



Item: Minor Subdivision with Amended Plat of Lot 1, Block 2 of the Amended Plat of the Amended Plat of Lot 1 and Lot 4, Block 2, Great Falls Market Place Subdivision, Section 15, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana

From: Galen Amy, Planner I, Planning and Community Development

Initiated By: Owner Representative: Lupe Sandoval, CRM Architects & Planners, Inc.

Presented By: Mike Haynes, AICP, Director of Planning and Community Development

Action Requested: City Commission to approve with conditions the Amended Plat and accompanying Findings of Fact

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (approve with conditions/disapprove) the Amended Plat of the subject property and accept the Findings of Fact.”

2. Mayor calls for a second, discussion, public comment, and calls the vote.

Recommendation: The Planning Advisory Board, during a meeting held on February 26, 2013, passed a motion recommending the City Commission approve the Amended Plat of the above legally described property, herein referred to as the subject property, and the accompanying Findings of Fact, subject to the conditions of approval in the Planning Advisory Board Staff Report:

1. Provide an Amended Plat of the subject property which shall incorporate corrections of any errors or omissions noted by Staff, including provision of a notification clause to purchasers regarding soil conditions.
2. Any future development in the subdivision is subject to review and approval by the City of Great Falls as necessary, and applicant shall be required to submit any plans including architectural, landscape, signage and lighting plans as required for review and approval by the Design Review Board.
3. Developer shall enter into a mutual access agreement between the owners of the proposed lot and parent lot.

Background

The City Planning and Community Development Department received an application to subdivide the northeast corner of the subject property, where Home Depot is located, in order to accommodate

a proposed Panda Express restaurant. The Panda Express restaurant is faster, more casual representation of the more upscale Panda Inn restaurant, from which the chain concept was derived. In 1997, the company began opening stand-alone restaurants with drive-through windows, such as the proposed project. It is the largest chain of Chinese fast food restaurants in the United States with 1,536 restaurants covering 44 States and Puerto Rico. Its headquarters are located in Rosemead, California.

Subdivision Request

The subject property comprises ±11.662 acres. The proposed northeastern lot (Lot 1-B) for said Panda Express restaurant, adjacent to Market Place Drive, will consist of ±32,876 square feet, or ±0.755 acres. The remaining lot (Lot 1-A) where Home Depot is located will consist of ±475,118 square feet, or ±10.907 acres (See Draft Amended Plat).

Home Depot is an existing, big-box retail home improvement store in the Market Place Subdivision that meets Land Development Code standards. Consideration of a minor subdivision application of the subject property for the proposed development requires a parking space analysis. Per City Code, retail home improvement centers are required to have 1 parking space per 300 s.f. of gross floor area. Home Depot is 130,442 s.f., so 435 parking spaces are required. In addition, City Code requires 9 of these spaces be ADA accessible when the total number of required parking spaces is between 401 and 500.

Currently the Home Depot parking lot has 549 parking spaces, 10 ADA accessible parking spaces, and 7 parking spaces that have been converted into shopping cart corrals. The proposed development would eliminate 94 of the existing parking spaces, leaving 455 total parking spaces, which is still a 20 space surplus for Home Depot's required 435 parking spaces.

Subdivision Analysis

The basis for a decision to approve, conditionally approve, or deny a proposed subdivision is whether it is demonstrated that development of the proposed subdivision meets the requirements of the Montana State Code Annotated (MCA). Staff has developed Findings of Fact for the proposed subdivision; Staff concludes the subdivision meets the basic requirements provided by 76-3-608(3) MCA (See attached Findings of Fact).

Zoning Analysis

The subject property is located in the C-2 General Commercial zoning district. Panda Express, a restaurant with a drive-through, is permitted in the C-2 district. The newly created lot and said development will conform to the zoning requirements outlined in the Land Development Code and Development Standards. Additionally, it is understood by the property owners that they will be responsible for all current and future maintenance issues related to their own lots and will not hold the City responsible for any maintenance conflicts.

The property owners shall share access to Market Place Drive via the existing driveways and will have cross-access between lots. The developer shall enter into a mutual access agreement between the owners of the proposed lot and parent lot for full access to and egress from the subject site. Any future development of any lot shall meet requirements for the C-2 General commercial zoning district and shall be reviewed by the Planning and Community Development and Public Works Departments for consistency with all relevant code sections.

Infrastructure

Streets & Utilities

The applicant will not be required to provide improvements to Market Place Drive as it is an existing roadway that was built to City standards. There is an existing 2-inch water service and 4-inch sewer service located in Market Place Drive. As development occurs on the newly created lot, the owners will be required to pay to connect service lines to those mains.

Stormwater Management

Market Place Subdivision is subject to an overall stormwater master plan, so a storm drainage plan and report is not required. Any disturbed improvements in the public boulevards would need to be restored, and any public sidewalk, curb or gutter, driveway improvements need to be permitted and done according to City requirements and standards. Lastly, any excavation in the public right-of-way needs a permit, and excavation in Market Place Boulevard shall be back-filled with flowable fill, and the pavement section shall be replaced.

Traffic Analysis

The proposed subdivision would accommodate construction of a 2,210 square foot fast-food restaurant with limited seating (48 seats) and a drive-through. The Institute of Traffic Engineers' Trip Generation Manual provides an average trip generation figure for a use of this type and size of 1,097 trip ends per day. Although no traffic count is available for Market Place Drive, the roadway serves as the primary feeder for a busy commercial area. The roadway appears to have capacity to carry additional traffic, although the additional trips and turning movements may generate complaints from area drivers. However, dispersing access to the site between the driveway on the east side and the driveway on the west side of the site will help reduce vehicle stacking and delay that might otherwise be concentrated at one location.

No additional driveways/curb cuts onto Market Place will be allowed to the subject property, and because the site will be accessed through the property from which the lot is being created, a mutual access agreement must be in place. The private drive adjacent to the east property line of the proposed lot is missing a stop sign that must be replaced by the developer.

Sidewalk currently exists adjacent to Market Place Drive, and the developer must place curb-stops in parking spaces adjacent to the sidewalk to prevent vehicles overhanging and blocking sidewalk movements. Although not mandatory, the developer may wish to consider sidewalk on the west side of the private drive adjoining the eastern edge of the proposed lot. The proposed drive-through is well designed, providing adequate stacking and safe internal vehicle circulation through the site (see Site Plan and Building Rendering).

2005 City of Great Falls Growth Policy

The project is generally consistent with the overall aims and goals of the 2005 Growth Policy. The project is an infill opportunity within an existing shopping center which was designed with surplus parking. By utilizing the surplus parking and the existing infrastructure, the project promotes the more efficient use of existing development resources and expands dining choices for the consuming public.

Specifically, the project is consistent with the Growth Policy goals related to the Economic

Development. The Growth Policy's Economic goals call for diversifying the base economy, enhancing, strengthening and expanding the existing economic base and encouraging businesses and industries that will utilize existing infrastructure. The Growth Policy also calls for promoting redevelopment and infill as the primary community development mechanism. The Growth Policy states that the City should regulate new development to achieve a high degree of self containment. This regulation is encompassed in the approval process being sought by this applicant as a result of this request.

Neighborhood Council Input

Per MCA and the Official Code of the City of Great Falls (OCCGF 17.16.4.010 Table 16-2), minor subdivisions do not require public notice notification. As a courtesy, Patty Cadwell, Neighborhood and Youth Council Coordinator, provided information regarding the proposed project to Neighborhood Council #1 on January 8, 2013. There were general questions about the project, but no comments, and the Council did not make a recommendation for or against the project.

Concurrences: Representatives from the City's Public Works and Fire Departments have been involved throughout the review and approval process for this project.

Fiscal Impact: The Panda Express Restaurant project will increase the tax base and represent some additional demand on City services.

Alternatives: If there are justifiable reasons to do so, the City Commission could deny the requested action to the extent allowed in City Code and State Statute.

Attachments/Exhibits:

- Findings of Fact
- Aerial Map
- Zoning Map
- Reduced copy of Draft Amended Plat
- Site Plan
- Building Renderings

cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Patty Cadwell, Neighborhood & Youth Council Coordinator
Lupe Sandoval, CRM Architects & Planners, Inc., Lupes@crmarchitects.com
Brian Cannard, HD Development of Maryland, Inc., brian_cannard@homedepot.com

FINDINGS OF FACT

Amended Plat of Lot 1, Block 2 of the Amended Plat of the Amended Plat of Lot 1 and Lot 4, Block 2, Great Falls Market Place Subdivision, Section 15, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana
(PREPARED IN RESPONSE TO 76-3-608(3)MCA)

PRIMARY REVIEW CRITERIA

Effect on Agriculture: The lots within the subdivision are not currently being used for agricultural purposes. The proposed subdivision will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity.

Effect on Local Services: When development occurs on the lot within the subdivision, they will connect to City water and sewer mains. There is no required extension of utility mains as a part of this request. The City shall provide water and sewer service to the lots, which will be required to pay standard City fees for these services.

The lots within the subdivision will receive law enforcement and fire protection service from the City of Great Falls. The nearest fire station is ± 1.4 miles from the subdivision site. Providing these services to the proposed restaurant in the subdivision is expected to be a negligible cost to the City. Increased tax revenues from improved properties will likely cover any increased costs.

The subdivision will have a negligible impact on the cost of road maintenance as the subdivision and roads are already established. The developer will not be required to improve Market Place Drive because it has existing curb, gutter and sidewalks.

Effect on the Natural Environment: The subdivision is not expected to adversely affect soils or the water quality or quantity of surface or ground waters. Any excess surface runoff will flow into existing storm drains.

Effect on Wildlife and Wildlife Habitat: The subdivision is located in an area containing urbanized development. The subdivision is not in an area of significant wildlife habitat and will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety: Based on available information, the subdivision is not subject to abnormal potential natural hazards such as flooding, wildfire, snow or rockslides, nor potential man-made hazards such as high voltage power lines, high-pressure gas lines, high traffic volumes, or mining activity.

REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATIONS

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The local government has complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

EASEMENT FOR UTILITIES

There are no new easements required to accommodate public water mains or sanitary sewer mains and owner shall provide necessary utility easements to accommodate any private utilities to serve all lots of the minor subdivision.

LEGAL AND PHYSICAL ACCESS

Market Place Drive is public right-of-way maintained by the City of Great Falls. Legal and physical access to the proposed development is via the existing driveways off of Market Place Drive. The property owners will have cross-access between lots and the developer shall enter into a mutual access agreement between the owners of the proposed lot and parent lot for full access to and egress from the subject site.

Aerial Map



 Proposed Panda Express Site

 City Limits

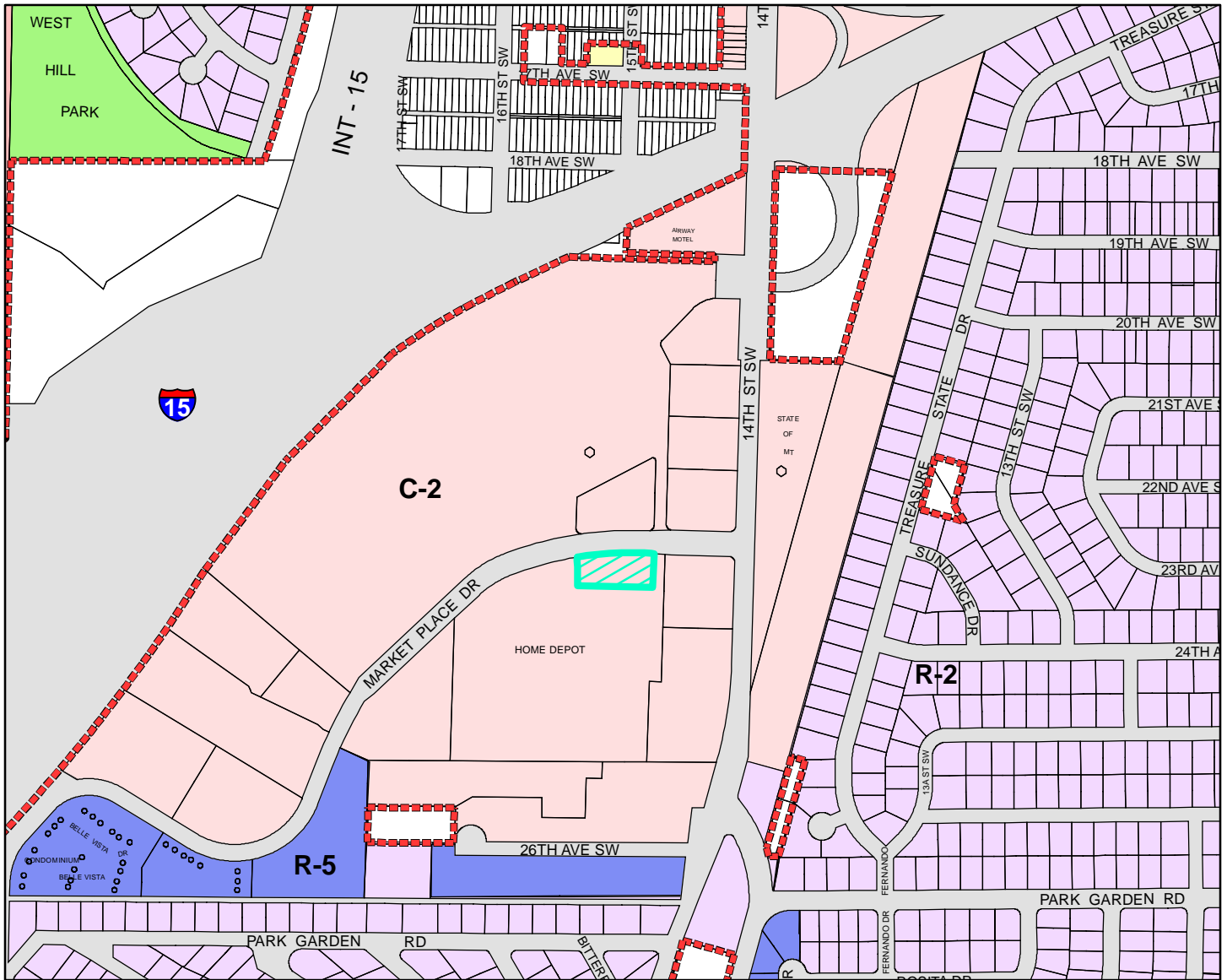
 Tracts of Land

450 225 0 450 Feet

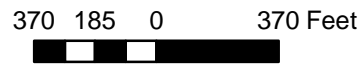


Panda Express

Zoning Map

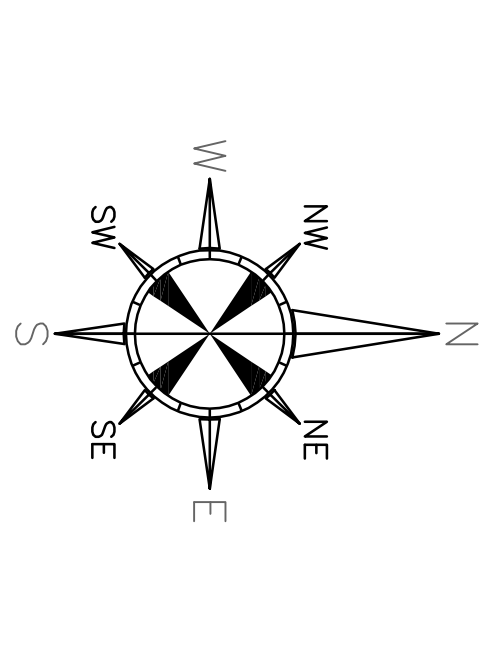


- | | | | | | |
|---------------|-----------------------------|--|--------------------------------|--|----------------------------------|
| | Proposed Panda Express Site | | C-5 Central business periphery | | R-1 Single-family suburban |
| | City Limits | | I-1 Light industrial | | R-2 Single-family medium density |
| | Tracts of Land | | I-2 Heavy industrial | | R-3 Single-family high density |
| ZONING | | | | | |
| | AI Airport Industrial | | M-1 Mixed-use district | | R-5 Multi-family medium density |
| | C-1 Neighborhood commercial | | M-2 Mixed-use transitional | | R-6 Multi-family high density |
| | C-2 General commercial | | PLI Public lands institutional | | R-9 Mixed residential |
| | C-3 Highway commercial | | POS Park Open Space | | R-10 Mobile home park |
| | C-4 Central business core | | PUD Planned unit development | | Unincorporated |
| | | | | | right-of-way |



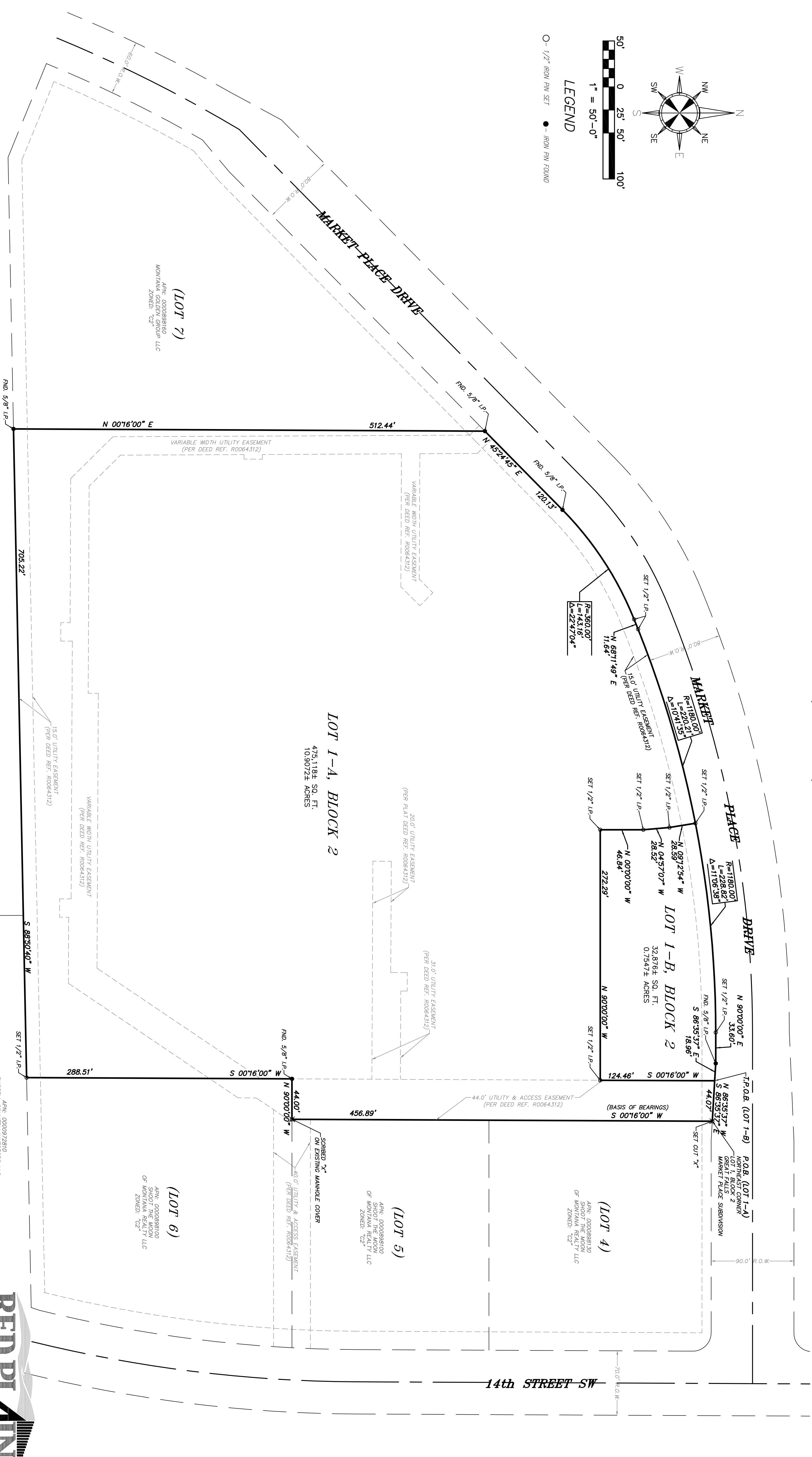
AMENDED PLAT OF LOT 1, BLOCK 2

OF THE AMENDED PLAT OF THE AMENDED PLAT OF LOT 1 AND 4, BLOCK 2, GREAT FALLS MARKET PLACE SUBDIVISION,
 AN ADDITION TO THE CITY OF GREAT FALLS, LOCATED IN SECTION 15, TOWNSHIP 20 NORTH, RANGE 3 EAST, P.M.M.,
 CASCADE COUNTY, MONTANA.
 DEED REFERENCE: DOCUMENT NO. R0064312
 (SHEET 2 OF 2)



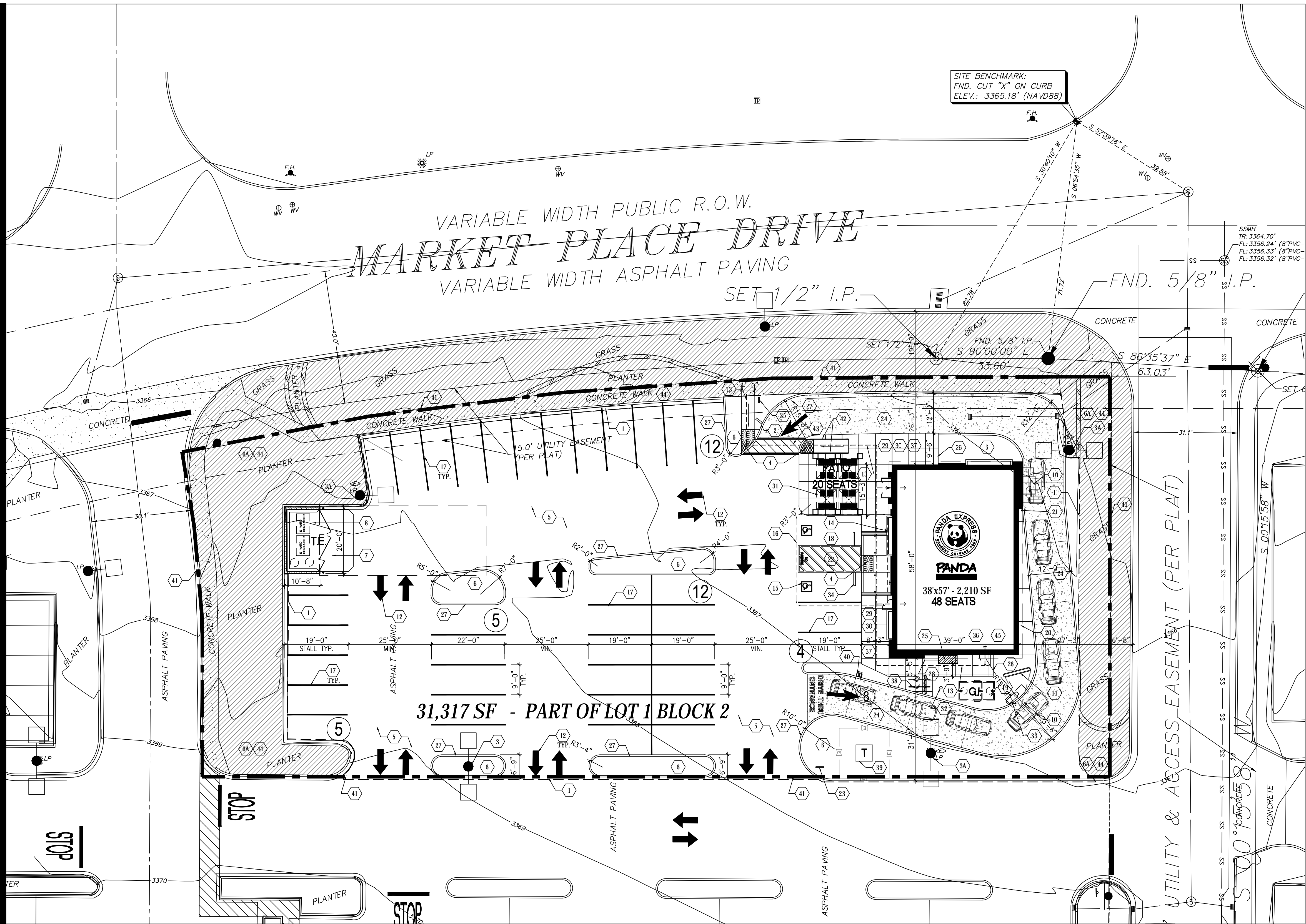
LEGEND

○ - 1/2" IRON PIN SET
 ● - IRON PIN FOUND



(PRELIMINARY DRAWING-PROPOSED)

RED PINNINS
 SURVEYING COMPANY
 EMAIL: COMMENTS@REDPINNINS.COM
 PHONE: (405) 503-7842
 FAX: (405) 503-7852



- 1 LIMIT OF CONSTRUCTION
- 2 DIRECTIONAL SIGN REFER TO SIGN VENDOR FOR ACTUAL LOCATIONS AND LAYOUT (NO ELEC. POWER)
- 3 NEW PARKING LOT POLE LIGHT TYPICAL AND LIGHTING SCHEDULE ON E-7.0 (REFER TO PHOTOMETRICS PLAN FOR LIGHT POLE LOCATIONS. LIGHT POLE FIXTURES ARE NOT BY OWNER)
- 3A EXISTING PARKING LOT POLE LIGHTS TO REMAIN AND PROTECT.
- 4 TRUNCATED DOMES 3 MIN. DEPTH. FLUSH TRANSITION.
- 5 ASPHALT PAVING - SEE CIVIL PLAN.
- 6 IRRIGATED LANDSCAPING, REFER TO LANDSCAPE DRAWINGS
- 6A EXISTING LANDSCAPE TO REMAIN & PROTECT
- 7 CONC. APRON IF USE ASPHALT PAVING.
- 8 TRASH ENCLOSURE, CONFIRM BIN SIZE WITH LOCAL WASTE MANAGEMENT COMPANY. (TYP. 6 YARD BIN)
- 9 ARCHITECT TO COORDINATE SIGN PACKAGE AND FOOTING DETAIL WITH STRUCTURAL ENGINEER TO ENSURE STRUCTURAL ADEQUACY OF PROPOSED MONUMENT SIGN
- 10 DRIVE THRU LANE SENSOR LOOP SEE DETAIL
- 11 DRIVE THROUGH MENU BOARD-INSTALLED BY GC. VERIFY WITH PANDA PM (SEE GENERAL NOTE BELOW)
- 12 DIRECTIONAL ARROW
- 13 ACCESSIBLE PATH OF TRAVEL
- 14 ACCESSIBLE PARKING POLE SIGN
- 15 INTERNATIONAL ACCESSIBILITY SYMBOL @ PARKING SPACE
- 16 ACCESSIBLE PARKING SPACE AND LOADING ZONE PAINT LOADING ZONE W/ 4" WIDE STRIPES @ 3'-0" O.C.
- 17 PAINT 4" WIDE SOLID PARKING STRIPPING W/ TWO (2) COATS HIGHWAY WHITE PAINT
- 18 DESIGNATED ACCESSIBLE PARKING SPACE
- 19 UNDERGROUND GREASE INTERCEPTOR 1,000 GALLON
- 20 ROOF DRAIN AND OVERFLOW DRAIN FROM ROOF UNDER CONCRETE FLATWORK TO FACE OF CURB OR TIE TO STORM SEWER. ARCHITECT TO VERIFY WITH LOCAL JURISDICTION.
- 21 STEEL PIPE GUARD-PAINT TO MATCH SAFETY YELLOW
- 22 PEDESTRIAN PATH OF TRAVEL PAINT 4" WIDE STRIPS @ 3'-0" O.C. & 4" WIDE BORDER, (MIN 2 COATS BLUE REFLECTED)
- 23 TOW AWAY WARNING SIGN
- 24 CONC. DRIVEWAY (GRAY COLOR, LIGHT BROOM FINISH).
- 25 400 AMPS NEMA 3R ELECTRICAL SWITCHGEAR 120/208V 3PH 4W
- 26 EDGE OF SIDEWALK AT PLANTER
- 27 CONCRETE CURB AT PLANTER
- 28 GAS METER COORDINATE W/ LOCAL UTILITY COMPANY.
- 29 EXPANSION JOINT @ 20'-0" O.C. MAX.
- 30 TOOLED JOINTS @ 5'-0" O.C.
- 31 OUTDOOR COVERED PATIO AND SEATING.
- 32 FUTURE PRE-VIEW BOARD, G.C. TO INSTALL J-BOX AND POWER FOR FUTURE USE.
- 33 ORDER CONFIRMATION BOARD OR PREFABRICATED ORDER CANOPY. VERIFY W/ PX PM.
- 34 WHEEL STOP SEE
- 35 ACCESSIBLE SITE SIGN
- 36 INTERIOR ELECTRICAL SUBPANELS
- 37 SEALED CONC SIDEWALK, (AQUA MIX SEALER'S CHOICE GOLD), CONCRETE TO BE LIGHT BROOM TEXTURE FINISH. PROVIDE UNDER SLAB TREATMENT PER SOIL REPORT. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG.
- 38 EXTERIOR BICYCLE RACK
- 39 NEW TRANSFORMER, SEE ELECTRICAL PLANS
- 40 CLEARANCE BAR INSTALLED BY SIGN VENDOR SEE ELECTRICAL DRAWING FOR ELECTRICAL REQUIREMENT, G.C. TO COORDINATE. SEE SIGNAGE PLANS.
- 41 PROPERTY LINE
- 42 HANDRAIL SEE DETAIL
- 43 PEDESTRIAN PATH OF TRAVEL W/ 6" WIDE GROVES EA. SIDE. COLOR OF PATH TO BE IN CONTRAST WITH ADJACENT PAVING.
- 44 EXISTING LANDSCAPE, SIDEWALKS, CURB & GUTTER IMPROVEMENTS OUTSIDE OF PROPERTY LINE SHOWN HATCHED ARE TO REMAIN.
- 45 DOMESTIC WATER METER INSIDE BUILDING. SEE PLUMBING DWGS & UTILITY PLANS. VERIFY REQUIREMENTS WITH WATER UTILITY COMPANY.



PANDA RESTAURANT GROUP INC.
1683 Walnut Grove Ave.
Rosemead, California
91770
Telephone: 626.799.9898
Facsimile: 626.372.8288

All ideas, designs, arrangement and plans indicated or represented by this drawing are the property of Panda Express Inc. and were created for use on this specific project. None of these ideas, designs, arrangements or plans may be used by or disclosed to any person, firm, or corporation without the written permission of Panda Express Inc.

REVISIONS: DATE: BY:

NO.	DATE	BY

ISSUE DATE:

REV	DATE	BY
1ST		
2ND		
3RD		
4TH		
5TH		
6TH		
7TH		

DRAWN BY: CRM Architects & Planners, Inc.

PANDA PROJECT #: S8-13-D3640
ARCH PROJECT #: CRM 1228.1
DATE: 10/10/12



5921 Folsom Blvd. - Sacramento, Ca 958
phone: (916) 451-1500 - fax: (916) 451-1111

STAMP:

"MARKET PLACE DRIVE HOME DEPOT CENTER"

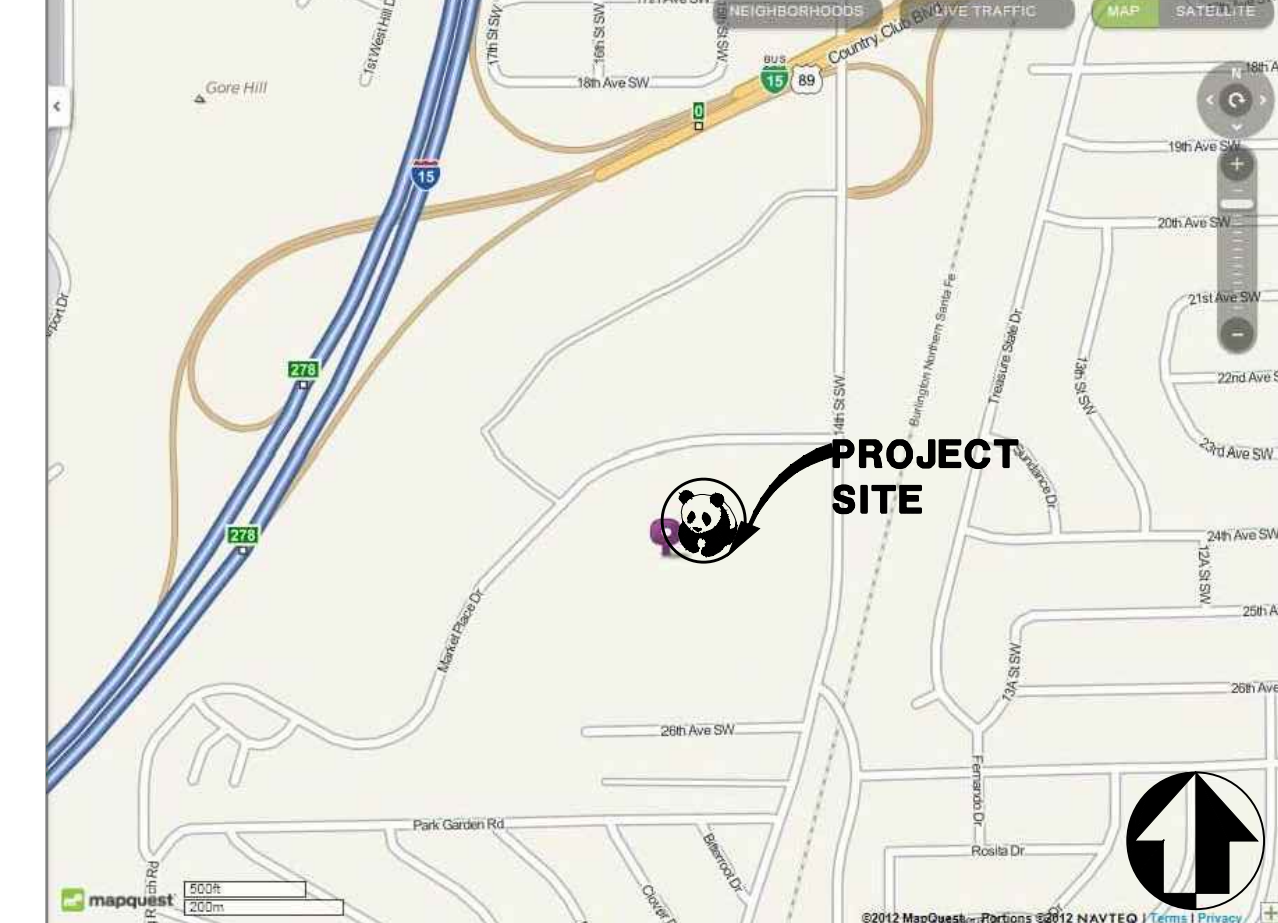
1500 MARKET PLACE DRIVE
GREAT FALLS, MT 59404

Prototype # Bright & Fresh

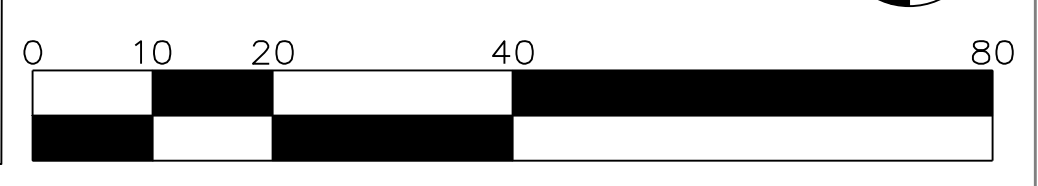
A-0.1

SITE PLAN
ARCHITECTURAL

PLANNING SUBMITTAL



Project Name	Market Place Drive "Home Depot Shopping Center"	
Proposed	Panda Express Restaurant	
APN #	3015-15-3-01-09-0000	
Existing Zoning	C2 (General Commercial)	
Land Use	Restaurant	
Parking Required	30	
Parking Provided	38 (2 ADA Stalls)	
SITE PLAN REQUIREMENTS		
Total Parcel Area	31,317 Sq. Ft.	100 %
Building Coverage	2,210 Sq. Ft.	x %
Asphalt/ Conc. Coverage	- Sq. Ft.	x %
Landscaping	- Sq. Ft.	x %
Owner:	Civil Engineer:	
CFT Developments, LLC	NCI Engineering Co.	
1683 Walnut Grove Ave.	4509 N. Star Blvd.	
Rosemead, CA 91770	Great Falls, MT 59405	
Ph. (626) 372.8122	Ph. 406.453.5478	
Fax (626) 403.8527	Fax 406.453.2009	



Vicinity Map 2
NTS A-0.1

SITE PLAN 1
Scale: 1/16"=1'-0" A-0.1

KEY NOTES A
A-0.1

Building Renderings

