitted plans approved by the City of Great Falls and the Montana Department of Transportation (MDT). All boulevard improvements, including curbing, sidewalks, and landscaping shall be maintained by the applicant. In the event apartment construction does not commence adjacent to 2nd Avenue North, a curbside sidewalk must still be installed to provide pedestrian access along 2nd Ave North along the entire frontage of the Subject Property within five (5) years after annexation, unless an extension is granted by the City to the applicant.

Traffic Impact Improvements. The applicant is required to construct all MDT and City of Great Falls required improvements along the subject property frontage with 2nd Avenue North. Additionally, the applicant is required by the City to pay for the project's anticipated traffic impact to the intersection of 38th Street North and 2nd Avenue North, unless MDT does not authorize improvements to the intersection. The Traffic Impact Study submitted on behalf of the applicant estimates that new southbound left turns on 38th Street will be approximately 10% greater in 2027 than if the project was not constructed, and will cause total left turns to exceed the 100 vehicles per hour threshold where dedicated left turn lanes are recommended by the Federal Highway Administration. The applicant's contribution shall not exceed \$50,000, which is roughly ten (10) percent of the current cost of improving the intersection as estimated by the City's 3rd Party Engineering Consultant. MDT is still reviewing the applicant's Traffic Impact Study as part of their Systems Impact process. The applicant may have other improvements that will be required once MDT review is complete. The *Draft Improvement Agreement* references that the applicant will need to comply with any additional MDT requirements. More information regarding staff's transportation planning analysis can be found within the *City Staff Traffic Analysis memo* provided by Senior Transportation Planner, Andrew Finch, and the *Traffic Impact Study* provided by the applicant, both included as attachments.

Neighborhood Council Input:

The subject property is located adjacent to Neighborhood Council #4. There is no adopted neighborhood plan for Neighborhood Council #4, or any other Council within the City. The applicant presented to Neighborhood Council #4 on August 25, 2022. The Council made a motion that encourages the project to move forward in the city process, with concern about congestion along 38th Street North. Subsequently at the Council's September 22, 2022 meeting, Steve Bucher, the Condo Association Chair of the 4th Avenue North at 38th Street Condos presented to the Neighborhood Council and noted concerns regarding parking along the alley between the condos and the subject property. Specifically, it was noted that parking for the condo units along the alley was very limited and would be difficult to access without encroaching on the applicant's property. Neighborhood Council #4 Chair, Sandra Guynn, requested City planning staff return to the Neighborhood Council's October 27, 2022 meeting to discuss the alley and parking situation.

Concurrences:

Representatives from the City's Public Works, Fire, and Legal Departments have been involved throughout the review and approval process for this project, and will continue to participate throughout the permit approval process. Both Engineering and Environmental Divisions of Public Works and the Legal Department have collaborated on the submitted *Draft Improvement Agreement*.

Fiscal Impact:

Water and sewer service will be provided by the City, with the cost of the connection improvements borne by the applicant per the agreed upon terms of the attached *Draft Improvement Agreement*. The annexation will add an unincorporated enclave property into the city which will significantly increase the City's tax base and increase revenue. Although the applicant's project will have a noticeable impact on average daily traffic along the 38th Street corridor, the applicant has agreed to City staff's condition that a financial contribution be made towards adding left turns to the 38th Street approach to the intersection at 2nd Avenue North.

Conclusion:

The property being considered for annexation and development is a completely surrounded County enclave, and is therefore a very high priority for incorporation into the City. The applicant's zoning request is consistent with the R-6 condominium zoning to the north and the commercial zoning on two sides. Additionally, the location of the property along major street arteries makes it more suitable for a higher density development rather than a single-family neighborhood. The property is also known for having fatty clay soils, which makes it more suitable for commercial type building construction. Finally, the City has a documented need for additional housing construction, particularly in a convenient location near Malmstrom Air Force Base. These considerations, plus the willingness of the applicant to assist with mitigating impacts to 38th Street North, should be considered by the Planning Board.

Staff Recommendation:

Staff recommends approval of the annexation of the tract legally described above, assignment of R-6 zoning for the proposed Tract 1, and assignment of C-1 zoning for the proposed Tract 2 with the following conditions:

Conditions of Approval for Annexation and Establishment of Zoning:

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 including the Montana Department of Transportation (MDT), and all other applicable regulatory agencies.
2. **Improvement Agreement.** The applicant shall abide by the terms and conditions as well as pay all fees specified in the attached Improvement Agreement for the Subject Property. The Improvement Agreement must be signed by the applicant and recorded at the Cascade County Clerk and Recorder.
3. **Land Use & Zoning.** Development of the property shall be consistent with the allowed uses and specific development standards of the R-6 Multi-family High Density zoning district for the proposed Tract 1 and C-1 Neighborhood Commercial zoning district for the proposed Tract 2.
4. **Utilities.** The final engineering drawings and specifications for public improvements for the subject property shall be submitted to the City for review and approval.

Alternatives:

The Planning Advisory Board/Zoning Commission could recommend denial of the annexation and zoning map amendment request. For these actions, the Planning Advisory Board/Zoning Commission must provide separate Findings of Fact/Basis of Decision for denial of the annexation and establishment of zoning.

Attachments/Exhibits:

- City Staff Traffic Analysis Memo
- Aerial Map
- Zoning Map
- Project Narrative
- Site & Infrastructure Plan
- Phase One Site Plan
- Exterior Elevations
- Draft Amended Plat
- Traffic Impact Analysis
- Draft Improvement Agreement
- Findings of Fact/Basis of Decision – Annexation
- Findings of Fact/Basis of Decision – Zoning Map Amendment
- Allowable Uses by District for R-6 and C-1
- Lot Area and Dimensional Standards for R-6 and C-1

City Staff Traffic Analysis Memo – Silver Stone Apartments

Background/Project Description/Location: An apartment development, consisting of 12 36-unit apartment buildings and associated site and public facility improvements, has been proposed on a vacant site located at the northeast corner of 38th Street North and 2nd Avenue North. The site is adjacent to a mix of single-family and multi-family residential uses on the east and a mix of single family and 4-unit condominiums on the north. Finally, the property abuts uses on the southeast, fronting 2nd Avenue North.

Existing Facilities:

Streets and alleys: The subject property abuts 2nd Avenue North on the south, 38th Street North on the west, and 4th Alley North on the north. 40th Street North dead-ends at 4th Alley North on the north side of the property, and 3rd Alley North and 3rd Avenue North similarly terminate at the property on the east. 3rd Avenue North and 3rd Alley North are unpaved, as is all but a small portion of 4th Alley North. Asphalt pavement exists in 4th Alley North adjacent to four of the condominiums.

2nd Avenue North is a 4-lane Principal Arterial with center medians. It's on the National Highway System, and is maintained by the Montana Department of Transportation. It does not have curb or gutter or sidewalks, but has a wide shoulder.

38th Street North is a 2-lane Major Collector on the Urban System, and is maintained by the City of Great Falls. It has curb and gutter on both sides, and, for a Collector, has a relatively narrow pavement width.

Parking: On-street parking is allowed on 38th Street North, and although a wide shoulder exists on 2nd Avenue North, parking is not encouraged along this section. Further to the east where curb, gutter and sidewalk are installed, parking is allowed.

Sidewalks and trails: Back-of-curb 5-foot sidewalks adjoin the subject property on 38th street. No sidewalks exist along 2nd Avenue North.

The nearest bicycle facility is on 38th Street North, just north of 10th Avenue North. This facility is a separated shared use path, leading north to the main River's Edge Trail System at Giant Springs Road.

Bus/Transit: The nearest public transportation route (Great Falls Transit bus service) is 2 blocks to the south at 38th Street and Central Avenue. Another Transit route is 4 blocks north at 38th Street North and 7th Avenue North. Both are east/west routes.

Traffic control: The intersection of 38th Street North and 2nd Avenue North is controlled by a signal. Westbound traffic has a left turn bay. North/south traffic has no separate turn facility. Pedestrian crossings are striped.

Existing traffic volumes: Peak-hour traffic volumes have been collected on adjacent streets as part of a Traffic Impact Study (TIS) prepared by KLJ Engineering, and are shown in Table 1.

Table 1 – Existing 2022 Traffic Volumes

Intersection	Peak	Traffic Control	NB Approach			SB Approach			EB Approach			WB Approach		
			L	T	R	L	T	R	L	T	R	L	T	R
38 th St N & 3 rd Ave	AM	SSS	1	261	-	-	320	3	4	-	3	-	-	-
	PM		5	356	-	-	362	2	5	-	2	-	-	-
38 th St N & 2 nd Ave	AM	Signalized	45	171	50	86	195	42	8	235	79	35	284	83
	PM		75	246	49	82	235	47	10	193	88	63	312	105
38 th St N & Central Ave	AM	AWSC	37	199	57	55	238	16	25	199	36	39	144	42
	PM		14	310	46	15	330	41	31	68	82	14	39	29
Access on 2nd Ave	AM	SSS	-	-	-	-	-	-	-	371	-	-	402	-
	PM		-	-	-	-	-	-	-	324	-	-	480	-

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; L – Left; T – Through; R – Right; SSS – Side Street Stop; AWSC – All Way Stop Control

Assuming full build-out in 2027, the projected volumes are shown in Table 2.

Table 2 – Projected 2027 Background Traffic Volumes

Intersection	Peak	Traffic Control	NB Approach			SB Approach			EB Approach			WB Approach		
			L	T	R	L	T	R	L	T	R	L	T	R
38 th St N & 3 rd Ave	AM	SSS	1	274	-	-	336	3	4	-	3	-	-	-
	PM		5	374	-	-	380	2	5	-	2	-	-	-
38 th St N & 2 nd Ave	AM	Signalized	47	180	53	90	205	44	8	247	83	37	298	87
	PM		79	259	51	86	247	49	11	203	92	66	328	110
38 th St N & Central Ave	AM	AWSC	39	209	60	58	250	17	26	209	38	41	151	44
	PM		15	326	48	16	347	43	33	71	86	15	41	30
Access on 2nd Ave	AM	SSS	-	-	-	-	-	-	-	390	-	-	423	-
	PM		-	-	-	-	-	-	-	341	-	-	504	-

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; L – Left; T – Through; R – Right; SSS – Side Street Stop; AWSC – All Way Stop Control

Proposed site access:

- Driveways:** The development is proposed for access via two new approaches. One approach is proposed opposite an existing east-bound left turn bay on 2nd Avenue North, approximately mid-way along the property. The second access is proposed on 38th Street North, aligning with the current intersection at 3rd Avenue North. Both accesses would be constructed with Phase I.
- Connection to adjacent streets/alleys:** Eastern connection to 3rd Avenue North and 3rd Alley North would be prohibited. Northern connection to 40th Street North and 4th Alley North would be prohibited.
- Pedestrian access:** New sidewalk along 2nd Avenue North would be constructed during adjacent property development, connecting to a complete system of internal sidewalks. Sidewalks on 38th Street North would receive pedestrian connection from the site, in conjunction with development of Phase I.

Trip Generation:

Based upon studies done on other, similar developments, the TIS projected the following trips at full build-out:

Table 3 - Proposed Development Trip Generation

Facility Type	Variable	#	ITE Land Use	In (AM)	Out (AM)	In (PM)	Out (PM)	In (Daily)	Out (Daily)
Apartment	Dwelling Unit	432	220	49	154	152	94	1456	1456
				203		246		2,912	

Projected Intersection Impact:

Based upon projected traffic growth generated by the development and trip distribution shown in Table 4, the TIS projected future intersection volumes (peak hour) shown in Table 5.

Table 4 - Projected Trip Distribution

Intersection	Peak	Traffic Control	NB Approach			SB Approach			EB Approach			WB Approach		
			L	T	R	L	T	R	L	T	R	L	T	R
38 th St N & 3 rd Ave	AM	SSS		20	11	9	4					31		15
	PM			12	35	29	12					19		9
38 th St N & 2 nd Ave	AM	Signalized		7	2	13	9	12	0	9		23	26	23
	PM			23	6	18	6	8	2	29		14	16	23
38 th St N & Central Ave	AM	AWSC		7		3	26	3	1					1
	PM			23		2	16	2	3					3
Access on 2nd Ave	AM	SSS	-	-	-	39	-	69	15	9	-	-	3	13
	PM		-	-	-	24	-	42	47	6	-	-	11	41

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; L – Left; T – Through; R – Right; SSS – Side Street Stop; AWSC – All Way Stop Control
 Green – Incoming; Red – Outgoing; Blue – Incoming and Outgoing

Table 5 - Projected 2027 Build Volumes

Intersection	Peak	Traffic Control	NB Approach			SB Approach			EB Approach			WB Approach		
			L	T	R	L	T	R	L	T	R	L	T	R
38 th St N & 3 rd Ave	AM	SSS	1	294	11	9	340	3	4	0	3	31	0	15
	PM		5	386	35	29	392	2	5	0	2	19	0	9
38 th St N & 2 nd Ave	AM	Signalized	47	187	55	103	214	56	8	256	83	60	324	110
	PM		79	282	57	104	253	57	13	232	92	80	344	133
38 th St N & Central Ave	AM	AWSC	39	216	60	61	276	20	27	209	38	41	151	45
	PM		15	349	48	18	363	45	36	71	86	15	41	33
Access on 2nd Ave	AM	SSS	-	-	-	39	-	69	15	399	-	-	426	13
	PM		-	-	-	24	-	42	47	347	-	-	515	41

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; L – Left; T – Through; R – Right; SSS – Side Street Stop; AWSC – All Way Stop Control

The projected volumes were anticipated to decrease the Level of Service for some movements, and also put the intersection of 2nd Avenue North and 38th Street North above the recommended volume threshold for installation of dedicated left turn lanes. The projected future Level of Service is shown in Table 7 from the TIS.

Table 7 - Traffic Operation Results 2027

Intersection	Scenario	Level of Service (AM Peak)					Level of Service (PM Peak)				
		EB	WB	NB	SB	Int	EB	WB	NB	SB	Int
3rd Ave N & 38th St N	No-Build	B	-	A	A	B	B	-	A	A	B
	Build	B	B	A	A	B	C↓	C	A	A	B
2nd Ave N & 38th St N	No-Build	B	C	A	A	B	B	C	B	B	B
	Build	B	C	A	B↓	B	B	C	B	B	B
Central Ave & 38th St N	No-Build	C	C	D	D	C	B	B	C	C	C
	Build	D↓	C	D	E↓	D↓	B	B	C	C	C
2nd Ave Driveway	No-Build	A	A	-	-	NA	A	A	-	-	NA
	Build	A	A	-	B	B	A	A	-	B	B

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; Int - Intersection

Conclusions/Recommendations:

- 38th Street and Central Avenue: The functionality of Central Avenue and 38th Street North has been identified by the City as an area of concern, who has been monitoring the intersection. However, no modification has been targeted at this time. The City will continue to monitor the intersection, and may consider future modifications. Anecdotally, the intersection only experiences notable delays when the nearby schools let out, and major modification such as a roundabout or signal may not be beneficial to the overall (throughout the day) operation of the intersection. Therefore, no contribution by the development to this off-site location is recommended by staff.
- 38th Street North/2nd Avenue North: The intersection of 38th Street North and 2nd Avenue North is single-lane, north and southbound, and left turning vehicles waiting for a gap greatly reduce the ability of the traffic queue to clear the intersection. The increase in left turns caused by the development would raise the number of peak-hour left turns beyond the recommended threshold for a dedicated left turn lane. Therefore, it is recommended that the development provide its proportional share of the cost of installation of dedicated north/south turn lanes.
- Pedestrian access: Sidewalk along 2nd Avenue North must be installed at the time of development of the adjacent property. Pedestrian access to 40th Street North must also be installed to ensure more direct access to parks and the adjacent neighborhood.
- Prohibited connections: To reduce impact upon the adjoining residential neighborhoods, vehicular connections to 4th Alley North, 40th Street North, 3rd Alley North and 3rd Avenue North will be prohibited.
- Loop connection: To ensure safe movements of emergency and service vehicles, a loop connection from the dead-end of 3rd Avenue North on the east to 3rd Alley North will be constructed on the subject property, dedicated to the public through permanent easement or other method acceptable to the City of Great Falls.
- Cross-Access: A permanent cross-access and shared maintenance agreement between the new Tracts 1 and 2, and connecting to 2nd Avenue North, will be filed and recorded.
- Extension of left turn bays: Left turn bays in the median on 2nd Avenue North will be extended for additional capacity, if required by the Montana Department of Transportation.

Aerial Map

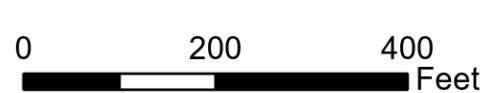


Property Proposed for Annexation

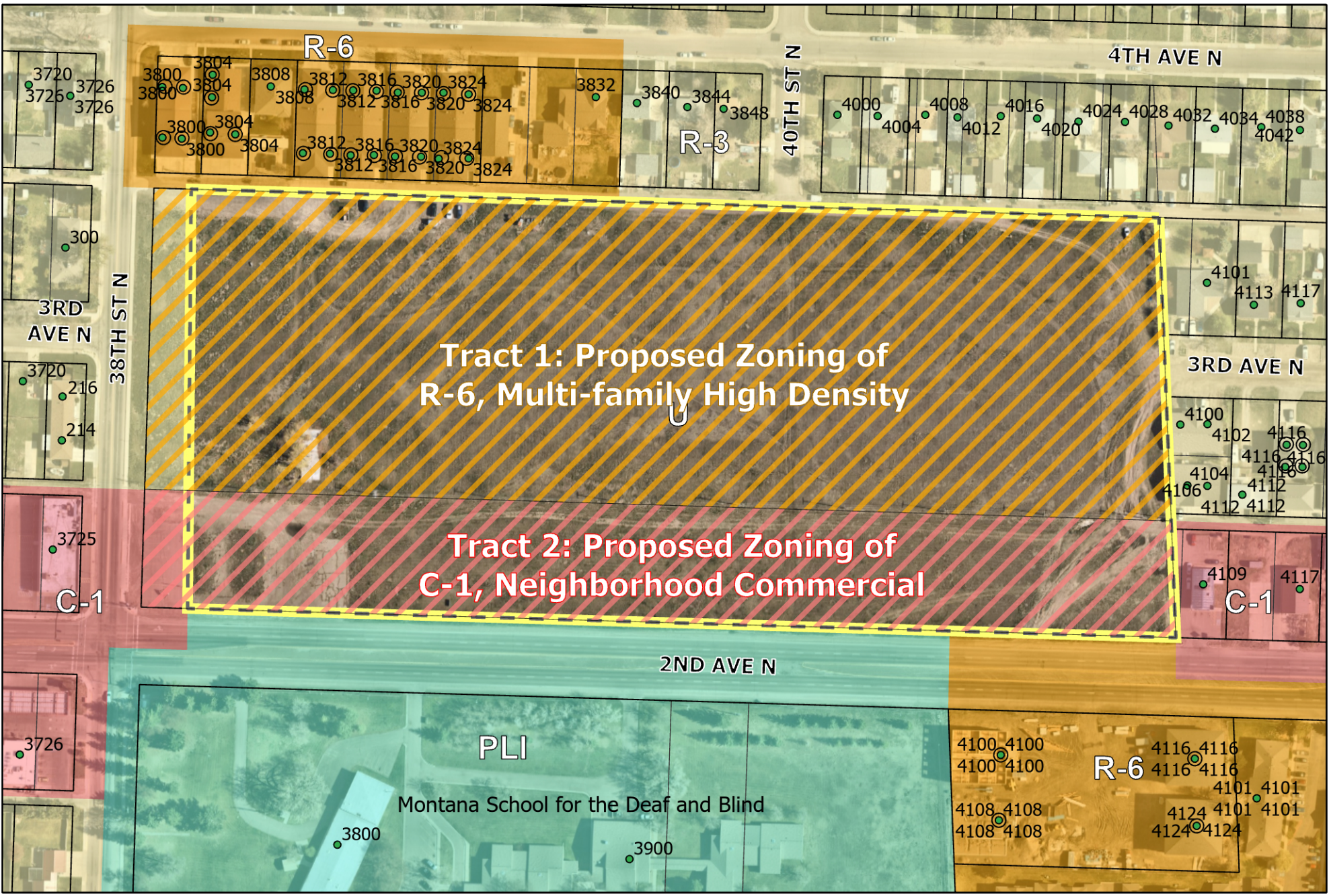
Montana School for the Deaf and Blind



-  City Limit
-  Parcels



Zoning Map

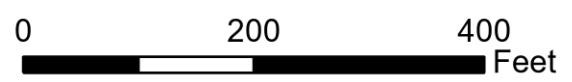


Tract 1: Proposed Zoning of R-6, Multi-family High Density

Tract 2: Proposed Zoning of C-1, Neighborhood Commercial



-  City Limit
-  Parcels



August 8, 2022

Mr. Lonnie Hill
 City of Great Falls
 Planning & Community Development Department
 PO Box 5021
 Great Falls, MT 59403

RE: Silver Stone Enterprises – Silver Stone Apartments
 Annexation & Zoning Application – Project Narrative

Dear Mr. Hill,

We are pleased to submit the Silver Stone Apartments application for Annexation & Zoning Map Amendment. The proposed project consists of the construction of twelve (12) separate 36-unit apartment buildings for a total unit count of 432 living units. In addition to the apartment buildings, the project will also include an office/clubhouse building to support the development. Individual apartment buildings will be 3 story buildings (above-ground) and will include basement storage areas.

The subject development site is approximately 16.348 acres and includes a 0.684 acre parcel that is currently annexed into the City of Great Falls with split zoning (C-1 & R-3) as well as a 15.665 acre undeveloped and un-annexed property that currently lies within the Cascade County Commercial zoning district. The property sits along the northern boundary of 2nd Avenue North between 38th St. N. & 42nd St. N. as detailed in the attached vicinity maps.

The proposed project will include a Boundary Line Adjustment survey to relocate the common property boundary to create a 4.574 acre southern parcel with proposed C-1 zoning along with an 11.774 acre northern parcel with proposed R-6 zoning to allow for the development of the proposed apartment complex. The proposed C-1 zoning along the southern property boundary will maintain consistency with the adjacent commercial zoning and allows flexibility for future apartment development or commercial development if deemed financially feasible. The northern property with proposed R-6 zoning is consistent with the adjacent R-6 zoning and allows for the proposed apartment development. The site and development have been extensively discussed with City Planning staff to help ensure all required design criteria are met in the enclosed proposal.

Traffic Impacts

As detailed in the attached Traffic Impact Study (TIS) report, the proposed development is expected to generate approximately 1,971 vehicular trips per day with peak AM and peak PM trips of 138 and 177 trips respectively. The addition of the vehicular trips detailed above will have impacts to the existing intersections at 3rd Ave. N./38th St. N., 2nd Ave. N./38th St. N., and Central Ave./38th St. N. As detailed within the report, the anticipated traffic generation from the development will impact existing Level of Service for various turning movements; however, the overall intersections will continue to operate at acceptable levels following development.

The Central Avenue/38th St. N. intersection will likely require traffic mitigating features to alleviate LOS concerns at the intersection; however, these traffic concerns exist prior to the

development of the apartment complex. Refer to the attached TIS report for additional information.

Compliance with Stormwater Regulations

The proposed apartment complex will be required to comply with City of Great Falls storm drainage regulations associated with water quality and water quantity. As detailed within the attached preliminary storm drainage calculations, storm drainage improvements associated with the development will include approximately 20,000 cubic feet of retention storage (water quality requirements) and will include additional detention storage in order to comply with the City’s discharge standards. It is anticipated that the required retention and detention storage will be located within the NW corner of the development as shown in the attached exhibits where collected runoff will be treated and detained prior to discharge into the existing City of Great Falls storm drainage infrastructure adjacent to the development. It is anticipated that additional stormwater storage and treatment will be provided within landscaped areas throughout the development and a new underground piping system will be utilized to convey collected storm water to the new pond structure(s). Please refer to the preliminary infrastructure plans for additional information.

Conceptual Public Infrastructure Plans

As detailed within the attached preliminary infrastructure plans, a new water main will be extended through the property to connect to existing City of Great Falls infrastructure at three (3) separate locations to provide water service to each of the new buildings along with hydrant coverage throughout the development. The proposed water main looping will provide adequate hydraulic capacity for the development, will provide additional reliability within the City’s existing system, and will eliminate an existing dead end water main on 3rd Ave. North. Additionally, existing hydrant flow information provided by the CoGF shows adequate hydraulic capacity to serve the proposed development.

Existing sewer mains will be extended as shown on the preliminary plans to provide sewer service connections for the internal buildings (buildings 7-12 & Clubhouse) while buildings along the northern property boundary (buildings 1-6) will be directly connected to existing gravity sewer mains within the City alley. Preliminary wastewater generation and water demand estimates are included below.

New water and sewer mains will be located within dedicated utility easements as required by the City of Great Falls and as shown within the preliminary BLA survey.

Anticipated Water Demand/Wastewater Generation Calculations

Wastewater Generation	
Domestic WW Generation	108,000 gpd
Average Flow Rate	75 gpm
Peak Hourly Flow Rate	284 gpm
Water Demand	
Total Water Demand (includes summer irrigation demand)	144,000 gpd
Average Domestic Flow Rate	75 gpm
Peak Hourly Domestic	284 gpm
Irrigation Demand	50 gpm
Hydrant Flow Rate	1,500 gpm

Preliminary Soils/Geotechnical Information

A new geotechnical report is currently being drafted for the proposed development; however, a preliminary report was written for Neighborworks Great Falls (NWGF) by TD&H Engineering in 2013 that is attached for reference.

As detailed in the draft NWGF report, the site generally consists of surficial native clays and sands overlying weathered sandstone which was encountered at depths ranging from 7-12 feet throughout the site. The proposed apartment complex which utilizes basements will effectively remove the expansive clay materials and will allow the buildings to bear on the native sandstones. It does not appear as though groundwater was encountered within the original borings and it is not anticipated that groundwater will impact the proposed construction of the apartments or public utilities.

Summary

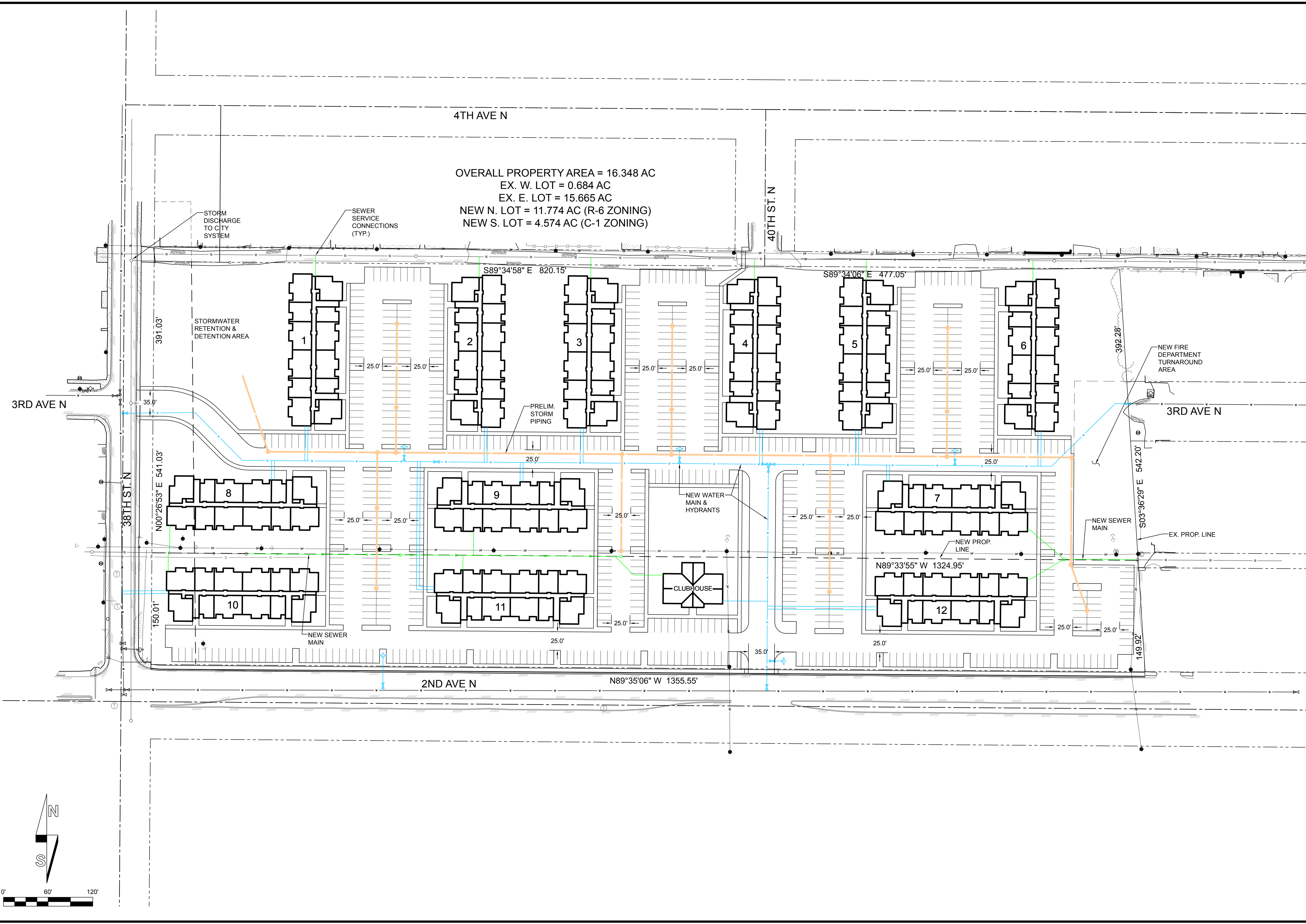
The proposed site layout provides ample landscaping throughout the parcel to ensure an attractive development which meets the City's landscaping codes and the new construction will include the installation of sidewalks along 2nd Ave. North adjacent to MDT R/W. Pedestrian access will be enhanced throughout the project area as well as within the development to allow for ADA access throughout the area. Onsite parking lot and building lighting will be downward facing to help minimize offsite impacts and will be designed to meet CoGF standards.

Included with this application are an existing site plan, proposed site plan, preliminary infrastructure plans, architectural site plan, building elevations, preliminary geotechnical analysis; preliminary stormwater, water demand, and wastewater generation calculations; and Traffic Impact Study for your review. Please feel free to call me or our representatives at Big Sky Civil & Environmental with any questions or comments you may have related to this submittal. Thank you for your continued cooperation on this project.

Sincerely,



Trace Timmer
Silver Stone Enterprises



OVERALL PROPERTY AREA = 16.348 AC
 EX. W. LOT = 0.684 AC
 EX. E. LOT = 15.665 AC
 NEW N. LOT = 11.774 AC (R-6 ZONING)
 NEW S. LOT = 4.574 AC (C-1 ZONING)

CLUBHOUSE

STORMWATER
RETENTION &
DETENTION AREA

NEW FIRE
DEPARTMENT
TURNAROUND
AREA

NEW WATER
MAIN &
HYDRANTS

NEW SEWER
MAIN

NEW SEWER
MAIN

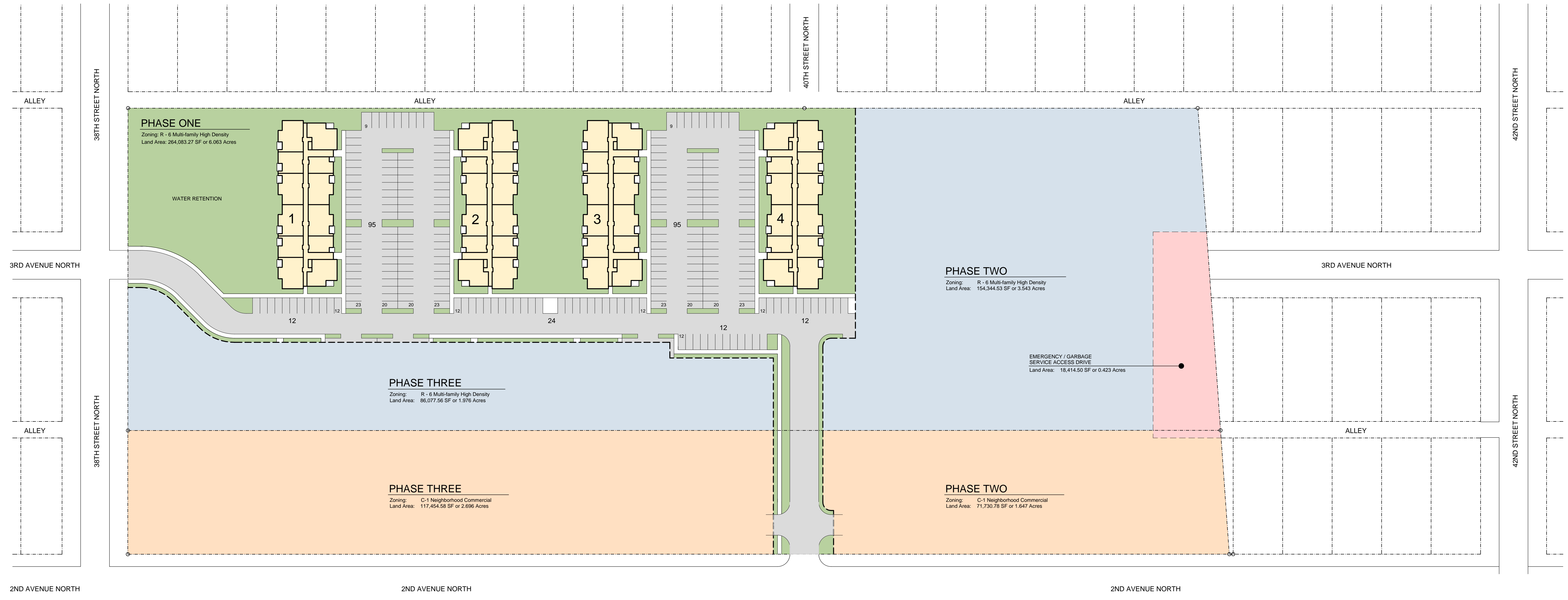
NEW PROP.
LINE

EX. PROP. LINE

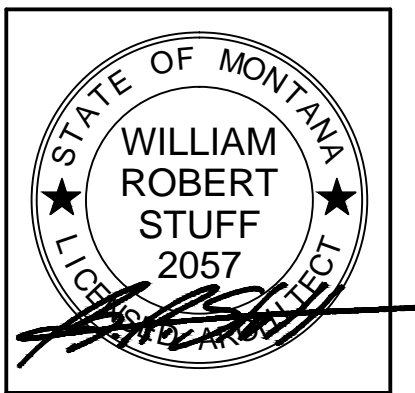
STORM
DISCHARGE
TO CITY
SYSTEM

SEWER
SERVICE
CONNECTIONS
(TYP.)

PRELIM.
STORM
PIPING



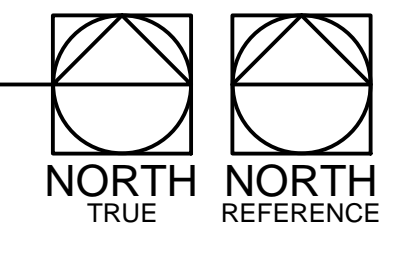
FUSION | architecture + design
 1922 Cherry Drive
 P. 406 | 315-3618
 Great Falls, Montana 59404
 E-Mail: bill@fusion-and.com



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SILVERSTONE APARTMENTS
GREAT FALLS, MONTANA

PHASE ONE - SITE PLAN
 SCALE: 1" = 60'-0"
 0 10 20 30 60 120



DESCRIPTION	BUILDING #1	BUILDING #2	BUILDING #3	BUILDING #4	BUILDING #5	BUILDING #6	BUILDING #7	BUILDING #8	BUILDING #9	BUILDING #10	BUILDING #11	BUILDING #12	TOTAL
STUDIO	6	6	6	6	---	---	---	---	---	---	---	---	24
1 BEDROOM	6	6	6	6	---	---	---	---	---	---	---	---	24
2 BEDROOM	18	18	18	18	---	---	---	---	---	---	---	---	72
2 BEDROOM (CORNER)	6	6	6	6	---	---	---	---	---	---	---	---	24
TOTAL UNITS	36	36	36	36	---	---	---	---	---	---	---	---	144
APARTMENT AREA - SF	37,956	37,956	37,956	37,956	---	---	---	---	---	---	---	---	455,472
BASEMENT AREA - SF	12,652	12,652	12,652	12,652	---	---	---	---	---	---	---	---	151,824
TOTAL BUILDING AREA	50,608	50,608	50,608	50,608	---	---	---	---	---	---	---	---	202,432
ACTUAL PARKING	62.5	62.5	62.5	62.5	---	---	---	---	---	---	---	---	250

UNIT TYPE	# OF UNITS	RATIO	PARKING STALLS
STUDIO	72	1 PER UNIT	72
1 BEDROOM	72	1.35 PER UNIT	98
2 BEDROOM	216	2 PER UNIT	432
2 BEDROOM (CORNER)	72	2 PER UNIT	144
TOTAL PARKING			746

	ASPHALT PAVING
	LANDSCAPE - INSIDE PROPERTY
	LANDSCAPE - R.O.W.
	R-6 MULTI-FAMILY HIGH DENSITY
	C-1 NEIGHBORHOOD COMMERCIAL
	EMERGENCY / GARBAGE SERVICE ACCESS

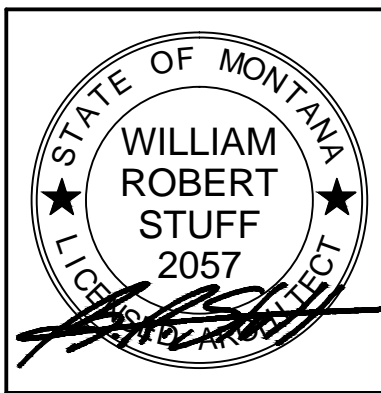
LEGAL DESCRIPTION:	LOT ACREAGE:	SETBACKS:	LANDSCAPE REQUIREMENTS:															
TO BE DETERMINED	TOTAL PROPERTY: 16.348 ACRES or 712,119 SF	<table border="1"> <thead> <tr> <th></th> <th>REQUIRED</th> <th>ACTUAL</th> </tr> </thead> <tbody> <tr> <td>FRONT YARD SETBACK:</td> <td>???</td> <td>???</td> </tr> <tr> <td>SIDE YARD SETBACK:</td> <td>???</td> <td>???</td> </tr> <tr> <td>REAR YARD SETBACK:</td> <td>???</td> <td>???</td> </tr> <tr> <td>SIDE YARD SETBACK:</td> <td>???</td> <td>???</td> </tr> </tbody> </table>		REQUIRED	ACTUAL	FRONT YARD SETBACK:	???	???	SIDE YARD SETBACK:	???	???	REAR YARD SETBACK:	???	???	SIDE YARD SETBACK:	???	???	REQUIRED: 15% (0.15) OF TOTAL LOT AREA REQUIRED: 684,066 SF x 0.15 = 102,610 SF PROVIDED: TOTAL LANDSCAPE AREA: 228,367 SF 228,367 SF DIVIDED BY 712,119 SF = 0.321 OR 32.1%
	REQUIRED	ACTUAL																
FRONT YARD SETBACK:	???	???																
SIDE YARD SETBACK:	???	???																
REAR YARD SETBACK:	???	???																
SIDE YARD SETBACK:	???	???																
PROPERTY ADDRESS: TO BE DETERMINED	ZONING & LAND USE: R-6 MULTI-FAMILY HIGH DENSITY: 11.774 ACRES or 712,119 SF C-1 NEIGHBORHOOD COMMERCIAL: 4.574 ACRES or 199,243 SF	BUILDING COVERAGE: .: APARTMENT BUILDINGS (FOOTPRINTS - 12 BUILDINGS): 151,824 SF OFFICE / CLUBHOUSE / MAINTENANCE BUILDING: 4,800 SF TOTAL FOOTPRINTS: 156,624 SF 152,064 SF DIVIDED BY 712,119 SF = 0.214 or 21.4%																

1. ACTUAL FINISHED FLOOR OF PROPOSED BUILDING TO BE 100.0' 2. SEE CIVIL DRAWINGS FOR INFORMATION RELATING TO SITE DEVELOPMENT, SITE GRADING, SITE UTILITIES, ASPHALT PAVING, CONCRETE CURBS & APRONS, CONCRETE DRIVES, AND CONCRETE SIDEWALKS, ETC. 3. SEE MECHANICAL & ELECTRICAL DRAWINGS FOR ADDITIONAL INFORMATION 4. ALL CONCRETE CURB-CUTS, CURBS & APRONS, SIDEWALKS, AND DRIVES TO MEET THE MDT & CITY OF GREAT FALLS BUILDING STANDARDS. 5. ALL FINAL PARKING LOT STRIPPING TO BE COORDINATED WITH OWNER PRIOR TO APPLICATION. 6. SEE CIVIL & STRUCTURAL DRAWINGS & SPECIFICATIONS FOR CONTROL JOINT & EXPANSION JOINT LOCATIONS IN NEW CONCRETE SITE ELEMENTS.

Project No.	22FAD03
Date	August 6, 2022
Revisions	
Drawn By	WRS

phase one site plan

A1.10



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SILVERSTONE APARTMENTS

GREAT FALLS, MONTANA

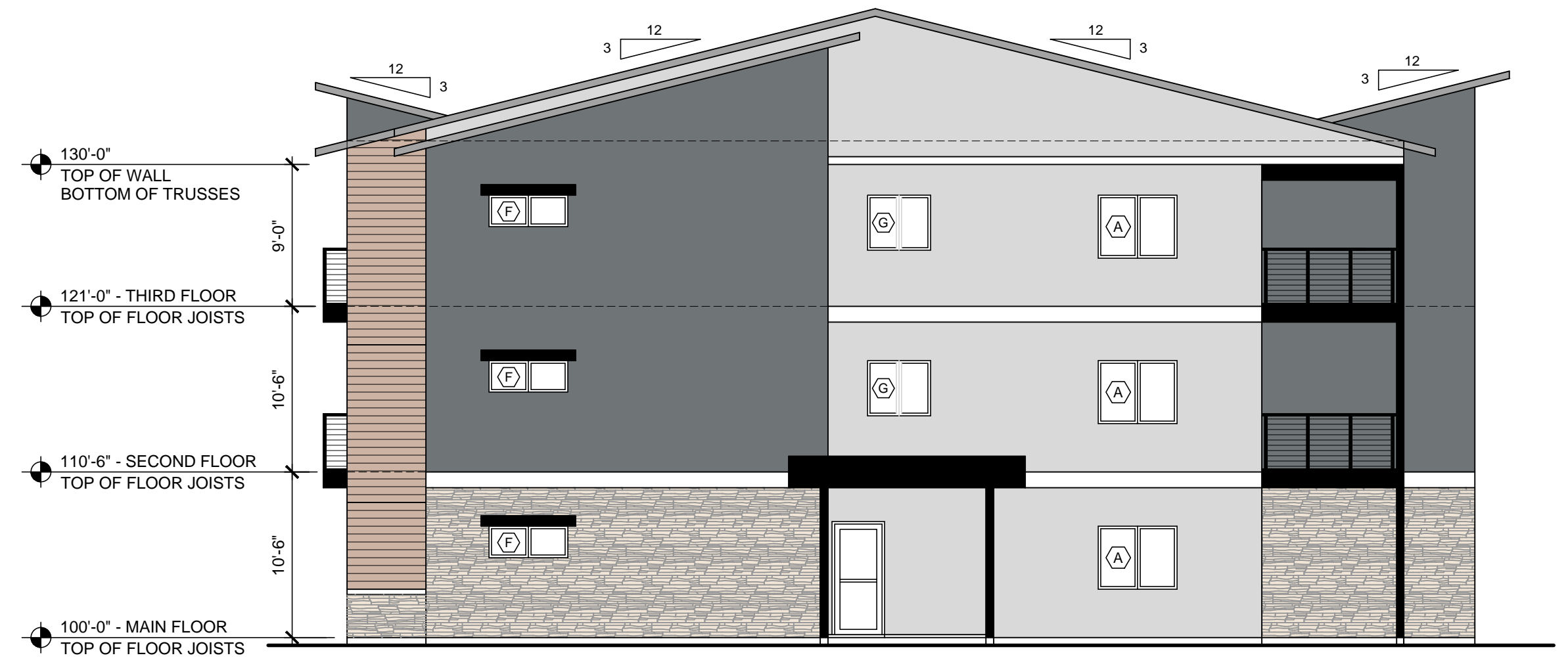
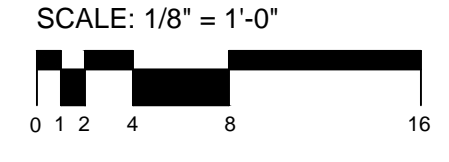
Project Info.	
Project No.	22FAD03
Date	August 6, 2022
Revisions	
Drawn By	WRS

Sheet Title
exterior elevations

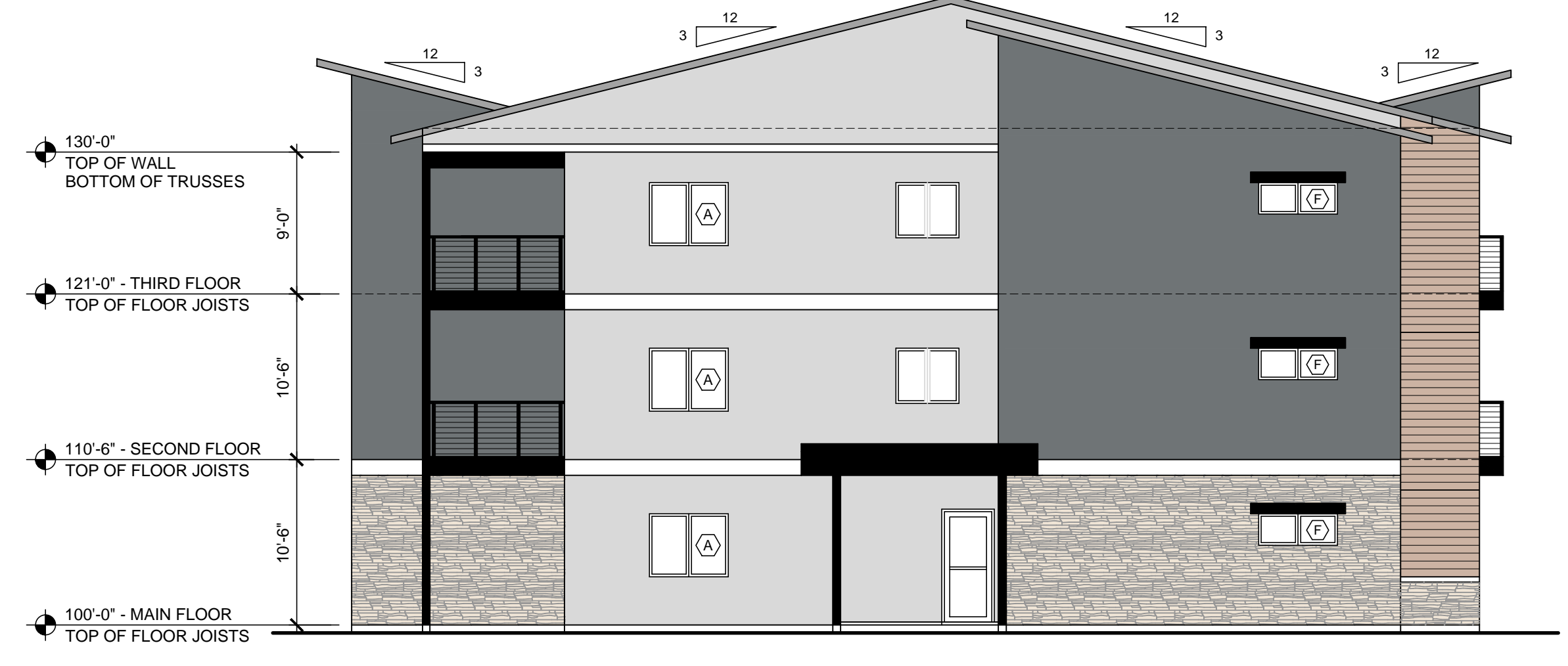
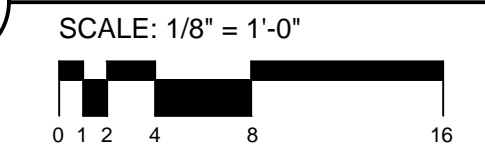
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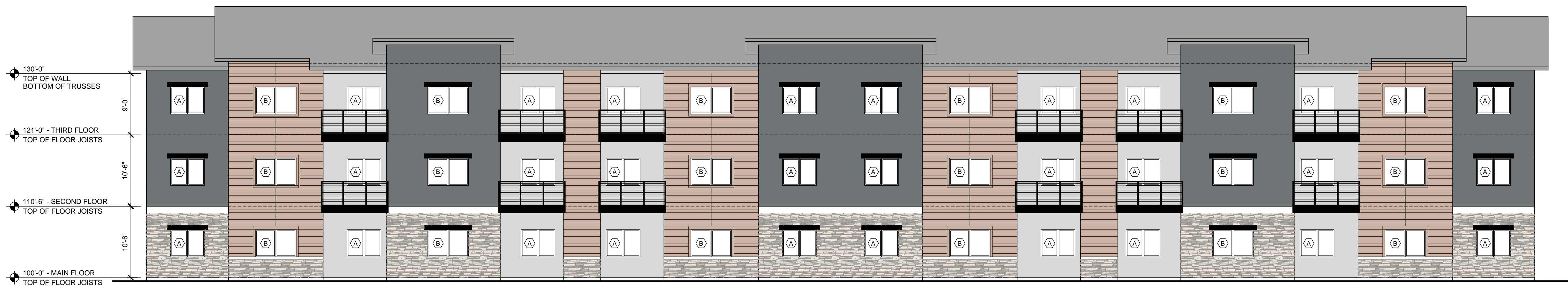
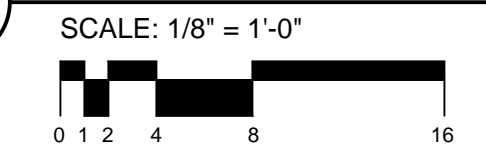
OVERALL EXTERIOR ELEVATION - SOUTH



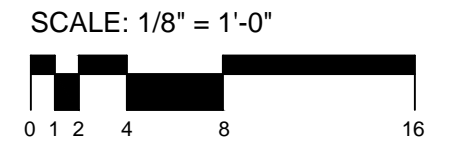
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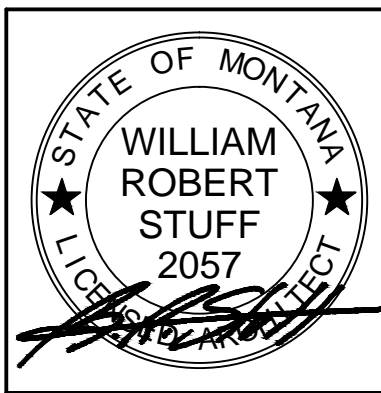


OVERALL EXTERIOR ELEVATION - EAST



OVERALL EXTERIOR ELEVATION - NORTH





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PARTIAL EXTERIOR ELEVATION - SOUTH
SCALE: 1/4" = 1'-0"
0 1 2 4 8

GENERAL NOTES

- ACTUAL FINISHED FLOOR LEVEL TO BE 100'-0" OR
- ALL DIMENSIONS TO FACE OF STUDS UNLESS NOTED OTHERWISE
- GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS IN THE FIELD PRIOR TO FABRICATION.
- GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND COORDINATE THE WORK OF ALL TRADES INVOLVED IN THE PROJECT AS PART OF THE CONTRACT.
- GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AT THE SITE AND REPORT ALL DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
- GENERAL CONTRACTOR SHALL PROVIDE A COMPLETE AND PROPER EXECUTION OF THE WORK AS INDICATED ON ALL DRAWINGS. IF ERRORS IN LAYOUT DIMENSIONS OR DETAILS ARE FOUND BETWEEN ARCHITECTURAL, STRUCTURAL, MECHANICAL, OR ELECTRICAL DRAWINGS CONTACT THE ARCHITECT IMMEDIATELY.
- GENERAL CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO COORDINATE WITH THE OWNERS WORK AND/OR SUPPLIED ITEMS THAT ARE "OWNER FURNISHED CONTRACTOR INSTALLED" (O.F.C.I.) OR ARE "NOT IN CONTRACT" (N.I.C.) BUT ARE ATTACHED TO THE CONTRACTOR'S WORK.
- ALL LARGE SCALE DRAWINGS & DETAILS GOVERN OR SUPERSEDE ALL SMALLER SCALE DRAWINGS & DETAILS.

EXTERIOR FINISH LEGEND							
ROOF MATERIALS		WALL MATERIALS		MISC. MATERIALS			
R1	PREMANUFACTURED METAL ROOF PANELS FACTORY FINISH STYLE: LOW SLOPE STANDING SEAM ROOF PANEL COLOR: METAL SALES - WEATHERED COPPER (W50)	CWP1	COMPOSITE WALL PANELS STYLE: NICHIIA - VINTAGE WOOD COLOR - BARK SIZE: 17 7/8" H x 6'-0" & 10'-0" LENGTHS	SV1	STONE VENEER - FIELD STYLE: CULTURED STONE - PRO-FIT LEDGESTONE COLOR - ECHO RIDGE	SSC1	STEEL SHADING CANOPY - 5'-0" W COLOR - VERIFY W/ OWNER & ARCHITECT SEE DETAILS ON SHEET A??? PAINT FINISH - VERIFY COLOR W/ OWNER & ARCHITECT
R2	METAL FASCIA & ROOF EDGE FLASHING FACTORY FINISH COLOR: METAL SALES - WEATHERED COPPER (W50)	CWP2	COMPOSITE WALL PANELS STYLE: NICHIIA - TUFF BLOCK COLOR - PEWTER SIZE: 17 7/8" H x 6'-0" & 10'-0" LENGTHS	SV2	PRECAST CONCRETE SILL CAP STYLE / COLOR - VERIFY W/ OWNER & ARCHITECT	SSC2	STEEL SHADING CANOPY - 6'-0" WIDE COLOR - VERIFY W/ OWNER & ARCHITECT SEE DETAILS ON SHEET A??? PAINT FINISH - VERIFY COLOR W/ OWNER & ARCHITECT
R3	METAL GUTTER & DOWNSPOUT - PREFINISHED FACTORY FINISH COLOR: METAL SALES - WEATHERED COPPER (W50) SEE ROOF PLAN FOR ADDITIONAL INFORMATION	MP1	PRE-MANUFACTURED METAL PANEL & TRIM STYLE: T10-D - VERTICAL PLACEMENT COLOR: METAL SALES - WEATHERED COPPER (W50)				
R4	METAL PARAPET CAP - PREFINISHED FACTORY FINISH COLOR: METAL SALES - WEATHERED COPPER (W50)	MP2	PRE-MANUFACTURED METAL PANEL & TRIM STYLE: ??? COLOR: METAL SALES - ???				

SILVERSTONE APARTMENTS

GREAT FALLS, MONTANA

Project Info.

Project No.	22FAD03
Date	August 6, 2022
Revisions	
Drawn By	WRS

Sheet Title
exterior elevations

Sheet Number
A6.10

CERTIFICATE OF SURVEY

TRACTS OF LAND SITUATED IN THE N1/2 N1/2 OF SECTIONS 8 AND 9, T. 20 N., R. 4 E., P.M.M., CITY OF GREAT FALLS, CASCADE COUNTY, MONTANA

CERTIFICATE OF OWNER:

WE, THE UNDERSIGNED, OWNERS OF THE SUBJECT PROPERTIES SHOWN HEREON, CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED AND BOUNDARY LINES ADJUSTED, THE FOLLOWING DESCRIBED REAL PROPERTY TO WIT:

TRACTS OF LAND SITUATED IN N1/2 N1/2 OF SECTIONS 8 AND 9, TOWNSHIP 20 NORTH, RANGE 4 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION:

TRACT 1

COMMENCING AT THE CENTERLINE MONUMENT AT THE INTERSECTION OF 3RD AVE. N. AND 42ND ST. N. WHICH IS A FOUND 1.5 INCH BRASS CAP INSIDE A MONUMENT BOX; THENCE S60°57'08"W A DISTANCE OF 407.89 FEET TO A POINT ON THE WEST LINE OF THE PLAT OF MORNINGSIDE ADDITION TO GREAT FALLS, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

THENCE DEPARTING THE WEST LINE OF SAID ADDITION, N89°33'35"W A DISTANCE OF 1324.95 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 38TH ST. N.; THENCE ALONG SAID EAST LINE, N00°26'33"E A DISTANCE OF 391.03 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF AN ALLEYWAY; THENCE ALONG SAID SOUTH LINE, S89°34'58"E A DISTANCE OF 820.15 FEET TO AN ANGLE POINT; THENCE S89°34'06"E A DISTANCE OF 477.05 FEET TO A POINT ON THE WEST LINE OF THE PLAT OF MORNINGSIDE ADDITION TO GREAT FALLS; THENCE S03°36'29"E A DISTANCE OF 392.28 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN, CONTAINING 11.774 ACRES, AND;

TRACT 2

COMMENCING AT THE CENTERLINE MONUMENT AT THE INTERSECTION OF 3RD AVE. N. AND 42ND ST. N. WHICH IS A FOUND 1.5 INCH BRASS CAP INSIDE A MONUMENT BOX; THENCE S60°57'08"W A DISTANCE OF 407.89 FEET TO A POINT ON THE WEST LINE OF THE PLAT OF MORNINGSIDE ADDITION TO GREAT FALLS, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

THENCE DEPARTING THE WEST LINE OF SAID ADDITION, N89°33'35"W A DISTANCE OF 1324.95 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 38TH ST. N.; THENCE ALONG SAID EAST LINE, S00°26'33"W A DISTANCE OF 150.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 2ND AVE. N.; THENCE ALONG SAID NORTH LINE, S89°35'06"E A DISTANCE OF 1335.55 FEET TO A POINT ON THE WEST LINE OF THE PLAT OF MORNINGSIDE ADDITION TO GREAT FALLS; THENCE N03°36'29"W A DISTANCE OF 149.92 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN, CONTAINING 4.574 ACRES, AND;

PURPOSE:

THE PURPOSE OF THIS SURVEY IS TO ADJUST COMMON BOUNDARY LINES BETWEEN TWO TRACTS OF LAND OUTSIDE OF A PLATTED SUBDIVISION, AND;

EXEMPTION FROM REVIEW BY CASCADE COUNTY

THIS SURVEY IS EXEMPT FROM REVIEW AS A SUBDIVISION PURSUANT TO SECTION M.C.A. 76-3-207(1)(a), Which States "divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties"

MAUREEN M. NEWMAN, OWNER _____ DATE _____

JACK E. NEWMAN, OWNER _____ DATE _____

SHAWNIE M. NEWMAN, OWNER _____ DATE _____

ACKNOWLEDGED

STATE OF MONTANA) SS:
COUNTY OF CASCADE)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF MONTANA, DID PERSONALLY APPEAR, MAUREEN M., JACK E., AND SHAWNIE M. NEWMAN, KNOWN TO BE THE PERSONS THAT EXECUTED THE FOREGOING INSTRUMENT. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR HEREIN ABOVE FIRST WRITTEN.

NOTARY PUBLIC FOR THE STATE OF MONTANA:

PRINTED NAME: _____

RESIDING AT: _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF COUNTY TREASURER:

I, DIANE HEIKKILA, COUNTY TREASURER OF CASCADE COUNTY, MONTANA, DO HEREBY CERTIFY PURSUANT TO 76-3-207(3), M.C.A. THAT ALL REAL PROPERTY TAXES ASSESSED AND LEVIED ON THE LAND DESCRIBED HEREIN HAVE BEEN PAID.

ASSESSMENT CODES:
0001912200 AND 0002621400

DIANE HEIKKILA, CASCADE COUNTY TREASURER _____ DATE _____

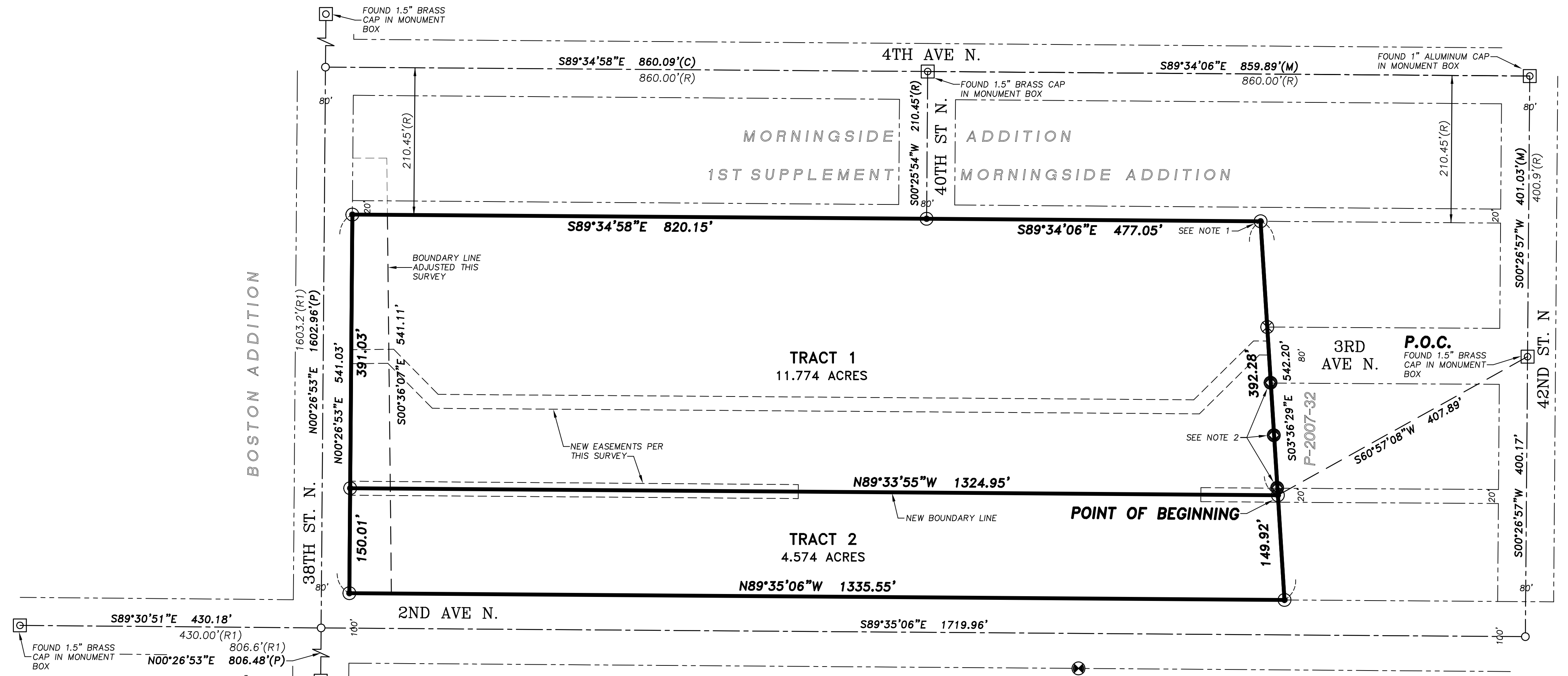
DEPUTY TREASURER _____ DATE _____

CERTIFICATE OF SURVEYOR:

I, MARK LEO, PROFESSIONAL ENGINEER AND LAND SURVEYOR, MONTANA REGISTRATION NUMBER 12920 ES, DO HEREBY CERTIFY THAT DURING THE MONTHS OF JUNE AND AUGUST 2022, THAT I PERFORMED, OR IT WAS PERFORMED UNDER MY DIRECT SUPERVISION, THE SURVEY THAT THE ACCOMPANYING MAP REPRESENTS AND THAT THIS SURVEY IS IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN 76-3-402 AND 403, M.C.A., AND THAT THE MONUMENTS FOUND AND SET ARE OF THE CHARACTER AND OCCUPY THE POSITIONS SHOWN HEREON.

DATED THIS _____ DAY OF _____, 2022.

MARK LEO, PROFESSIONAL ENGINEER AND LAND SURVEYOR, MT LICENSE NUMBER 12920ES



LEGEND

- FOUND CENTERLINE MONUMENT AS DESCRIBED
- ⊙ SET 5/8" REBAR WITH ORANGE PLASTIC CAP STAMPED "LEO 12920ES"
- ⊙ FOUND 1/2" REBAR WITH ORANGE PLASTIC CAP STAMPED "SHERBURNE"
- ⊙ FOUND 3/4" REBAR PER AUTUMN RUN ADDITION PLAT
- ⊗ FOUND ORIGINAL 2" PIPE
- POSITION ONLY - NOTHING FOUND OR SET

ABBREVIATIONS

- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION
- (P) PROPORTIONED DIMENSION
- P.O.C. POINT OF COMMENCEMENT

RECORD DOCUMENTS

- R PLAT OF MORNINGSIDE ADDITION AND 1ST SUPPLEMENT
- R1 PLAT OF BOSTON ADDITION

BASIS OF BEARING

THE BEARING SOURCE FOR THIS SURVEY IS BASED ON AN RTK GPS AUTONOMOUS POSITION WITH A 2 HOUR STATIC OPUS SOLUTION APPLIED. THE BEARINGS PRODUCED ARE CONSIDERED GEODETIC NORTH AND ARE AS SHOWN ON THE ACCOMPANYING MAP.

NOTE 1: AT THIS LOCATION WE FOUND SEVERAL REBARS THAT DO NOT FIT THE RECORD DIMENSIONS ON THE FIRST SUPPLEMENT TO MORNINGSIDE ADDITION. THESE REBARS HAVE BEEN DISREGARDED AND A NEW MONUMENT AT THE RECORD POSITION HAS BEEN PLACED.

NOTE 2: ALL 3 MONUMENTS ALONG THIS LINE SET PER P-2007-32 DO NOT FIT THE RECORD DIMENSIONS AS GIVEN ON THE PLAT FOR THE MORNINGSIDE ADDITION. THEY HAVE BEEN DISREGARDED IN FAVOR OF THE ORIGINAL PIPE BLOCK CORNER FOUND JUST TO THE NORTH.

NOTE 3: IT IS NOT THE INTENT OF THIS SURVEY TO SHOW ALL EASEMENTS THAT MAY AFFECT THE SUBJECT OR ADJACENT PROPERTIES. NO TITLE REPORT HAS BEEN FURNISHED TO THE SURVEYOR AND NO SEARCH OF THE PUBLIC RECORDS FOR ANY OR ALL EASEMENTS THAT MAY AFFECT THE SUBJECT OR ADJACENT PROPERTIES HAS BEEN PERFORMED BY THE SURVEYOR. THEREFORE EASEMENTS OF RECORD MAY EXIST AND MAY NOT BE SHOWN ON THE ACCOMPANYING MAP.

EXAMINED FOR COMPLIANCE WITH SUBDIVISION & PLATTING ACT

TREASURER'S STAMP YES ___ NO ___
DATE _____
BY _____
CASCADE COUNTY PLANNING DEPARTMENT

SHEET TITLE: 2ND AVE N BLA		
FIELD WORK COMPLETION: 6/7/2022, 6/29/2022	JOB NO./DRAWING NAME: 22L/LEGAL	SHEET: 1 OF 1
MONUMENTS SET:	DRAFTED BY: CRB	DRAWING DATE: 8/09/22

bsc&e BIG SKY CIVIL & ENVIRONMENTAL, INC

ENGINEERS - PLANNERS - DESIGNERS - LAND SURVEYORS - ENVIRONMENTAL SPECIALISTS

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ENGINEERING, REIMAGINED

TRAFFIC IMPACT STUDY

Silverstone Apartments

Great Falls, MT

September 2022

Prepared For:

Big Sky Civil & Environmental, Inc.

P.O. Box 3625

Great Falls, MT 59403



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Introduction

This study has been prepared to evaluate the traffic impacts associated with the proposed apartment complex in Great Falls, MT. The development is located at the north-east quadrant of the intersection of 2nd Ave N and 38th St N (**Figure 1**). The subject property is currently undeveloped. It is surrounded by commercial, residential, and industrial land uses. Access to the proposed development will be provided via 2nd Ave N and 38th St N.

Figure 1 - Study Area



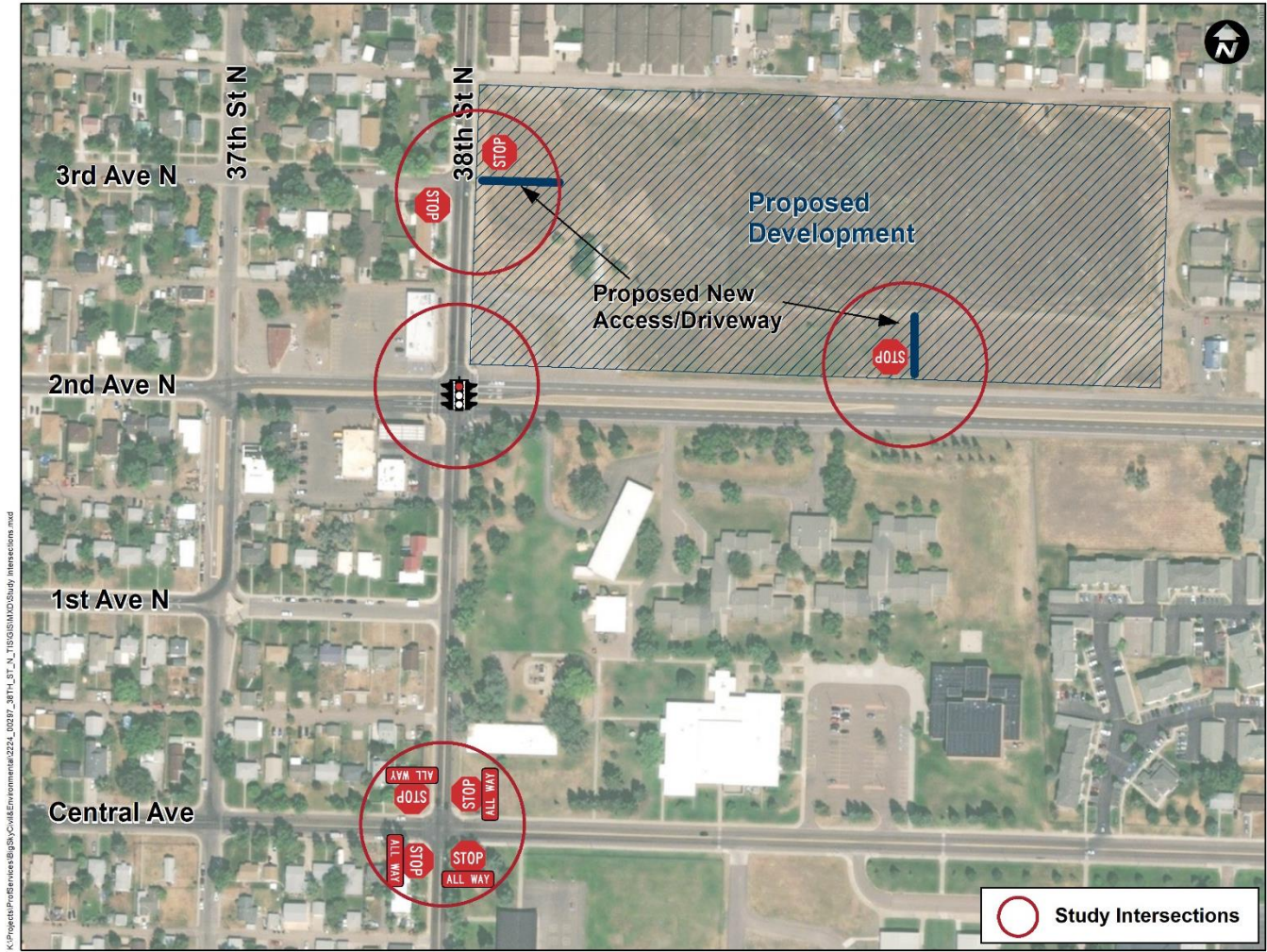
Objective

The objective of this report is to document the methodology and findings of the traffic impacts at the following four intersections:

1. 3rd Ave N and 38th St N (Side-Street Stop Controlled)
2. 2nd Ave N and 38th St N (Signal Controlled)
3. Central Ave and 38th St N (All-way Stop Controlled)
4. Proposed Driveway at 2nd Ave N located east of 38th St N (Side Street Stop)

The study intersections are shown in **Figure 2**.

Figure 2 - Study Intersections



Source: MDT, KLJ, ESRI

July 2022

Proposed Development

The proposed site layout is shown in **Figure 3**. The proposed development is comprised of 12 three-story buildings with 36 units in each. It is located to the north of 2nd Ave N and to the east of 38th St N in Great Falls, MT. Currently, the land is undeveloped, but the first phase of building will begin in the spring of 2023, with the first four buildings being complete by the spring of 2024. Each phase will see four of the twelve buildings completed. The next phase of buildings will be ready for occupancy in the fall of 2025, with the last phase being completed in the spring of 2027.

Figure 3 - Proposed Site Layout (Source: Fusion Architecture + Design)



Existing Conditions

Roadway Characteristics

The existing roadway functional class and posted speed limit in the study area is shown in **Figure 4**.

2ND AVE N

The 2nd Ave N is a four-lane divided roadway. There are paved shoulders on both sides of the roadway. Curb and gutters are present on both sides of the roadway only on the east side of 38th St N intersection. 2nd Ave N is classified as minor arterial. The posted speed limit on the roadway is 30 miles per hour (mph). The roadway transitions to a one-way street west of 37th St N along westbound direction.

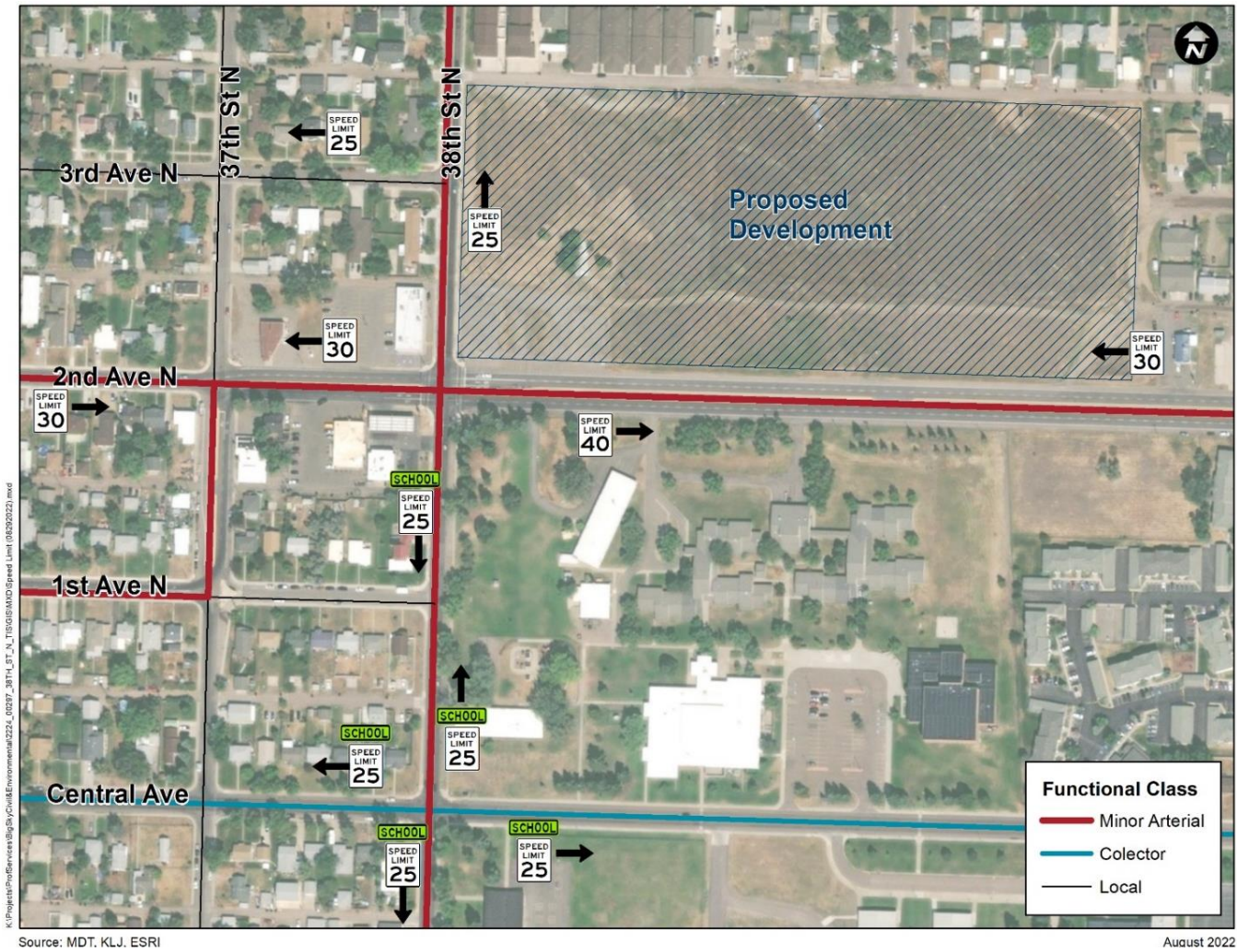
38TH ST N

The 38th St N is a two-lane undivided roadway. There are curb and gutters but no shoulders present on both sides of the roadway. 38th St N is classified as minor arterial. The posted speed limit on the roadway is 25 mph.

CENTRAL AVE

Central Ave is a two-lane undivided roadway. There are curb and gutters but no shoulders present on both sides of the roadway. Parking is allowed on both sides of the roadway. Central Ave is classified as collector road. The posted speed limit on the roadway is 25 mph.

Figure 4 – Functional Class and Speed Limit



Study Intersection Configurations

Intersection of 3rd Ave N with 38th St N

The intersection of 3rd Ave N with 38th St N is currently a T-intersection controlled by stop control with one stop on the 3rd Ave N approach to 38th St N. The existing lane configuration of the intersection includes:

- » Northbound: One shared left/thru/right-turn lane
- » Southbound: One shared left/thru/right-turn lane
- » Eastbound: One shared left/thru/right-turn lane
- » Westbound: No westbound approach currently exists. A westbound access to the site will be added with the completion of the development. The lane configuration is expected to be one shared left/thru/right-turn lane with two-way stop control.

Intersection of 2nd Ave N with 38th St N

The intersection of 2nd Ave N with 38th St N is currently controlled by an actuated traffic signal. The existing lane configuration of the intersection includes:

- » Northbound: One shared left/thru/right-turn lane
- » Southbound: One shared left/thru/right-turn lane
- » Eastbound: One left turn, one thru-lane, and one shared thru/right turn lane
- » Westbound: One left turn, one thru-lane, and one shared thru/right turn lane.

Intersection of Central Ave with 38th St N

The intersection of Central Ave with 38th St N is currently controlled by All-way Stop. The existing lane configuration of the intersection includes:

- » Northbound: One shared left/thru/right-turn lane
- » Southbound: One shared left/thru/right-turn lane
- » Eastbound: One shared left/thru/right-turn lane
- » Westbound: One shared left/thru/right-turn lane

Bicycle/Pedestrian Facilities

There are currently no sidewalks on the east approach of 2nd Ave N and 38th St N intersection. All other approaches have sidewalks on both sides of the road. The nearest bike lane facilities on 2nd Ave N roadway are located east of 57th St S. The 4th Ave N roadway west of 38th St N is a shared use road. There is a bus shelter located at the corner of Central Ave and 38th St S.

The Great Falls Transit District (GFTD) provides bus transportation to Great Falls. Buses travel throughout the community along seven routes. Services are available Monday through Saturday (except holidays). Currently there are no bus routes that travel or stop along 38th St N and 2nd Ave N. Route 2 travels along Central Ave and crosses 38th St N.

The proposed development is expected to increase pedestrian access within the area by constructed sidewalks along the northern boundary of 2nd Ave N and internally as well. Additionally, a new sidewalk connection is planned to be extended to the existing facilities located adjacent to 40th St N along the northern boundary of the proposed development. The planned sidewalks are expected to meet *Americans with Disabilities Act* (ADA) design standards for accessibility.

Traffic Volumes

KLJ Engineering conducted 13-hour intersection level traffic counts at the intersections of 3rd Ave N and 2nd Ave N with 38th St N on weekdays in March 2022. Traffic volume for the intersection of Central Ave with 38th St N was collected by the City of Great Falls in June 2022. The land use east of the intersection is surrounded by several schools: Montana School for the Deaf and Blind; Lewis Clark Elementary School; and East Middle School. Traffic counts were collected during the last week of schools being in session. The existing daily traffic volumes in the study area are shown in **Figure 5**. The raw traffic volume profiles of the study intersections are included in **Appendix A**. Minor corridor volume discrepancies existed between the study intersections. For these reasons, the intersection volumes were balanced to mitigate these minor discrepancies. The *AM peak* was observed between 7:15AM and 8:15AM, and *PM peak* was observed between 4:30 PM and 5:30 PM. The existing intersection level traffic volumes in the study area for *AM* and *PM peak* are shown in **Table 1**.

Figure 5 - Existing Daily Traffic



Source: MDT, KLJ, ESRI

July 2022

Table 1 – Existing 2022 Traffic Volumes

Intersection	Peak	Traffic Control	NB Approach			SB Approach			EB Approach			WB Approach		
			L	T	R	L	T	R	L	T	R	L	T	R
38 th St N & 3 rd Ave	AM	SSS	1	261	-	-	320	3	4	-	3	-	-	-
	PM		5	356	-	-	362	2	5	-	2	-	-	-
38 th St N & 2 nd Ave	AM	Signalized	45	171	50	86	195	42	8	235	79	35	284	83
	PM		75	246	49	82	235	47	10	193	88	63	312	105
38 th St N & Central Ave	AM	AWSC	37	199	57	55	238	16	25	199	36	39	144	42
	PM		14	310	46	15	330	41	31	68	82	14	39	29
Access on 2 nd Ave	AM	SSS	-	-	-	-	-	-	-	371	-	-	402	-
	PM		-	-	-	-	-	-	-	324	-	-	480	-

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; L – Left; T – Through; R – Right; SSS – Side Street Stop; AWSC – All Way Stop Control

Crash History

Reviewing historic crash information can help identify existing deficiencies that can be addressed through this study. Five years of crash records between January 1, 2016, through December 31, 2020, were requested from MDT for the study intersections. There were 39 crashes reported at the study intersections (22 crashes at the 38th St N/2nd Ave intersection, and 17 crashes at 38th St N/Central Ave intersection) during the analysis period. There

were no fatal, serious injury, pedestrian, or bicycle related crashes reported during the analysis period. There were no crashes reported at the intersection of 38th St N with 3rd Ave N.

38TH ST N AND 2ND AVE INTERSECTION

There were 22 crashes reported at the intersection which corresponds to up to five crashes per year. Most crashes (27%) were observed during the *AM peak*. Right angle crashes (50-percent) were the most prominent type of crashes. This included five crashes interacted by vehicles travelling southbound and eastbound.

38TH ST N AND CENTRAL AVE INTERSECTION

There were 17 crashes reported at the intersection which corresponds to up to four crashes per year. Right angle crashes (53-percent) were the most prominent type of crashes.

Future Conditions

Background Growth

A key component of traffic forecasting is using regional travel demand models. The *Average Annual Daily Traffic* (AADT) in the study area has varied between 2006 and 2021. In the absence of travel demand models, a conservative annual traffic volume growth rate of one-percent was applied on all approaches of the study intersections to project background traffic volumes in 2027. The projected background traffic volumes at the study intersections in 2027 are summarized in **Table 2**.

Table 2 – Projected 2027 Background Traffic Volumes

Intersection	Peak	Traffic Control	NB Approach			SB Approach			EB Approach			WB Approach		
			L	T	R	L	T	R	L	T	R	L	T	R
38 th St N & 3 rd Ave	AM	SSS	1	274	-	-	336	3	4	-	3	-	-	-
	PM		5	374	-	-	380	2	5	-	2	-	-	-
38 th St N & 2 nd Ave	AM	Signalized	47	180	53	90	205	44	8	247	83	37	298	87
	PM		79	259	51	86	247	49	11	203	92	66	328	110
38 th St N & Central Ave	AM	AWSC	39	209	60	58	250	17	26	209	38	41	151	44
	PM		15	326	48	16	347	43	33	71	86	15	41	30
Access on 2nd Ave	AM	SSS	-	-	-	-	-	-	-	390	-	-	423	-
	PM		-	-	-	-	-	-	-	341	-	-	504	-

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; L – Left; T – Through; R – Right; SSS – Side Street Stop; AWSC – All Way Stop Control

Trip Generation

To account for future vehicular trips generated by the proposed development, *ITE Trip Generation Manual*, 11th Edition was utilized to calculate trips generated based on the land use characteristics that most closely fit the proposed development. The number of vehicular trips the development will generate during the following time periods were calculated for weekday *AM* and *PM peak*. The estimated trips generated by the proposed development is summarized in **Table 3**. The proposed development is expected to generate 203, 246, and 2,912 vehicular trips in the daily *AM peak*, *PM peak*, and *daily*, respectively.

Table 3 - Proposed Development Trip Generation

Facility Type	Variable	#	ITE Land Use	In (AM)	Out (AM)	In (PM)	Out (PM)	In (Daily)	Out (Daily)
Apartment	Dwelling Unit	432	220	49	154	152	94	1456	1456
				203		246		2,912	

Trip Distribution and Assignment

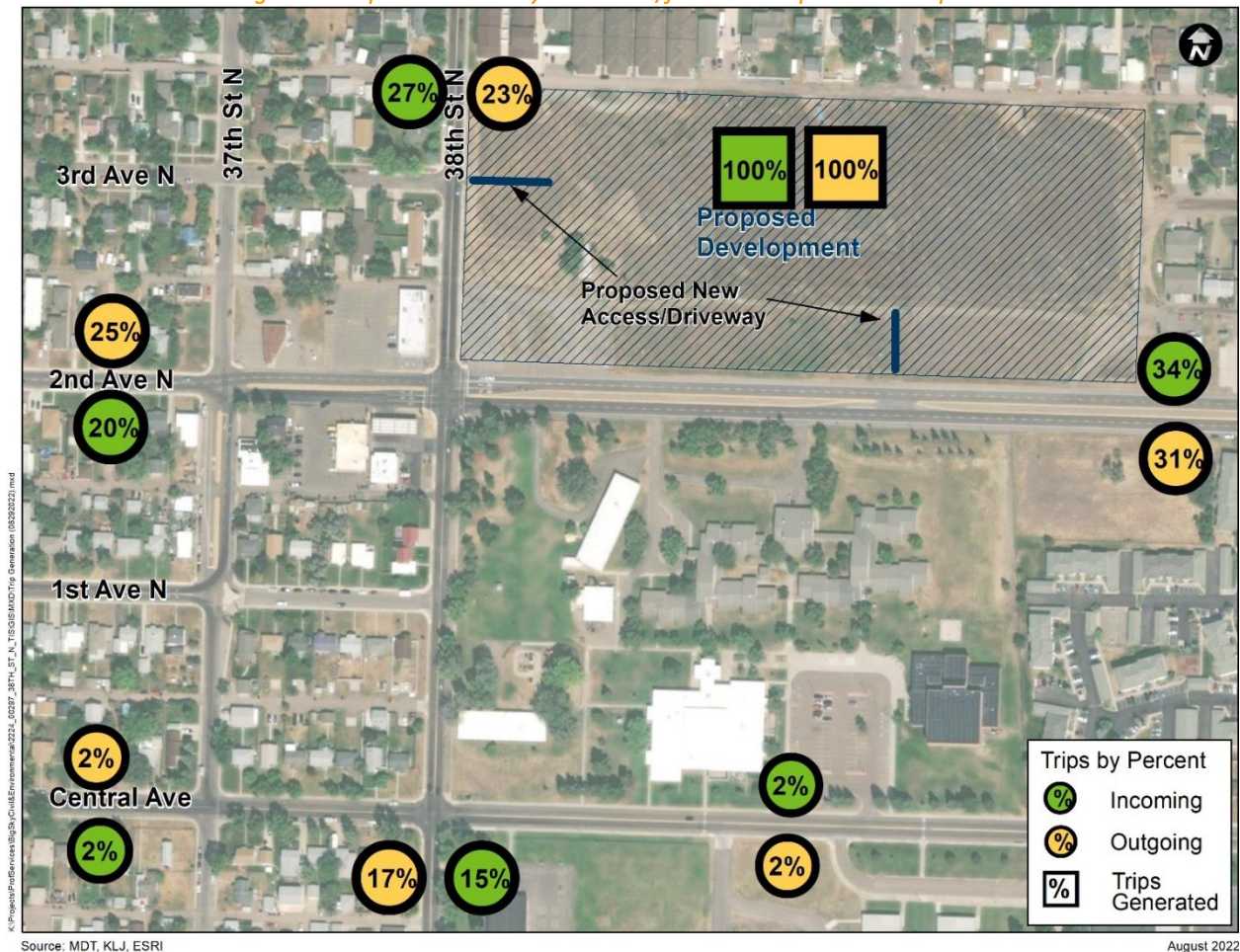
The origins and destinations of site-generated traffic were estimated based on prevailing travel patterns and trips being assigned to the roadway network using engineering judgment, estimating the most ideal and reasonable route between origins and destination (illustrated in **Figure 6**). The *peak hour* trips generated by the proposed development is illustrated in **Table 4**.

Table 4 - Projected Trip Distribution

Intersection	Peak	Traffic Control	NB Approach			SB Approach			EB Approach			WB Approach		
			L	T	R	L	T	R	L	T	R	L	T	R
38 th St N & 3 rd Ave	AM	SSS		20	11	9	4				31		15	
	PM			12	35	29	12				19		9	
38 th St N & 2 nd Ave	AM	Signalized		7	2	13	9	12	0	9		23	26	23
	PM			23	6	18	6	8	2	29		14	16	23
38 th St N & Central Ave	AM	AWSC		7		3	26	3	1					1
	PM			23		2	16	2	3					3
Access on 2 nd Ave	AM	SSS	-	-	-	39	-	69	15	9	-	-	3	13
	PM		-	-	-	24	-	42	47	6	-	-	11	41

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; L – Left; T – Through; R – Right; SSS – Side Street Stop; AWSC – All Way Stop Control
 Green – Incoming; Red – Outgoing; Blue – Incoming and Outgoing

Figure 6 - Trip Distribution by Percent to/from the Proposed Development



Traffic Volumes

The Build traffic volumes for the AM and PM peak are illustrated in Table 5.

Table 5 - Projected 2027 Build Volumes

Intersection	Peak	Traffic Control	NB Approach			SB Approach			EB Approach			WB Approach		
			L	T	R	L	T	R	L	T	R	L	T	R
38 th St N & 3 rd Ave	AM	SSS	1	294	11	9	340	3	4	0	3	31	0	15
	PM		5	386	35	29	392	2	5	0	2	19	0	9
38 th St N & 2 nd Ave	AM	Signalized	47	187	55	103	214	56	8	256	83	60	324	110
	PM		79	282	57	104	253	57	13	232	92	80	344	133
38 th St N & Central Ave	AM	AWSC	39	216	60	61	276	20	27	209	38	41	151	45
	PM		15	349	48	18	363	45	36	71	86	15	41	33
Access on 2nd Ave	AM	SSS	-	-	-	39	-	69	15	399	-	-	426	13
	PM		-	-	-	24	-	42	47	347	-	-	515	41

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; L – Left; T – Through; R – Right; SSS – Side Street Stop; AWSC – All Way Stop Control

Traffic Operations Analysis

Traffic Operations Methodology

The traffic conditions in the network will be affected by the proposed development. Traffic operational and queuing analysis results are described as a *Level of Service* (LOS) ranging from "A to F" with "A" operating with the least delay and "F" indicating a breakdown in operations. LOS is determined based on methodology in the *Highway Capacity Manual* (HCM), which defines the LOS based on control delay. LOS "D" or worse and LOS "C" or worse is considered poor or unacceptable for Principal Arterials and Collector roads, respectively, in accordance with the Montana Department of Transportation (MDT) standards. The LOS and its associated intersection delay for unsignalized and signalized intersections as defined by HCM are shown in Table 6.

Table 6 - Intersection Delay and LOS Thresholds

LOS	Control Delay Per Vehicle (sec.)	
	Unsignalized Intersection	Signalized Intersection
A	≤ 10	≤ 10
B	> 10 and ≤ 15	> 10 and ≤ 20
C	> 15 and ≤ 25	> 20 and ≤ 35
D	> 25 and ≤ 35	> 35 and ≤ 55
E	> 35 and ≤ 50	> 55 and ≤ 80
F	> 50	> 80

For signalized intersections, the LOS is based on the average stopped delay per vehicle. The procedures used to evaluate signalized intersections use detailed information on geometry, lane use, signal timing, peak hour volumes, arrival types, and other parameters. This information is then used to calculate delay and determine the capacity of each intersection. LOS for a two-way stop-controlled intersection is undefined by HCM. For two-way stop-controlled intersections, the through traffic on the major (uncontrolled) street generally experiences no delay at the intersection. Conversely, vehicles turning left or crossing the major street from the minor street experience more delay than other movements, at times experiencing significant delay. Vehicles turning right on the minor street experience less delay than those turning left from the same approach. Due to this scenario, the LOS assigned

to a two-way stop-controlled intersection in this study is based on the average delay experienced by left turn vehicles of all approaches, and delay experienced by minor approach vehicles crossing the major approach.

Queuing of vehicles at intersections can have serious traffic safety implications if expected queues exceed available storage. For example, if projected queuing for a left turning movement exceeds available storage in the turn lane, the queue can extend into the through lane and cause safety concerns with potential rear end crashes. Excessive queuing can also impede business, other private, or public access to and from the road. Queuing analyses can determine whether queues are expected to dissipate during a signal cycle or on stop condition approaches, which can inform on the potential need for additional through lanes or other improvements. The following criteria was used to identify “queuing issues” for movements.

A queuing issue was identified if any of the five conditions were met:

- » Condition 1: 95th percentile queue length exceeds storage length, and the movements operate worse than LOS D.
- » Condition 2: Average queue length exceeds storage length.
- » Condition 3: 95th percentile queue length blocks upstream full access intersection.
- » Condition 4: 95th percentile queue length exceeds 500 feet on a stop-controlled approach.
- » Condition 5: 95th percentile through lane queue blocks access to the turn lane bay.

All four study intersections were reviewed for queuing analysis. This includes the storage lengths of turn and through lanes. Special attention was given to the eastbound left turn lane queue experience for vehicles entering the proposed site along 2nd Ave.

Traffic Models

Traffic operations analysis was completed using *Synchro V10* software, which included geometry such as number of lanes, storage lengths, link distances, speed limits, traffic volumes, and existing signal timing plan. The results of the synchro analysis are displayed as *Measures of Effectiveness* (MOE). The primary MOEs that are used in the study are *delay* and *Level of Service* (LOS).

The following scenarios were modeled for the *AM* and *PM peak* periods:

1. No-Build Scenario – “*No-Build*” refers to the conditions without the proposed development scenario. This option includes no geometric improvements at the proposed site accesses, and the existing traffic counts projected to the facilities opening year traffic volumes.
2. Build Scenario – “*Build*” refers to the conditions of the proposed development scenario. This option pertains to geometric improvements that include the addition of a westbound approach at the intersection of 3rd Ave N and 38th St N. The trips generated by the proposed site were included in the build scenario traffic volumes.

Traffic Operation Results

The traffic operation results for the *No-Build* and *Build* scenarios at the study intersections are illustrated in **Table 7**. For detailed synchro results, please reference **Appendix B**.

Table 7 - Traffic Operation Results 2027

Intersection	Scenario	Level of Service (AM Peak)					Level of Service (PM Peak)				
		EB	WB	NB	SB	Int	EB	WB	NB	SB	Int
3rd Ave N & 38th St N	No-Build	B	-	A	A	B	B	-	A	A	B
	Build	B	B	A	A	B	C↓	C	A	A	B
2nd Ave N & 38th St N	No-Build	B	C	A	A	B	B	C	B	B	B
	Build	B	C	A	B↓	B	B	C	B	B	B
Central Ave & 38th St N	No-Build	C	C	D	D	C	B	B	C	C	C
	Build	D↓	C	D	E↓	D↓	B	B	C	C	C
2nd Ave Driveway	No-Build	A	A	-	-	NA	A	A	-	-	NA
	Build	A	A	-	B	B	A	A	-	B	B

NB – Northbound; SB – Southbound; EB – Eastbound; WB – Westbound; Int - Intersection

All four approaches of the Central Ave and 38th St N intersection is expected to operate with undesirable delay and LOS under No-Build and Build scenario in the 2027 AM peak. However, the overall intersection operates with desirable conditions under No-Build scenario in the 2027 AM Peak. The overall intersection operates with undesirable delay and LOS under Build scenarios in the AM peak. The intersection operates with desirable delay and LOS under the No-Build and Build scenarios in the 2027 PM peak.

All other intersections are expected to operate with desirable *delay* and *LOS* with no intersections operating worse than *LOS C* during the *peak* hours.

The following intersections and/or their approaches experience *LOS* drops from *No-Build* to *Build* conditions in 2027:

- » The *eastbound* approach of the 3rd Ave N and 38th St N intersection will experience a LOS drop from *LOS B* to *LOS C* in *PM Peak*. The increase in *delay* between *No-Build* and *Build* scenario is 3.5 seconds per vehicle.
- » The *southbound* approach of the 2nd Ave N and 38th St N intersection will experience a LOS drop from *LOS A* to *LOS B* in *AM Peak*. The increase in *delay* between *No-Build* and *Build* scenario is 2.1 seconds per vehicle.
- » The intersection of Central Ave and 38th St N will experience a LOS drop from *LOS C* to *LOS D* in the *AM Peak*. The increase in delay between *No-Build* and *Build* scenario is 6.3 seconds per vehicle.
 - The *eastbound* approach of the Central Ave and 38th St N intersection experiences a LOS drop from *LOS C* to *LOS D*. The increase in *delay* between *No-Build* and *Build* scenario is 3.5 seconds per vehicle.
 - The *southbound* approach of the Central Ave and 38th St N intersection experiences a LOS drop from *LOS D* to *LOS E*. The increase in *delay* between *No-Build* and *Build* scenario is 11.8 seconds per vehicle.

Queuing Results

The 95th percentile queue lengths expected in the 2027 build scenario is shown in **Table 8**. Based on queuing analysis methodology previously identified, no significant queuing issues were identified in the No-Build and Build conditions. Existing storage space within the dedicated left-turn bays of 2nd Ave N were found to be adequate within the No-Build and Build conditions. See **Appendix B** for complete Synchro/SimTraffic queuing analysis result.

Table 8 - 95th Percentile Queue Results for 2027 Build Scenario

Intersection	App	Eastbound			Westbound			Northbound			Southbound		
		Storage	AM	PM	Storage	AM	PM	Storage	AM	PM	Storage	AM	PM
38th St & 3rd Ave	L	385	2	2	100	8	6	300	0	0	340	0	2
	T												
	R												
38th St & 2nd Ave	L	70	12	16	65	49	62	310	121	212	300	181	220
	T	350	81	72	775	106	115						
	R												
38th St & Central Ave	L	375	100	36	1650	78	14	315	128	132	330	172	134
	T												
	R												
2nd Ave Driveway & 2nd Ave	L	60	0	2	800	0	0	-	-	-	100	16	12
	T	775	0	4									
	R												

Access Spacings

The spacing between adjacent driveways is based on *stopping sight distance* described in the AASHTO Green Book 2018 7th Edition. The minimum driveway spacings for 40-mph, 30-mph and 25-mph roadway is 305, 200 and 155 feet, respectively. The proposed locations of the accesses along 2nd Ave N and 38th St N is more than the minimum spacing requirements.

Warrant Analysis

TRAFFIC SIGNAL

The *Manual on Uniform Traffic Control Devices* (MUTCD) provides guidance and standards for the installation of traffic control methods. Intersection traffic control warrant analysis was conducted at the unsignalized study intersections. Based on the review of the traffic volume data collected at the intersections, it was determined that the projected traffic volumes warrant the installation of a traffic signal (meets Signal Warrant 1A and 2) at the Central Ave and 38th St N intersection under *No-Build* and *Build* scenarios. The signal warrant analysis results are included in **Appendix C**.

TURN LANE

MDT has established guidelines for the consideration of turn-lanes at intersections. Turn lane needs at the proposed access via 2nd Ave N and 38th St N were analyzed according to MDT turn lane guidance. The Chapter 8 of *Montana Traffic Engineering Manual* has guidelines for the consideration of left turn and right turn lanes at intersections and high-volume driveway approaches.

Unsignalized Intersections (38th St N/3rd Ave, and 38th St N/Central Ave Intersection)

The manual has no left turn lane guidelines for unsignalized intersections on two lane highways with speed limit under 45 mph. The five-year crash records indicate no safety threats that can be improved with the installation of left turn lanes at the unsignalized study intersections. The capacity analysis is not expected to improve the LOS criteria with the installation of left turn lanes at the unsignalized intersection. For these reasons, Left Turn Lanes on the major approach of the unsignalized study intersections are not required.

The traffic volumes, crash history and capacity analysis results do not satisfy the requirements to consider right turn lanes on the major approach of the unsignalized study intersections.

Signalized Intersection (38th St N/2nd Ave Intersection)

The 2nd Ave approaches have dedicated left turn lanes. There are no dedicated left turn lanes on the 38th St N approaches. The *Montana Traffic Engineering Manual* recommends the consideration of left turn lanes on the major roadway approaches of signalized intersections. The *Highway Capacity Manual 2000* indicates the probable need for a left-turn lane if the left-turn volume is greater than 100 vehicles during peak hour. The left turn volumes are expected to cross 100 vehicles per hour along the 38th St N approaches under Build scenarios. However, all four approaches of the intersection are expected to operate with desirable delay and LOS with no approaches expected to operate at worse than LOS B under No-Build and Build conditions. For these reasons, left turn lanes along 38th St N is recommended at the intersection. The existing roadway width along 38th St N is 32 feet. Typically, the width of any turn lanes at an intersection is the same as that of the adjacent through lane. In rare cases where there is right-of-way constraints, it may be justified to provide a narrower width.

The crash history and capacity analysis results do not satisfy the requirements to consider right turn lanes on the major approach of the signalized study intersection. The *Montana Traffic Engineering Manual* recommends the consideration of right turn lanes at any signalized intersection where the projected right-turning volume is greater than 300 vehicles per hour (vph) and where there is greater than 300 vph per lane on the mainline. The projected right turn volumes are under 300 vehicles per hour under No-Build and Build conditions in 2027. For these reasons, right turn lanes are not required at the 38th St N/2nd Ave intersection.

Driveway Accesses (along 2nd Ave and 38th St N)

The future driveway access along 2nd Ave currently have dedicated eastbound left turn lanes. There are no southbound left turn lanes to the future driveway access on 38th St N. The manual has no left turn lane guidelines for unsignalized intersections on two lane highways with speed limit under 45 mph. The capacity analysis is not expected to improve the LOS criteria with the installation of southbound left turn lanes along 38th St N to the future driveway access. For these reasons, Southbound Left Turn Lanes are not required along the 38th St N driveway access.

The traffic volumes, crash history and capacity analysis results do not satisfy the requirements to consider right turn lanes on the 2nd Ave and 38th St N approaches.

Turn Lane Bay Area

The existing storage lengths available at the turn lanes of the unsignalized study intersections satisfy the minimum lengths recommended in the *Montana Traffic Engineering Manual* for unsignalized intersections. Also, the 95th percentile queuing and capacity analysis results indicate that the existing turn lane storage area is adequate.

The posted speed limit along 3rd Ave N, 2nd Ave N, Central Ave and 38th St N is under 45 mph. The Chapter 28 of *Montana Traffic Engineering Manual* indicates that under urban conditions and where the design speed is less than or equal to 45 mph, deceleration may have to be accomplished entirely within the travel lane, and the length of the turn lane will be solely based on providing adequate vehicle storage.

Summary

This study has been prepared to evaluate the traffic impacts associated with the proposed development of the multifamily residential apartment complex in Great Falls, MT. The study investigated the *No-Build* and *Build* traffic operations in the transportation network near the proposed development. Key points of the study are summarized below:

Trip Generation

The proposed development is expected to generate 203, 246, and 2,912 vehicular trips in the daily *AM peak*, *PM peak*, and *daily*, respectively.

Traffic Operations

- » The southbound approach of Central Ave and 38th St N is expected to experience unacceptable *delay* and *LOS E* in the *AM Peak* under *Build* conditions. However, the overall intersection is expected to operate with acceptable *delay* and *LOS*.
- » All other study intersections are expected to operate with acceptable *delay* and *LOS* during the year of opening, with no intersections operating worse than *LOS B* during the *peaks*.
- » Based on queuing analysis methodology previously identified, no significant queuing issues were identified in the No-Build and Build conditions.
- » Existing storage space within the dedicated left-turn bays of 2nd Ave N were found to be adequate within the No-Build and Build conditions

Safety Analysis

- » From 2016 to 2020, 22 crashes were reported at the intersection of 38th St N and 2nd Ave N.
 - Most crashes (27%) were observed during the *AM peak*
 - Right angle crashes (50-percent) were the most prominent type of crashes
 - There were no fatal, serious injury, pedestrian, or bicycle related crashes
- » From 2016 to 2020, there were no crashes reported at the intersection of 38th St N and 3rd Ave N.

Recommendation

Re-evaluate Signal Warrant Analysis at Central Ave and 38th St N Intersection

The southbound approach of Central Ave and 38th St N is expected to experience unacceptable *delay* and *LOS E* in the *AM Peak* under *Build* conditions. However, the overall intersection is expected to operate with acceptable *delay* and *LOS*. The intersection is currently controlled by All-way Stops. The projected 2027 background traffic volume is expected to meet traffic signal warrant 1A and 2. It is recommended to re-evaluate signal warrant analysis closer to the year of opening of the development with updated traffic volumes to evaluate installation of a traffic signal. In 2027, assuming signal warrants are met at the intersection of Central Ave and 38th Street N, it is expected that the signal control or a roundabout at the intersection could mitigate the operation issues identified and improve the intersection to acceptable operations.

Side Street Stop at the new proposed driveway

The development's new proposed approach, aligned with 3rd Ave N on 38th St N, is recommended to be stop controlled and no other recommendations were deemed necessary. The motorists using the sites driveway approach along 38th St N are expected to yield to vehicles traveling along 38th St N. While installing a stop sign on the site's driveway approach along 38th St N is optional, it is recommended that a stop sign be installed for safety benefits.

IMPROVEMENT AGREEMENT FOR SILVER STONE ENTERPRISES DEVELOPMENT, LEGALLY DESCRIBED AS TRACT 1 AND TRACT 2 IN THE N 1/2 OF THE N 1/2 OF SECTIONS 8 AND 9, T20N, R4E, P.M.M., CASCADE COUNTY, MONTANA

The following is a binding Agreement dated this _____ day of _____, 2022, between Silver Stone Enterprises, hereinafter referred to as "Owner", and the City of Great Falls, Montana, a municipal corporation of the State of Montana, hereinafter referred to as "City", regarding the requirements for the annexation of a tract of land into the corporate limits of the City legally described as Tract 1 and Tract 2 in the N 1/2 of the N 1/2 of Sections 8 and 9, T20N, R4E, P.M.M., Cascade County, Montana, hereinafter referred to as "Subject Property". The Owner agrees to, and is bound by, the provisions of this Agreement, and by signing this Agreement, therefore agrees to terms applicable to the Subject Property. The City is authorized to enter into this Agreement by §§ 17.68.010-040 of the Official Code of the City of Great Falls (OCCGF).

1. Purpose. The purpose of this Agreement is to ensure that certain improvements are made and certain conditions are fulfilled by the Owner, as required by the City's approval of the annexation and supporting documents. Generally, this Agreement:

1.1 Declares that the Owner is aware of and has properly accounted for any natural conditions that may adversely affect the development of the Subject Property;

1.2 Insulates the Subject Property from the impact of changes in the City's zoning regulations, provided that no substantial changes in the development of the Subject Property are proposed;

1.3 Requires the Owner to guarantee that the agreed-upon improvements contained in this agreement are made in a timely manner by providing the financial securities required by the Official Code of the City of Great Falls (OCCGF);

1.4 Provides for the inspection and warranty of the required improvements before they are accepted for operation and maintenance by the City;

1.5 Waives protest and appeal by the Owner and its successors against the creation of special improvement districts that would provide and maintain necessary infrastructure;

1.6 Establishes how necessary changes of final construction plans required by the Agreement may be made with the approval of the City;

1.7 Contemplates reimbursements to the Owner when neighboring properties that benefit from certain improvements made by the Owner are developed;

1.8 Embodies certain conditions that are imposed by the City upon approval of the annexation of the Subject Property in order to facilitate their enforcement; and

1.9 Indemnifies the City from challenges to its approval of the annexation of the Subject Property and holds it harmless from errors and omissions in the approval and oversight of the improvements relating to development of the Subject Property.

2. Duration. The term of this Agreement begins at the date here above written and with the exceptions stated below, is a perpetual recorded agreement between the Owner and the City.

2.1 If Work Does Not Begin. This Agreement may be amended if final construction plans for the first phase of the Development are not submitted for approval within three years of the date of the City Manager's signature on this Agreement.

2.2 Failure to Build. The Owner's failure to complete improvements in accordance with the final construction plans may result in the City retaining the security required in Section 14 of this Agreement. It may also void this Agreement and the vested rights established by Section 9, below.

2.3 Failure to Pay. The Owner's failure to make timely payment of its share of any of the required improvements listed in this Agreement, voids the Agreement and the vested rights established by Section 9. It may also result in the City attempting to collect the amount due by any lawful means.

3. Supporting Documents. Each of the following supporting documents are to be submitted for review and approval by the City.

3.1 Certificate of Survey. The Certificate of Survey Number _____, to be filed on record in the Clerk and Recorder's Office of Cascade County, Montana, upon approval by the City of Great Falls.

3.2 Construction Documents. Engineering drawings, specifications, reports and cost estimates (preliminary and final), prepared for the Subject Property, consisting of documents for, but not limited to the public sanitary sewer, water, storm drain, and street improvements. Construction documents shall be designed in compliance with the City's Standards for Design and Construction Manual.

3.3 As Built Drawings. "As Built" reproducible 4 mil mylar drawings and one electronic copy of public infrastructure, private utilities, and drainage facilities shall be supplied to the City of Great Falls; and one electronic copy of public infrastructure, private utilities, and drainage facilities shall be supplied to the City of Great Falls upon completion of the construction.

3.4 Legal Documentation. Legal documents, including but not limited to any articles of incorporation, bylaws, covenants, and declarations establishing the authority and responsibilities of the Owner relating to the Subject Property, which may be recorded in the Clerk and Recorder's Office of Cascade County, Montana.

4. Changes. The Owner understands that failure to install required improvements in accordance with the final construction plans approved for the development of the Subject Property is a breach of, and may void, this Agreement. The Owner also understands that such failure is a violation of the OCCGF and is subject to the penalties provided for such violations. The City recognizes, however, that minor changes are often necessary as construction proceeds and the Administrator (the Administrator is the person or persons charged by the City Manager with the administration of this improvement agreement) is hereby authorized to allow minor changes to approved plans, as provided below:

4.1 Minor Changes. Minor changes to engineering documents and such revisions to the engineering drawings as are deemed appropriate and necessary by the Administrator and which do not materially affect the hereinabove mentioned Subject Property, can be made as follows:

4.1.1 Before making changes, the Owner must submit revised plans to the Administrator for review. Failure to do this before the proposed change is made may be considered by the City to be a breach of this Agreement and a violation of the OCCGF. The Administrator shall respond to all proposed changes within fifteen (15) days of receipt of the revised plans.

4.1.2 Based on a review of the revised plans, the Administrator may permit minor dimensional changes provided they do not result in a violation of the conditions of approval for the annexation of the Subject Property or the OCCGF.

4.1.3 Based on a review of the revised plans, the Administrator may permit substitutions for proposed building and construction materials provided that the proposed substitute has the same performance and, for exterior materials, appearance as the originally approved material.

4.1.4 Minor changes in the location and specifications of the required public improvements may be permitted by the Administrator. The Owner must submit revised plans showing such changes to the Administrator. Revised plans are not accepted until approved by the Administrator.

4.2 Substantial Changes. Substantial changes are not permitted by this Agreement. A new public review and permitting process will be required for such changes. “Substantial Change” versus “Minor Change” is described as follows in order to further clarify what may be permitted as a “Minor Change”:

4.2.1 A substantial change adds one or more lots; changes the approved uses; changes the location or extent of the area proposed to be cleared, graded, or otherwise disturbed by more than 4,000 square feet (a smaller change in the area that will be cleared, graded, or otherwise disturbed may be treated as a minor dimensional change); changes the location, extent, or design of any required public improvement, except where a minor change is approved by the Administrator; changes the approved number of buildings, structures or units; or the size of any building or structure by more than 10%. A smaller change in the size of a lot, building, or structure may be treated as a minor dimensional change.

4.2.2 Changes in the approved uses may affect the traffic impacts of the annexation provided in the Traffic Impact Study (TIS). If it is found that a change in use increases traffic impacts beyond what was provided in the TIS, the TIS shall be amended and resubmitted for review by the Administrator. The Administrator has the discretion to require a new public review process for the project.

5. Fees. The Owner understands that it is required to pay the following fees as they come due. The absence of any fee from this Agreement which is lawfully charged by the City in connection with construction activity associated with the Subject Property shall not constitute a waiver by the City.

5.1 Recording Fees. The Owner is responsible for all recording fees at the rate charged by Cascade County at the time a document or plat is submitted for recording.

5.2 Engineering Inspections. The Owner is responsible to pay all applicable engineering fees established by Resolution of the City Commission of the City of Great Falls.

5.3 Permit Fees. The Owner is responsible to pay all applicable planning and building permit fees established by Resolution of the City Commission of the City of Great Falls.

5.4 Connection and Construction Fees. Water service tapping and water and sewer service connection fees will be paid at the times of tapping and connections.

5.5 Storm Drain Fee. The Owner is responsible to pay a storm drain fee in the amount of \$250 per acre for the Subject Property. This would equal a total of \$3,916.00 for the total 15.664 acres of the Subject Property. The total storm drain fee is to be paid to the City no later than 30 days after the annexation resolution for the Subject Property is recorded.

5.6 Application Fees. In addition to the fees outlined above, application fees paid by the Owner are: the \$2,000.00 application fee for establishment of zoning, the \$500.00 application fee for annexation, and the \$200.00 application fee for an administrative plat which have been paid prior to this Agreement.

6. Site Conditions. The Owner warrants that it has conducted site investigations sufficient to be aware of all natural conditions, including, but not limited to, flooding, slopes, and soils characteristics, that may affect the installation of improvements on the site and its development for the approved use. The Owner further warrants that all plans submitted pursuant to this Agreement and all applications for building permits within the development will properly account for all such conditions. The Owner holds the City harmless for natural conditions and for any faults in their own assessment of those conditions.

7. On-Site Improvements. The on-site improvements required prior to certificate of occupancy of any structure built upon the Subject Property shall include everything required to provide water, sanitary sewer, sanitary sewer industrial pretreatment (as applicable), fire protection, storm drainage, storm water quality treatment, access, and other requirements as may be required by OCCGF. Access for purposes of emergency vehicles shall be installed to the City specifications prior to the issuance of any building permits for the Subject Property. The Owner shall provide public utility easements for all required public utilities. The Owner agrees to install on-site stormwater quality and quantity improvements consistent with City standards and submitted plans approved by the City of Great Falls. Stormwater quantity and quality control measures must comply with standards of the City of Great Falls Storm Drainage Design Manual. The design, installation, inspection, and maintenance responsibilities of these improvements shall be approved by the City of Great Falls. Additionally, an enforceable operation and maintenance agreement with the City and the Owner is required to ensure private stormwater control measures function properly.

8. Permits. This Agreement must be approved by the City Commission and signed by the City Manager and the Owner before permits for any work will be approved, including, but not limited to, grading for streets or trenching for the installation of utilities.

9. Vested Rights. The approval of this Agreement by the City creates a vested right that protects the Owner from changes in the zoning regulations of Title 17 of the OCCGF. This vested right does not exempt the Owner from compliance with other provisions of the OCCGF, including specifically those intended to prevent and remediate public nuisances, nor does it protect the Owner from changes in the City's building codes and fees, development fees, and inspection fees. This vested right does not exempt the owner from compliance with changes to state and federal requirements, including those of the Montana Department

of Transportation (MDT). This vested right may be voided, in whole or in part, if the Owner proposes substantial changes in the approved final construction plans of the development of the Subject Property.

10. Access. The project shall have no vehicular connections to the alley located between the subject property and the properties located south of 4th Avenue North. All vehicular traffic will ingress/egress from the access points shown on the attached Site & Infrastructure Plan along 38th Street North and 2nd Avenue North. The Owner shall construct and dedicate right of way for a new vehicular turnaround to facilitate fire protection and sanitation service connecting 3rd Avenue North and the alley to the south along the eastern property line of the Subject Property as shown on Certificate of Survey _____. The Owner shall construct this turnaround consistent with City standards and submitted plans approved by the City of Great Falls. This turnaround shall be fenced and there shall be no vehicular connection made between the proposed development and the turnaround.

11. Required Public Improvements. The public improvements required for the development of the Subject Property shall be installed as shown on the final construction plans that are submitted to and approved by the City of Great Falls prior to issuance of the applicable Certificates of Occupancy for each development phase. As an alternative, the Owner may provide a financial security for said improvements as prescribed in Section 13.

11.1 Water. The Owner hereby agrees to extend a looped eight (8) inch public water main through the development and connect to the existing water mains as shown on the proposed Site & Infrastructure Plan consistent with City standards and submitted plans approved by the City of Great Falls, including the addition of the required fire hydrant(s). The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Any portion of water main service located outside of the public right-of-way shall be located in a minimum 20-foot wide public utility easement, the location of which shall be approved by the City. The improvement is to be owned and maintained by the City upon completion.

11.2 Sanitary Sewer. All buildings upon the subject property shall be served by sanitary sewer as shown on the proposed Site & Infrastructure Plan. Installation of a public sanitary sewer main shall extend from the existing eight (8) inch main that crosses 38th Street North from the alley between 2nd Avenue North and 3rd Avenue North as shown on the proposed Site & Infrastructure Plan. The City shall be responsible for the reconstruction or lining of the existing main located between 38th Street North to the first manhole east of 38th Street North. The remainder of the sewer main is responsibility of the Owner. An additional sewer main shall be extended from the east side of the property. This sewer main shall be the responsibility of the owner as shown on the proposed Site & Infrastructure Plan. Sanitary sewer mains shall be constructed consistent with City standards and submitted plans approved by the City of Great Falls. The improvements shall be in accordance with City and Montana Department of Environmental Quality standards and approved plans and specifications. Any portion of sewer main service located outside of the public right-of-way shall be located in a minimum 20-foot wide public utility easement, the location of which shall be approved by the City. The improvement is to be owned and maintained by the City upon completion.

11.3 Roadways and Sidewalks. The Owner agrees to construct and/or reconstruct curbing, sidewalk, and boulevard landscaping along 38th Street North and 2nd Avenue North adjacent to the Subject Property as construction commences adjacent to those locations. Design and installation shall be consistent with City standards and submitted plans approved by the City of Great Falls. All boulevard improvements, including curbing, sidewalks, and landscaping shall be maintained by the Owner. In the event apartment construction does not commence adjacent to 2nd Avenue North, a curbside sidewalk must still be installed to provide pedestrian access along 2nd Ave North along the entire frontage of the Subject Property within five (5) years after annexation, unless an extension is granted by the Administrator to the Owner.

12. Improvements to 2nd Avenue North. The Owner is required to construct all MDT and City of Great Falls required improvements along the Subject Property frontage with 2nd Avenue North.

13. Traffic Impact Improvements. The Owner agrees to pay for its anticipated proportionate share of future improvements to the intersection of 38th Street North and 2nd Avenue North, unless the Montana Department of Transportation (MDT) does not authorize such improvements. The required contribution for this future intersection improvement shall be made via escrow within ninety (90) days of annexation. The Traffic Impact Study submitted on behalf of the Owner estimates that new southbound left turns on 38th Street will be approximately 10% greater in 2027 than if the project was not constructed, and will also cause total left turns to exceed the 100 vehicles per hour threshold where dedicated left turn lanes are recommended by the Federal Highway Administration. The Owner's contribution shall not exceed \$50,000, which is roughly ten (10) percent of the current cost of improving the intersection as estimated by the City's 3rd Party Engineering Consultant.

14. Warranty, Ownership and Inspection of Public Improvements. The Owner is responsible for the repair or replacement of any faults in the materials or workmanship of the required on-site and off-site public improvements for a period of two years from the date those improvements are accepted for maintenance by the City. This warranty will be enforced by the City receiving 10% of the security required by Section 15 of this Agreement for the two-year warranty period. That sum will be released at the end of two years unless the parties are involved in a dispute about the condition, repair, or replacement of any of the required improvements, in which case funds will be held by the City until that dispute is resolved. The release of warranty funds follow the procedure established in Section 15 of this Agreement for the release of securities.

Installation of all sidewalks, curb ramps, water, sewer, storm drain, and other public improvements for the Subject Property shall be subject to the City's inspection policy in place at the time of installation.

15. Security for Public Improvements. If any public improvements in each construction phase need to be deferred, the Owner shall, provide the City with a performance bond, an irrevocable letter of credit, or another form of security acceptable to the Administrator in an amount equal to one hundred thirty-five percent (135%) of the costs of the required public improvements.

The security required by this section shall be returned or released upon acceptance of the required improvements, except as provided in Section 14. Following the final required inspection and City Approval of the public improvements, the Director of Public Works shall promptly inform the Administrator, in

writing, that all improvements have been inspected and are acceptable for maintenance by the City. If all other improvements relating to the development of the Subject Property are in compliance with all conditions of approval, this Agreement, and the OCCGF, the Administrator shall then instruct the City Clerk to release the security to the Owner, minus the retained portion to be held in warranty as required by Section 14 of this Agreement.

16. Maintenance Districts. The Owner hereby agrees to waive its right to protest and appeal the lawful creation by the City of maintenance districts for any proper purpose including, but not limited to, fire hydrant and street maintenance and shall pay the proportionate share of the costs associated with said maintenance districts as they may be applied to the Subject Property.

17. Park District. Owner acknowledges that the Subject Property is, by operation of law and pursuant to Resolution No. 10238, adopted by the City Commission on June 5, 2018, included within the boundaries of the Great Falls Park District Number 1. Owner acknowledges that property within the Great Falls Park District Number 1, including the Subject Property, is subject to annual assessments for the purposes of the Great Falls Park District Number 1 in amounts to be determined by the City Commission each year, in accordance with Resolution No. 10238, as it may be amended or supplemented.

18. Public Roadway Lighting. The Owner agrees to waive its right to protest and appeal any future special lighting district for public roadway lighting facilities that service the Subject Property, and further agrees to pay for the installation of public roadway lighting which services the Subject Property, if such lighting is required by the City or MDT during project review.

19. City Acceptance and Zoning. In consideration of the terms of this Agreement, the City hereby accepts the Subject property for incorporation by annexation into the corporate limits of the City of Great Falls, Montana, with an assigned City zoning classifications of R-6 Multi-family High Density north of the center-line of the alley between 2nd Avenue North and 3rd Avenue North, and C-1 Neighborhood Commercial south of the center-line of the alley between 2nd Avenue North and 3rd Avenue North for the Subject Property.

20. Limitation of Liability. The City will conduct a limited review of plans and perform inspections for compliance with requirements set forth in this agreement and/or in applicable law. The scope of such review and inspections will vary based upon development type, location and site characteristics. The Owner is exclusively responsible for ensuring that the design, construction drawings, completed construction, and record drawings comply with acceptable engineering practices, State requirements, and other applicable standards. The City's limited plans review and inspections are not substantive reviews of the plans and engineering. The City's approval of any plans or completed inspections is not an endorsement of the plan or approval or verification of the engineering data and plans. Neither the Owner, nor any third party may rely upon the City's limited review or approval.

The Owner shall indemnify, hold harmless and defend the City of Great Falls, its officers, agents, servants and employees and assigns from and against all claims, debts, liabilities, fines, penalties, obligations and costs including reasonable attorney fees, that arise from, result from or relate to obligations relating to that owner's properties described herein. Upon the transfer of ownership of the properties, the prior owner's (whether it is the Owner that signed this Agreement or a subsequent owner) indemnity obligation

herein for the transferred properties is released as to that owner and the indemnity obligation runs to the new owner of the properties. Only the owner of the parcel of property at the time the City incurs the claim, debt, liability, fine, penalty, obligation or cost is obligated to indemnify, and no owner of properties is obligated to indemnify for adverse conditions on property owned by someone else. This indemnification by the Owner of the property shall apply unless such damage or injury results from the gross negligence or willful misconduct of the City.

21. Binding Effect. The provisions, covenants and terms of this Agreement shall run with the land and bind the present owners, their devisees, heirs, successors, and assigns; and any and all parties claiming by, through, or under them, shall be taken to agree and covenant with each of the parties to the Agreement, their devisees, heirs, successors and assigns, to conform to the provisions, covenants and terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the day, month and year first hereinabove written.

THE CITY OF GREAT FALLS, MONTANA
A Municipal Corporation of the State of Montana

Gregory T. Doyon, City Manager

ATTEST:

Lisa Kunz, City Clerk

(Seal of City)

APPROVED FOR LEGAL CONTENT*:

_____, City Attorney

*By law, the City Attorney may only advise or approve contract or legal document language on behalf of the City of Great Falls, and not on behalf of other parties. Review and approval of this document was conducted solely from the legal perspective, and for the benefit, of the City of Great Falls. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.

Silver Stone Enterprises

By: _____

Its: _____

State of _____)

:ss.

County of _____)

On this _____ day of _____, in the year Two Thousand and Twenty, before me, the undersigned, a Notary Public for the State of _____, personally appeared _____, known to me to the persons whose names are subscribed to the instrument within and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public for the State of _____

(NOTARIAL SEAL)

FINDINGS OF FACT/BASIS OF DECISION – ANNEXATION

Mark 5 within the N ½ NW NW of Section 9, T20N, R4E, PMM, Cascade County, Montana

PRIMARY REVIEW CRITERIA:

The basis for decision on annexation is listed in the Official Code of the City of Great Falls § 17.16.7.050 of the Land Development Code. The recommendation of the Planning Advisory Board and the decision of the City Commission shall at a minimum consider the following criteria:

1. The subject property is contiguous to the existing City limits.

The subject property is contiguous to the existing City limits on all sides.

2. The proposed annexation is consistent with the City’s growth policy.

The proposed annexation is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project is strongly supported by the Social and Physical portions of the Growth Policy, specifically the goals and principles to 1) encourage a diverse, safe, and affordable supply of housing in the City and 2) encourage a balanced mix of land uses throughout the City.

Additionally, the annexation specifically supports the following goals and policies:

Social – Housing

- Soc1.4.2 Expand the supply of residential opportunities including single family homes, apartments, manufactured homes, and assisted living facilities.
- Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location and place of work.
- Soc1.4.12 When annexing land for residential development, consider the timing, phasing and connectivity of housing and infrastructure development.

Physical - Efficient Infrastructure

- Phy4.3 Optimize the efficiency and use of the City’s public facilities and utilities.
- Phy4.3.2 Plan for the provision of appropriate infrastructure improvements, where needed, to support development.

3. The proposed annexation is consistent with applicable neighborhood plans, if any.

The subject property is located adjacent to Neighborhood Council #4. There is no adopted neighborhood plan for Neighborhood Council #4, or any other Council within the City. The application was presented to Neighborhood Council #4 on August 25, 2022. The Council made a motion that encourages the project to move forward in the city process, with concern about congestion along 38th Street North.

4. The proposed annexation is consistent with other planning documents adopted by the City Commission, including a river corridor plan, transportation plan, and sub-area plans.

The subject property is not located within any adopted plan or sub-area planning areas. The proposed improvements related to the development are consistent with City planning documents and City standards. The size of the project triggered a Traffic Impact Analysis due to peak hour traffic exceeding 300 trip ends. City staff has reviewed the study and required the applicant to participate on off-site improvements to mitigate effects of the project on the surrounding street network. A more detailed

description of these improvements is outlined in the Agenda Report as well as in the Improvement Agreement.

5. The City has, or will have, the capacity to provide public services to the subject property.

The City Public Works Department has verified that capacity is adequate to provide public utility services to the subject property. A more detailed description of the various public utility services that will be provided to the development has been outlined in the Agenda Report as well as in the Improvement Agreement. Due to the property being an unincorporated enclave wholly surrounded by the City, providing law enforcement, fire protection, and other emergency services is expected to be a manageable cost to the City.

6. The subject property has been or will be improved to City standards.

As part of the proposed annexation, the property is required to be developed to City standards. Water and sewer mains will extend through the project and will be designed and installed to City standards. Any future improvements to the subject property will also comply with City code requirements.

7. The owner(s) of the subject property will bear all of the cost of improving the property to City standards and or/ the owner(s) has signed an agreement waiving the right of protest to the creation of a special improvement district created to pay, in whole or in part, any necessary improvement.

An Improvement Agreement for the subject property has been drafted and attached to the Agenda Report. This agreement outlines the responsibilities and costs for various improvements, and addresses the creation of any special improvement districts.

8. The subject property has been or will be surveyed and officially recorded with the County Clerk and Recorder.

The subject property is being surveyed and officially recorded with the County Clerk and Recorder as part of the requirements of the project.

9. The City will provide both water and sewer service to each of the uses in the subject property that may require potable water and waste water treatment and disposal.

Water and sewer service will be extended through the subject property as part of the required improvements. The subject property will connect to these mains for City services.

10. The subject property is not located in an area the City Commission has designated as unsuitable for annexation.

The subject property is not located in an area the City Commission has designated as unsuitable for annexation.

11. The subject property is not located in another city or town. (See: 7-2-4608 (1), MCA)

The subject property is not located in another city or town.

12. The subject property is not used in whole or in part for agriculture, mining, smelting, refining, transportation, or any other industrial or manufacturing purpose or any purpose incidental thereto. (See: 7-2-4608 (2), MCA)

The subject property is not used for the uses listed above. The subject property is located within Cascade County with Commercial zoning and currently undeveloped. Existing single-family residential homes and a four-plex condo project within the City are located to the north and east. To the south of the subject property is 2nd Avenue North with the newly developed Copperview Condos and the Montana School for the Deaf and Blind.

FINDINGS OF FACT – ZONING MAP AMENDMENT

Tract 1 and Tract 2 of COS _____ in the N ½ N ½ of Sections 8 and 9, T20N, R4E, PMM, Cascade County, Montana

PRIMARY REVIEW CRITERIA:

The basis for decision on zoning map amendments is listed in Official Code of the City of Great Falls (OCCGF) § 17.16.40.030 of the Land Development Code. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the following criteria:

1. The amendment is consistent with and furthers the intent of the City's growth policy.

The proposed annexation is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project is strongly supported by the Social and Environmental portions of the Growth Policy, specifically the goals and principles to 1) encourage a diverse, safe, and affordable supply of housing in the City and 2) encourage a balanced mix of land uses throughout the City.

Additionally, the annexation specifically supports the following goals and policies:

Social – Housing

- Soc1.4.2 Expand the supply of residential opportunities including single family homes, apartments, manufactured homes, and assisted living facilities.
- Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location and place of work.
- Soc1.4.12 When annexing land for residential development, consider the timing, phasing and connectivity of housing and infrastructure development.

Physical - Efficient Infrastructure

- Phy4.3 Optimize the efficiency and use of the City’s public facilities and utilities.
- Phy4.3.2 Plan for the provision of appropriate infrastructure improvements, where needed, to support development.

2. The amendment is consistent with and furthers adopted neighborhood plans, if any.

The subject property is located adjacent to Neighborhood Council #4. There is no adopted neighborhood plan for Neighborhood Council #4, or any other Council within the City. The application was presented to Neighborhood Council #4 on August 25, 2022. The Council made a motion that encourages the project to move forward in the city process, with concern about congestion along 38th Street North.

3. The amendment is consistent with other planning documents adopted by the City Commission, including the river corridor plan, transportation plan and sub-area plans.

The subject property is not located within any adopted plan or sub-area planning areas. The proposed improvements related to the development are consistent with City planning documents and City standards. The size of the project triggered a Traffic Impact Analysis due to peak hour traffic exceeding 300 trip ends. City staff has reviewed the study and required the applicant to participate on off-site improvements to mitigate effects of the project on the surrounding street network. A more detailed description of these improvements is outlined in the Agenda Report as well as in the Improvement Agreement.

4. The code with the amendment is internally consistent.

The proposed establishment of R-6 and C-1 zoning is internally consistent. The proposed R-6 zoning aligns with appropriate uses for the location of the site with adjacent R-6 zoning to the north of the subject property. The proposed C-1 zoning aligns with the strip of commercial development along 2nd Avenue North both east and west of the subject property. Generally, intersections of higher classification streets are appropriate for higher intensity of use. The proposed project is at the corner of 38th Street North and 2nd Avenue North, both of which function as minor arterial streets. In this case, the location of 432 apartment units adjacent to minor arterial streets is advantageous to connect these residents to the greater community. The applicant will be responsible for extending utility mains and roadway improvements per City requirements including some off-site improvements to mitigate effects of the project on the surrounding street network.

5. The amendment is the least restrictive approach to address issues of public health, safety, and welfare.

There are no existing public health, safety, or welfare issues that have been identified for the subject property. Residents in Neighborhood Council District #4 have identified traffic congestion on 38th Street North as an ongoing safety concern. While the assignment of high density zoning and future development will add congestion to 38th Street North, the applicant has agreed to work with City staff to alleviate congestion at the intersection of 38th Street North and 2nd Avenue North.

6. The City has or will have the financial and staffing capability to administer and enforce the amendment.

The City has the financial and staffing capability to administer and enforce the amendment if it is approved. The allowance for higher density zoning and development may trigger MDT required improvements to the 2nd Avenue North frontage along the property. If so, these improvements will be paid for by the applicant. If improvements to the intersection at 38th Street and 2nd Avenue are implemented, the applicant and MDT will be contributing financially towards these improvements.

Exhibit 20-1. Principal Uses by District

Use	R-6	C-1	Special Standards
Agriculture, horticulture, nursery	-	-	17.20.6.005
Mobile home/park	-	-	17.20.6.010
Residence, single-family detached	P	P	
Residence, zero lot line	P	-	17.20.6.020
Residence, two-family	P	P	
Residence, multi-family	P	P	17.20.6.040
Residence, townhouse	P	-	17.20.6.050
Residence, manufactured/factory-built	P	P	17.20.6.060
Retirement home	P	P	
Community residential facility, type I	P	-	
Community residential facility, type II	P	-	
Day care center	C	P	
Emergency shelter	-	C	
Family day care home	P	P	
Group day care home	P	P	
Nursing home	C	P	
Campground	-	-	17.20.6.070
Hotel/motel	-	P	
Micro-brewery	-	-	17.20.6.080

Restaurant	-	P	17.20.6.080
Tavern	-	P	17.20.6.080
Agriculture sales	-	-	
Auction sales	-	-	
Construction materials sales	-	-	
Convenience sales	-	P	
General sales	-	P	
Manufactured housing sales	-	-	
Off-site liquor sales	-	P	
Secondhand sales	-	P	
Shopping center	-	C	
Administrative services	-	P	
Commercial kennel	-	-	17.20.6.090
Financial services	-	P	
Funeral home	-	P	
General services	-	P	
Professional services	C	P	
Sexually-oriented business	-	-	17.20.6.100
Veterinary clinic, large animal	-	-	
Veterinary clinic, small animal	-	C	17.20.6.110
Large equipment rental	-	-	
Small equipment rental	-	-	
General repair	-	P	

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Vehicle fuel sales	-	C	
Vehicle repair	-	-	17.20.6.120
Vehicle sales and rental	-	-	
Vehicle services	-	C	
Agricultural commodity storage facility	-	-	
Climate controlled indoor storage	-	P	
Fuel tank farm	-	-	
Mini-storage facility	-	-	17.20.6.130
Freight terminal	-	-	
Warehouse	-	-	
Casino, type I	-	-	17.20.6.140
Casino, type II	-	-	17.20.6.150
Indoor entertainment	-	-	
Indoor sports and recreation	-	-	
Golf course/driving range	C	-	
Miniature golf	-	-	
Outdoor entertainment	-	-	
Park	P	P	
Recreational trail	P	P	
Administrative governmental center	-	P	
Animal shelter	-	-	17.20.6.160
Cemetery	C	-	17.20.6.170
Civic use facility	C	-	

Community center	C	C	
Community cultural facility	C	P	
Community garden	P	C	17.20.6.175
Public safety facility	C	C	
Worship facility	C	P	17.20.6.180
Health care clinic	-	P	
Health care facility	-	-	
Health care sales and services	-	P	
Commercial education facility	-	P	
Educational facility (K–12)	C	C	17.20.6.200
Educational facility (higher education)	-	C	
Instructional facility	-	P	
Composting facility	-	-	17.20.6.210
Recycling center	-	-	17.20.6.220
Solid waste transfer station	-	-	17.20.6.230
Amateur radio station	P	-	17.20.6.240
Telecommunication facility			17.20.6.250
Concealed facility	C	P	
Unconcealed facility	-	C	
Co-located facility	-	P	
Utility installation	C	C	
Airport	-	-	
Bus transit terminal	-	-	
Heli-pad	-	-	17.20.6.260

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Parking lot, principal use	-	P	
Parking structure	-	-	
Railroad yard	-	-	
Taxi cab dispatch terminal	-	-	
Contractor yard, type I	-	-	17.20.6.270
Contractor yard, type II	-	-	17.20.6.280
Artisan shop	-	P	
Industrial, heavy	-	-	
Industrial, light	-	-	
Industrial park	-	-	
Junkyard	-	-	17.20.6.290
Light manufacturing and assembly	-	-	17.20.6.300
Motor vehicle graveyard	-	-	17.20.6.310
Motor vehicle wrecking facility	-	-	17.20.6.320

- The use is not permitted in the district

C The use is allowed through the conditional use process

P The use is permitted in the district by right, consistent with the development standards contained in Article 6 of this chapter, as appropriate

(Ord. No. 3056, § 1, 8-17-2010; Ord. No. 3068, § 2, 4-5-2011; Ord. No. 3087, § 1(Exh. A), 6-19-2012, eff. 7-19-2012; Ord. 3166, 2017; Ord. 3221, 2020)

Exhibit 20-2. Accessory uses by district

Use	R-6	C-1	Special Standards
Accessory living space	P	P	17.20.7.010
Agriculture, livestock	-	-	17.20.7.080
ATM, exterior	-	P	17.20.7.020
Bed and breakfast	C	C	17.20.7.030
Fences	P	P	17.20.7.040
Gaming, accessory	-	-	17.20.7.050
Garage, private	P	P	17.20.7.060
Home occupation	P	P	17.20.7.070
Private stable/barn	-	-	17.20.7.080
Residence, accessory	-	P	17.20.7.085
Roadside farmer's market	-	-	17.20.7.090
Storage containers	-	-	17.20.7.100
Wind-powered electricity systems	P	P	17.20.7.110

- The use is not permitted in the district
 - C The use is allowed in the district through the conditional use process
 - P The use is permitted in the district by right, consistent with the development standards contained in Article 7 of this chapter, as appropriate
- (Ord. No. 3034, § 1, 7-21-2009; Ord. No. 3056, § 1, 8-17-2010; Ord. No. 3087, § 1(Exh. A), 6-19-2012, eff. 7-19-2012)

- The use is not permitted in the district
 - C The use is allowed in the district through the conditional use process
 - P The use is permitted in the district by right, consistent with the development standards contained in Article 8 of this chapter, as appropriate
- (Ord. No. 3056, § 1, 8-17-2010; Ord. 3221 , 2020)

Exhibit 20-3. Temporary uses by district (see 17.20.8.010 for Special Standards)

Use	R-6	C-1	Special Standards
Garage sales	P	P	17.20.8.015
Itinerant outdoor sales	-	-	17.20.8.020
On-site construction office	P	P	17.20.8.030
On-site real estate sales office	P	-	17.20.8.040
Outdoor entertainment, temporary	-	-	
Sidewalk café	-	P	17.20.8.050
Sidewalk food vendor	-	-	17.20.8.060

Article 4 LOT AREA AND DIMENSIONAL STANDARDS

Sections:

17.20.4.010 Generally.

Lots and buildings shall conform to the dimensional standards specified in Exhibit 20-4.

17.20.4.020 Exceptions.

The following are exemptions to the standards:

1. The requirements for the rear yard on through lots do not apply when the area of such required rear yard is provided elsewhere on the lot.
2. Every part of a required yard shall be open from its lowest points to the sky unobstructed, except for the projections of sills, belt courses, cornices, and ornamental features not to exceed four (4) inches.
3. Open or lattice enclosed fire escapes, fireproof outside stairways, and solid floored balconies opening upon fire towers, projecting into a yard not more than five (5) feet or into a court not more than three and one-half (3½) feet and the ordinary projections of chimneys and flues shall be permitted where the same are so placed as not to obstruct the light and ventilation.
4. An unenclosed front porch on a single family residence may extend into the front yard setback up to nine (9) feet, provided the porch does not occupy more than sixty (60) percent of the width of the main part of the house.
5. Steps and eaves are allowed to encroach into the front and side yard setbacks.

Exhibit 20-4. Development standards for residential zoning districts

(See footnotes below for additional standards)

Standard	R-6
Residential density	500 sq. feet of lot area per dwelling unit
Minimum lot size for newly created lots	7,500 sq. feet
Minimum lot width for newly created lots	50 feet
Lot proportion for newly created lots (maximum depth to width)	2.5:1
Maximum building height of principal building	65 feet
Minimum front yard setback [2]	15 feet
Minimum side yard setback [3]	5 feet; 10 feet if adjoining a R-1, R-2, R-3 district
Minimum rear yard setback	15 feet
Maximum lot coverage of principal and accessory structures	Corner lot: 70% Other types: 60%
Maximum building height	24 feet
Minimum front yard setback [5]	15 feet, but may not be closer to the front lot line than the principal structure

Minimum side yard setback	5 feet; 10 feet if adjoining an R-1, R-2, R-3 district
Minimum rear yard setback	5 feet

[1] Attached private garages are considered a part of the principal building for application of height and setback development standards, but must conform to all standards found in 17.20.7.060. (Ord. 3232 , 2021)

[2] See Section 17.20.6.020 for side yard requirements for zero lot line projects and Section 17.20.7.010 for accessory buildings with accessory living spaces. (Ord. 3232 , 2021; Ord. 2950, 2007)

[3] An existing structure that does not meet the setback requirements stated above can be rebuilt on its original foundation or the original foundation location. (Ord. 3232 , 2021)

[4] For townhomes, see Section 17.20.6.050 for additional and superseding requirements. (Ord. 3232 , 2021)

[5] If a principal structure is located greater than 50 feet from the front lot line, the accessory structure may be located closer to the front lot line, provided that the accessory structure meets the minimum front yard setback. (Ord. 3232 , 2021)

Exhibit 20-4 (continued). Development standards for other zoning districts

Standard	C-1
Residential density	n/a
Minimum lot size for newly created lots	7,500 sq. feet
Minimum lot width for newly created lots	50 feet
Lot proportion for newly created lots (maximum depth to width)	n/a
Maximum building height of principal building	35 feet
Maximum building height of accessory building	24 feet, but may not be higher than the uppermost elevation of the principal building
Minimum front yard setback of principal and accessory buildings	15 feet
Minimum side yard setback of principal and accessory buildings	10 feet each side
Minimum rear yard setback of principal and accessory buildings	15 feet
Maximum lot coverage of principal and accessory buildings	Corner lot: 50% Other lots: 40%

(Ord. 3232 , 2021; Ord. No. 3087, § 1(Exh. A), 6-19-2012, eff. 7-19-201