

Item:	Minor Subdivision with Amended Plat of Parcel B, Lot 1, Block 1, C & W Addition, SW ¼ NE¼ Section 2, Township 20 North, Range 3 East, P.M. MT, Cascade County, Montana - Buffalo Wild Wings restaurant site		
From:	Galen Amy, Planner II, Planning and Community Development		
Initiated By:	Robert Schmidt, PEG Development		
Presented By:	By: Craig Raymond, 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 11, 2014, 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. The proposed project shall be developed consistent with the conditions in this agenda report, all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
- 2. Provide an Amended Plat of the subject property which shall incorporate corrections of any errors or omissions noted by Staff, and inclusive of frontage along Northwest Bypass as an integral part of Lot B2, to comply with City Code.
- 3. Any 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.
- 4. A mutual access agreement, shared parking agreement, and joint maintenance agreement between parent lot (Lot B1) and the proposed lot (Lot B2) shall be prepared to the satisfaction of the Planning & Community Development Department. After City

approval, said agreements shall be executed and filed and recorded with the County Clerk & Recorder's Office.

- 5. A permanent stop sign shall be installed at the intersection of the east-west drive aisle and the north-south ingress/egress drive aisle, where the developer shall also install a crosswalk, as shown in Exhibit E.
- 6. All parking for the parent lot (Lot B1) and the proposed lot (Lot B2) shall be striped in order for the shared use of parking facilities to be granted, as shown in Exhibit E.
- 7. Stripe through and turning lanes on the driveway onto the Northwest Bypass, as shown in Exhibit E. Providing adequate lane widths may require a widening of the curbcut.

Background

The subject property is abutting Northwest Bypass, in the Westwood Shopping center, immediately to the west of K-Mart and 3rd Street Northwest. The City Planning and Community Development Department received an application to subdivide the southern portion of the property where Big Bear Sports Center is located in order to accommodate a proposed Buffalo Wild Wings restaurant. This national chain began operating in 1982 and has four existing Montana locations in Helena, Bozeman, Billings and Missoula.

Subdivision Request

The applicant is requesting a minor subdivision of the subject property, which comprises ± 4.435 acres. The request is to subdivide the property into two lots. The proposed south lot (Lot B2) for the proposed Buffalo Wild Wings, adjacent to Northwest Bypass, will consist of $\pm 37,485$ square feet, or ± 0.861 acres. The remaining lot (Lot B1) where Big Bear Sports Center is located will consist of $\pm 155,683$ square feet, or ± 3.574 acres (see attached Draft Amended Plat).

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).

Shared Parking Analysis

One of the considerations for a minor subdivision is parking space availability. Section 17.36.2.060 of the Land Development Code (LDC) states that the Director of Planning & Community Development may authorize joint use of parking facilities provided the following criteria is met:

- 1. The applicant shows that there is no substantial conflict or overlap in the principal operating hours of the building or use for which the joint use of parking facilities is proposed; and,
- 2. The parking facility for which joint use is proposed shall be located within 400 feet of the building or use required to provide parking; and,
- 3. The parties concerned in the joint use of off-street parking facilities shall evidence their agreement for such joint use by a legal instrument approved by the City Attorney as to form and content. Such instrument, when approved as conforming to the provisions of this chapter, shall be recorded in the office of the County Clerk and Recorder and a copy filed with the Planning & Community Development Department; and,

- 4. Directional signage is provided where appropriate; and,
- 5. Pedestrian links are direct, clear, and safe; and,
- 6. Parking lots are located within the same zoning district as the use they serve.

Big Bear Sports Center is an existing retail space located on a lot that is just under 840 feet deep, which is largely unused and open due to the excess parking lot area that was created when it was originally developed, and provides for adequate parking for both businesses. Said parking area is currently unstriped, and the owner and applicant are working on the terms of a shared use agreement that will include striping and landscaping in the parking lot that will remain after the proposed subdivision (see Exhibits E & G).

Upon completion of the subdivision, the shared parking lot will be located north of Buffalo Wild Wings and has a potential parking overlap of about 20 parking spaces, though that is unlikely as these uses are compatible for shared parking because they have differing traffic peaks the majority of the time.

Zoning Analysis

The subject property is located in the C-2 General Commercial zoning district. Buffalo Wild Wings is proposing development of a restaurant with a patio seating area on the subject property, which is permitted in the C-2 district. The newly created lot and said development shall conform to the zoning requirements outlined in the Land Development Code and Development Standards.

In addition, 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 Northwest Bypass via the existing driveway. 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. This agreement is in addition to the aforementioned shared parking agreement.

Any future development of any lot shall meet requirements for the C-2 General commercial zoning district and shall be reviewed by the Planning & Community Development and Public Works Departments for consistency with all relevant code sections.

Infrastructure

Streets & Traffic Analysis

The applicant will not be required to provide improvements to Northwest Bypass, as it is an existing roadway that was built to City standards and provides adequate safe access to the site. Please see full Traffic Analysis attached.

Utilities

The applicant shall extend the 8-inch water main south from 14th Avenue Northwest, along the western edge of the Big Bear Sports Center property, and east along the north edge of the newly created Buffalo Wild Wings lot. The water main extension will end at the eastern property line of both lots with a fire hydrant installed at the end.

Public easements for said water main and hydrant shall be established. The size of Buffalo Wild Wings domestic water service line will be determined by their engineer. Installation of a separate

irrigation service line is recommended; however, if the applicant chooses to do that, the irrigation line cannot be connected to the domestic water service line. The sewer service will connect to the sewer main just south of the proposed lot along Northwest Bypass.

Public Works Requirements

- Storm drainage improvements are required for redevelopment projects in accordance with the City's current Storm Drain Design Manual. Plans and design report for said improvements shall be submitted to City Engineer's Office for review and approval.
- The plans, specifications, easements, DEQ documents and correspondence for the water main extension from 14th Avenue Northwest shall be submitted to City Engineer's Office for review and/or approval.
- Any work or improvements within the Northwest Bypass need to be coordinated with Montana Department of Transportation this includes access and traffic related issues.
- The grease interceptor plans and specifications shall be submitted to Public Works Environmental Department for review and approval.
- Other site civil plans for water and sewer utility services, public sidewalk, driveways, etc. shall be submitted to City Engineer's Office for review and/or approval.

2013 City of Great Falls Growth Policy Update

The project is consistent with the overall aims and goals of the 2013 Growth Policy Update. The project is an infill opportunity within an existing shopping center which was designed with surplus parking. By utilizing the surplus parking and some available existing infrastructure, the project promotes 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 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.

Moreover, the Growth Policy calls for promoting redevelopment and infill as a primary community development mechanism. The Growth Policy states that the City should regulate new development to achieve a high degree of self containment. This Policy is encompassed in the approval process being sought by this applicant as a result of this request.

Neighborhood Council Input

Per Montana Code Annotated 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 Council Coordinator, provided information regarding the proposed project, via email, to Neighborhood Council #3 on January 3, 2014. There were general questions about the project, and more information was provided for clarification; all correspondence was via email.

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 Buffalo Wild Wings 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.

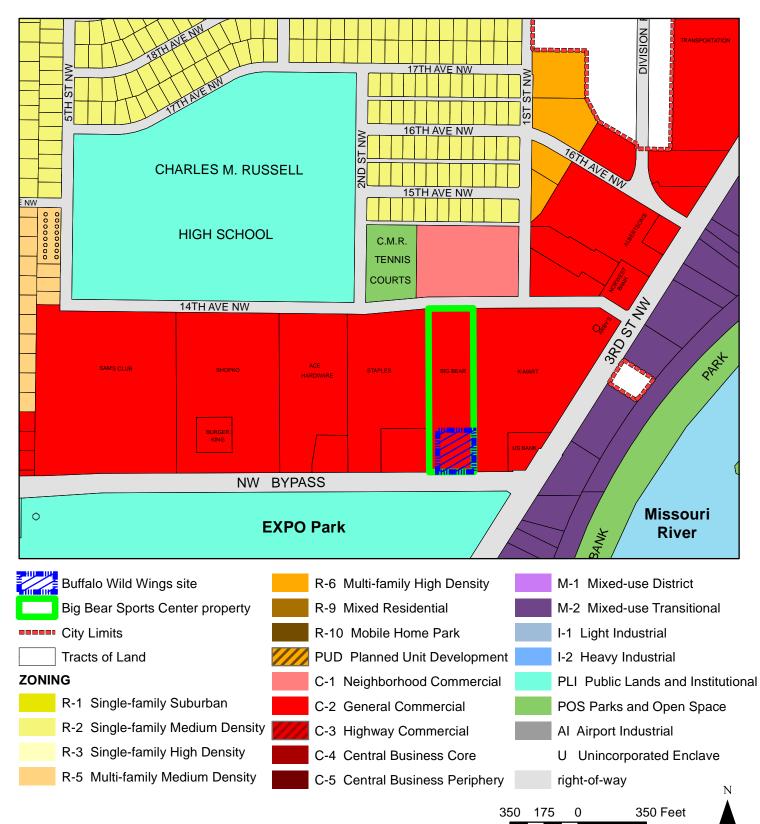
Attachments/Exhibits: Aerial Map Zoning Map Reduced copy of Draft Amended Plat Findings of Fact Traffic Analysis Site Plan Building Elevations Landscaping Plan

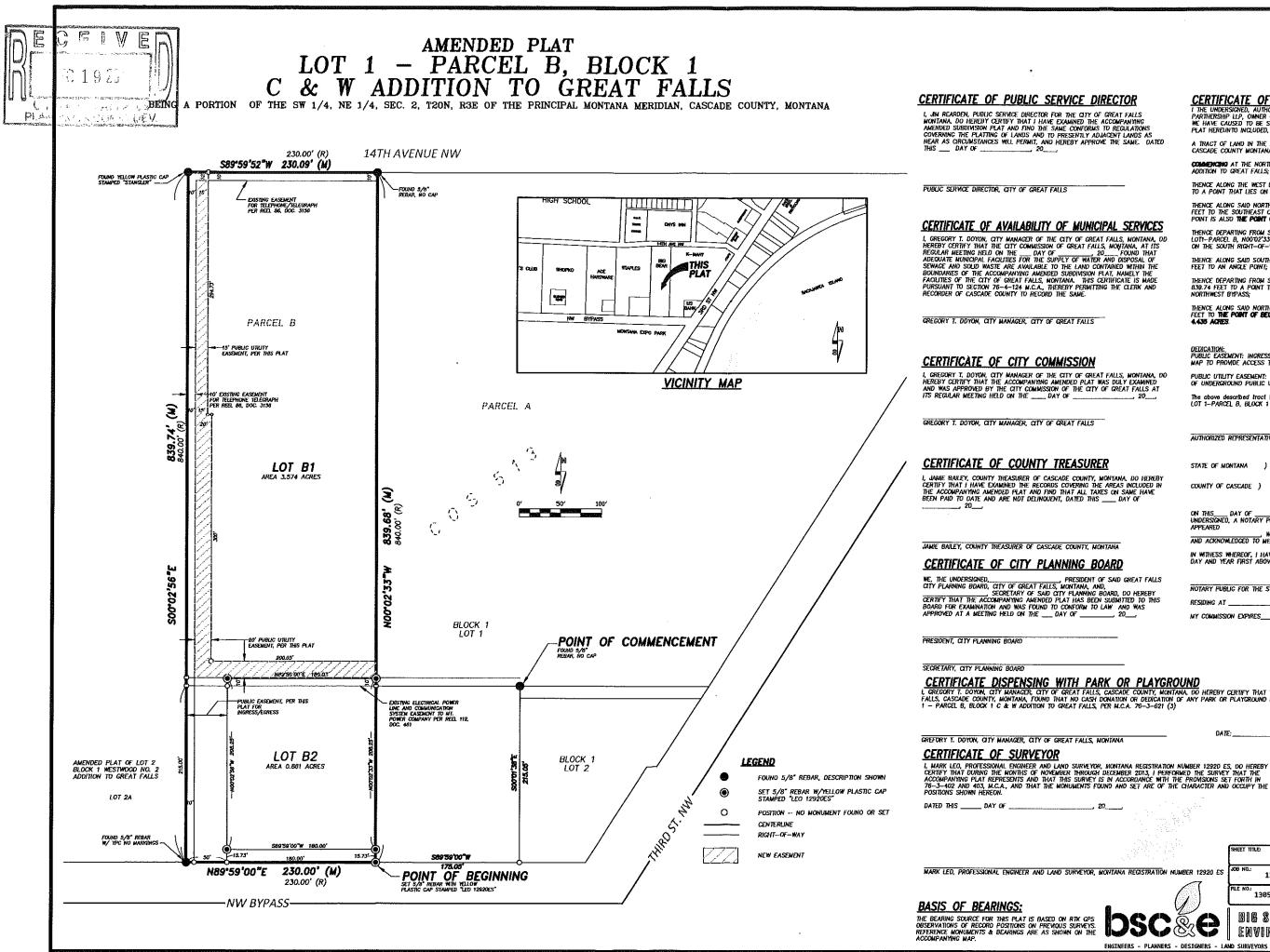
 cc: Jim Rearden, Public Works Director Dave Dobbs, City Engineer
Patty Cadwell, Neighborhood Council Coordinator
Robert Schmidt, PEG Development, robert@pegdevelopment.com
Joe Murphy, Big Sky Civil & Environmental, Inc., jmurphy@bigskyce.com or bscejoe.murphy@gmail.com

Aerial Map



Zoning Map





CERTIFICATE OF SURVEY & DEDICATION THE UNDERSIGNED, AUTHORIZED REPRESENTATIVE FOR MILSON-TAYLOR PARTHERSHIP LLP, OWNER OF THE SUBJECT PROPERTY, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED AND REPLATED INTO LOTS, AS SHOWN BY THE PLAT HEREUNTO INCLUDED, THE FOLLOWING DESCRIBED TRACT OF LAND TO-WIT.

A TRACT OF LAND IN THE SW1/4 NE1/4 OF SECTION 2, 1.20.N., R.O.SE., P.M.M., CASCADE COUNTY MONTANA, MORE FULLY DESCRIDED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 2, BLOCK 1 OF THE C&W ADDITION TO GREAT FALLS;

THENCE ALONG THE WEST LINE OF SAID LOT 2, SOUDI'38"E A DISTANCE OF 215.05' TO A POINT THAT LIES ON THE NORTH RIGHT-OF-WAY OF THE NORTHWEST BYPASS;

THENCE ALONG SAID NORTH RIGHT-OF-WAY, S89'59'00"W A DISTANCE OF 175.05 FEET TO THE SOUTHEAST COHNER OF PARCEL B, BLOCK 1, CAW ADDITION, SAID POINT IS ALSO **THE POINT OF BEGINNEN** OF THE PARCEL HEREIN DESCRIBED;

THENCE DEPARTING FROM SAID RIGHT-OF-WAY ALONG THE EAST LINE OF LOT--PARCEL B, NOOD2'33"W A DISTANCE OF B39.68 FEET TO A POINT THAT LIES ON THE SOUTH RIGHT-OF-WAY OF 14TH AVE. NW;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY, S89'59'52"W A DISTANCE OF 230.D9 FEET TO AN ANGLE POINT:

THENCE DEPARTING FROM SAID SOUTH RIGHT-OF-WAY, SOD'DZ'56'E A DISTANCE OF B39.74 FEET TO A POINT THAT LIES ON THE NORTH RIGHT-OF-WAY OF THE NORTHWEST BYPASS;

THENCE ALONG SAID NORTH RIGHT-OF-WAY, N89'39'00"E A DISTANCE OF 230,00 FEET TO THE POINT OF BECOMBINO OF THE PARCEL HEREIN DESCRIBED, CONTAINING 4.435 ACRES

<u>DEDICATION:</u> PUBLIC EASEMENT: INGRESS/EGRESS EASEMENT, AS SHOWN ON THE ACCOMPANYING MAP TO PROVIDE ACCESS TO PUBLIC RICHT-OF-WAY AND ADJACENT LOTS. PUBLIC UTILITY EASEMENT: FOR THE INSTALLATION, MAINTENANCE AND REMOVAL OF UNDERGROUND PUBLIC UTILITIES.

The above described tract is designated and to be known as the "ANENDED PLAT LOT 1-PARCEL 8, BLOCK 1 C & W ADDITION TO GREAT FALLS".

AUTHORIZED REPRESENTATIVE OF WILSON-TAYLOR PARTNERSHIP LLP, (DWNER)

STATE OF MONTANA SS COUNTY OF CASCADE)

AUFEARED , WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITHESS WHEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTORIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR THE STATE OF MONTANA RESIDING AT MY COMMISSION EXPIRES_

CERTIFICATE DISPENSING WITH PARK OR PLAYGROUND I. GREGORY T. DOYON, CITY MANAGER, CITY OF GREAT FAILS, CASCADE COUNTY, MONTANA, DO HEREBY CERTIFY THAT THE CITY COMMISSION OF THE CITY OF GREAT FAILS, CASCADE COUNTY, MONTANA, FOUND THAT NO CASH DOMATION OF DEDICATION OF ANY PARK OR PLAYGROUND IS REQUIRED WITHIN THE AMENDED PLAT OF LOT 1 - PARCEL B, BLOCK TO & W ADDITION TO GREAT FAILS, CHE M.C.A. 76-3621 (3)

DATE:

		SHEET TITLE:			
		AMENDED PLAT			
EYOR, MONTANA REGISTRATION NUMBER 12920 ES		JOB NO.: 1305	ORAWING NAME: 1305 AMEN	305 AMENDED PLAT 1	
		FILE NO.: 1305-PLAT	DRAWN BY: JCK	DATE: 12-9-13	OF 1
' GPS IVEYS. V THE	bsc &e	BIG SKY GIVIL ENVIRONMENT ND SURVEYORS - ENVIRONMENTA	TAL, INC	1505 14th 3 P.O. BOX 30 GREAT FALL (406)727-23 (406)727-30 www.blgsky	625 S, MT 59403 185 OFFICE 656 FAX

FINDINGS OF FACT Amended Plat of Parcel B, Lot 1, Block 1, C & W Addition, SW ¼ NE¼ Section 2, Township 20 North, Range 3 East, P.M. MT, Cascade County, Montana (PREPARED IN RESPONSE TO 76-3-608(3)MCA)

PRIMARY REVIEW CRITERIA:

Effect on Agriculture: The subject property is not currently being used for agricultural purposes as the subdivision is part of a developed shopping area in the City. The proposed minor subdivision will not interfere with any agricultural irrigation system or present any interference with agricultural operations in the vicinity.

Effect on Local Services: When development occurs on the newly created lots within the subdivision, the proposed restaurant will connect to City water and sewer mains. The applicant is required to extend the water main south from 14th Avenue Northwest, across the western edge of the Parent lot, and east along the north edge of the newly created lot. The applicant will not be required to extend the sewer main for this request. The City shall provide water and sewer service to the lots, for which the applicant will be required to pay standard City fees for these services.

The lots within the minor subdivision will receive law enforcement and fire protection service from the City of Great Falls. Fire Station No. 2 is located a short $\pm 2,300$ feet to the west of the subject property, at the southeast corner of 6th Street Northwest and Northwest Bypass. Providing these services to the proposed restaurant in the minor 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 Northwest Bypass 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 storm drainage improvements, reviewed and approved Public Works, made by the applicant at the time of construction.

Effect on Wildlife and Wildlife Habitat: The subdivision is located in an urban, developed shopping area. 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 is a new easement required to accommodate extension of the public water main and the owner shall provide necessary utility easements to accommodate any private utilities to serve both lots in the minor subdivision.

LEGAL AND PHYSICAL ACCESS

Northwest Bypass is public right-of-way maintained by the Montana Department of Transportation. Legal and physical access to the proposed development is via the existing driveway off of Northwest Bypass. The property owner and developer 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.

Traffic Analysis Buffalo Wild Wings, Westwood Shopping Area, Northwest Bypass

<u>Characteristics of the Proposed Development:</u>

A 292-seat high-turnover restaurant is proposed along the Northwest Bypass, with 5,985 square feet of gross floor area. The site would be in front of the Big Bear Sports Center store, immediately adjacent to the Bypass and east of the driveway leading to Big Bear.

Existing Conditions:

A driveway/access into the Westwood Shopping Area exists on the west side of the proposed restaurant site. The eastbound traffic on the Northwest Bypass has a left turn bay to accommodate turning movements into the driveway. On the site, the access continues north to the Big Bear store, which sits at the far rear of the site. An east-west drive aisle runs across the back of the proposed restaurant site. The site proposes to share some parking with the Big Bear Sports Center.

Estimated Trip Generation:

Classified as a High-Turnover (Sit-Down) Restaurant in the 7th Edition Trip Generation Manual, published by the Institute of Transportation Engineers, the proposed development's trips are estimated based upon gross floor area. Using an Average Trip Generation Rate of 127.15 weekday trips per 1000 square feet of gross floor area, the proposed 5,985 square foot restaurant would be expected to generate 761 trips.

A useful statistic is also the estimated number of trips generated during the peak hour (one hour between 4 and 6 pm) of the adjoining roadway. At an average trip rate of 10.92, the proposed restaurant would generate 66 peak hour trips.

Distribution of Trips:

"Trips" include vehicles arriving at and leaving the restaurant, including employees, patrons and deliveries. While most of the trips would be expected to access and exit the site via the existing driveway onto the Northwest Bypass on the western edge of the property, some trips would take advantage of easy access to other driveways onto the Northwest Bypass on the Westwood property. Also, accesses onto 3rd Street Northwest and 14th Avenue Northwest would be used, depending upon the origin/destination of the trip. Given the large number of alternate accesses, it can be assumed that perhaps 30% or more of the trips would be using accesses other than the one immediately adjacent to the building site, leaving an estimated 70% of the trips utilizing the close access/approach onto the Northwest Bypass. The 30% "other" trips are assumed to be evenly distributed to other driveway accesses, and therefore would have minimal impact upon the function of the accesses.

Impact upon Northwest Bypass:

The adjoining roadway is classified as a Major Arterial, and carries a relatively low volume considering its classification and 5-lane roadway configuration. The latest traffic count immediately west of 3rd Street Northwest is 15,661 average vehicles per day. As a four-

lane, median separated roadway with a center turn lane, there is sufficient capacity to accommodate the additional 533 trips (70% of trips) that the site would generate on the Northwest Bypass.

Transit and Non-motorized Travel:

The Great Falls Transit District provides daytime access through the Westwood Shopping Complex, allowing patrons and employees with bus service during transit operating hours.

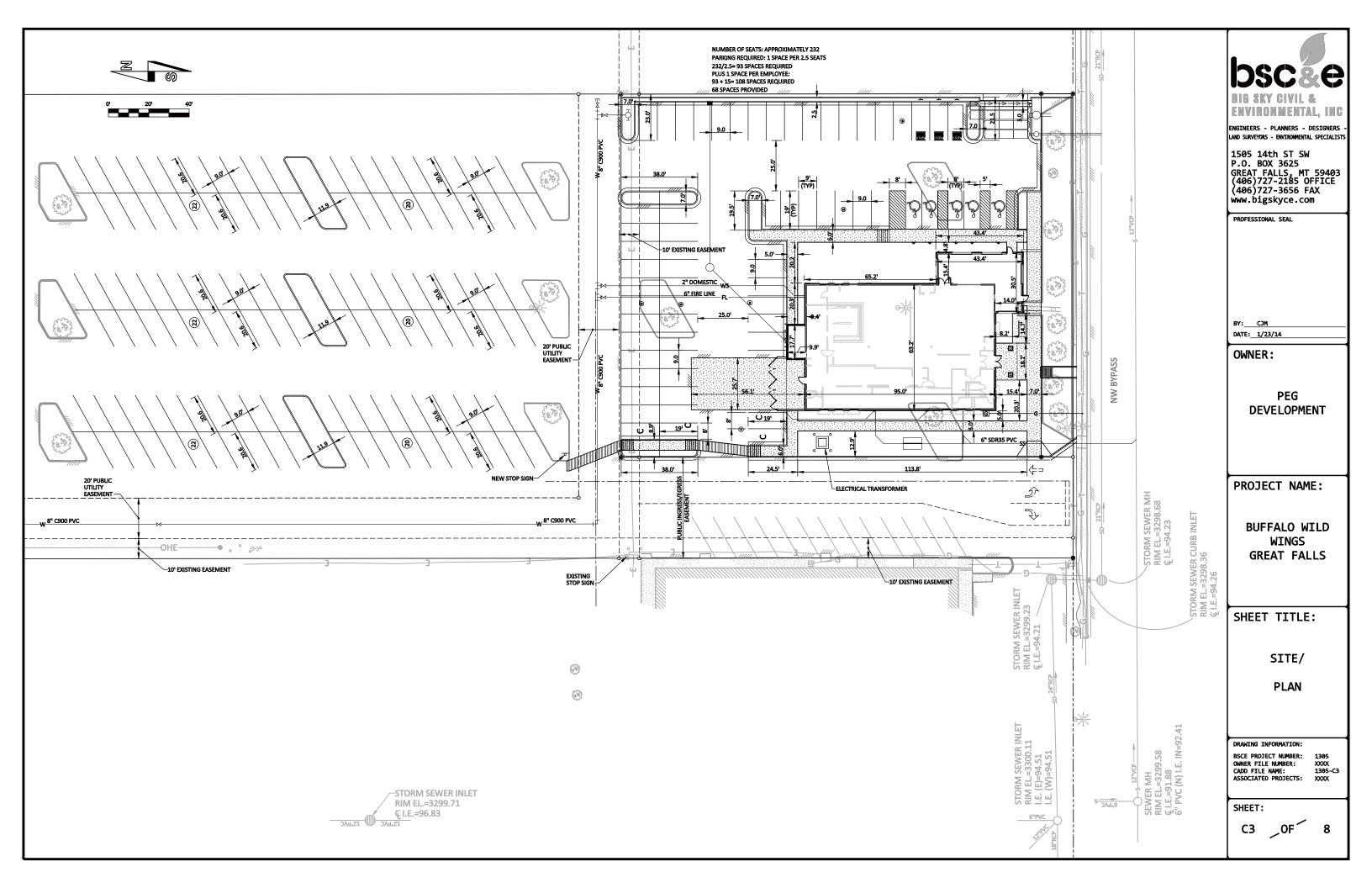
Pedestrian and bicycle travel to the site is an option. Full sidewalks in the area provide safe access for pedestrians and, although designated bike lanes are not in place, bicyclists may use a full shoulder on the Northwest Bypass to safely travel to the restaurant site. The signalized intersections at 3^{rd} Street Northwest and 6^{th} Street Northwest can be used by non-motorized travelers to safely cross the Northwest Bypass to the site, and signalized intersections at 14^{th} Street Northwest and the Northwest Bypass can be used to safely cross 3^{rd} Street Northwest.

On-site sidewalks and pedestrian crossings of drive-aisles will provide for safe circulation within the site, with all sidewalks providing ramps and truncated domes for full ADA compliance. The restaurant building is proposed immediately adjacent to the Northwest Bypass, providing safe, easy access from the sidewalk on the Northwest Bypass with no parking lot to navigate through.

Conclusion and recommendations:

While the Northwest Bypass has sufficient capacity to accommodate the additional traffic that would be generated by the proposed development, traffic flow on the Westwood Shopping Complex property between the various properties and buildings and to and from the site is in need of improvements. The developer is required to:

- 1) Stripe through and turning lanes on the driveway onto the Northwest Bypass. Providing adequate lane widths may require a widening of the curbcut;
- 2) Install pedestrian crosswalk striping across drive aisles to direct patrons to the safest pedestrian route to the restaurant entrance;
- 3) Install stop signs on the east-west drive aisle on the north edge of the proposed development at the intersection with the north-south drive aisle to ensure safe pedestrian crossings as well as reduce vehicular conflicts. This is especially important because of the lack of visibility due to the building immediately west of the site.
- 4) Generally adhere to the proposed site plan to minimize vehicular conflicts within the parking lot and drive aisles/traffic patterns on and through the greater Westwood Shopping Area site, and to ensure safe pedestrian flow within the site.



FRONT ELEVATION (FACING NORTHWEST BYPASS)



REAR ELEVATION (FACING BIG BEAR SPORTS CENTER)

