



**Item:** Ordinance 3127 to rezone Lot 2, Block 1, Fifteenth Street Bridge Addition, Section 6, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, addressed as 1100 15<sup>th</sup> Street North

**From:** Garrett Norman, Planner I, Planning and Community Development

**Initiated By:** Michael Mitchell, Property Owner and Applicant

**Presented By:** Craig Raymond, Director of Planning and Community Development

**Action Requested:** City Commission accept Ordinance 3127 on first reading and set a public hearing for December 16, 2014.

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (accept/deny) Ordinance 3127 on first reading and set a public hearing for December 16, 2014.”

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

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**Recommendation:** At the conclusion of a public hearing held on October 28, 2014, the Zoning Commission recommended the City Commission approve the rezone of the subject property legally described above, from M-2 Mixed-use transitional to I-1 Light industrial, subject to fulfillment of the following Conditions of Approval:

1. **General Code Compliance.** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. **Design Review Board.** Prior to issuance of a building permit and Safety Inspection Certificate, the proposed project shall complete the Design Review Board process, pursuant to Land Development Code Section 17.28.050.11.

Public Notice for the Planning Advisory Board/Zoning Commission Public Hearing was published in the *Great Falls Tribune* on October 12, 2014. One nearby business owner spoke at the hearing expressing support for the project.

**Background:** On September 11, 2014, the owner/applicant, Michael Mitchell with Mitchells' Crash Repair, applied for a zoning map amendment for the property located at 1100 15th Street North. The property consists of one lot that measures 2.152 acres.

The property owner applied to rezone the property from M-2 Mixed-use transitional to I-1 Light industrial to accommodate a vehicle repair shop. Existing conditions of the site include two vacant buildings that are proposed to be redeveloped for vehicle repair operations. In addition to redeveloping the existing buildings, the owner intends to construct one office building towards the northeast corner of the parcel.

The prior use of a recycling center was a nonconforming use in the M-2 zoning district, which is rightfully permitted in the I-2 zoning district. The proposed rezone to I-1 would be a less intensive use than the previous use.

### **Rezoning Analysis**

The requested rezone to I-1 Light industrial is a compatible zoning designation with the surrounding zones. The Zoning Map, attached to this report as an Exhibit, illustrates the surrounding zoning districts in relation to the subject property. The abutting properties to the west are zoned I-1, while the properties to the north, south, and east are zoned M-2. Furthermore, the surrounding property uses are compatible with the proposed crash repair shop. The northern parcel is the Pepsi Cola distribution center. The property to the south is an active Burlington Northern Santa Fe Railroad Company rail line, and south of that is a storage yard owned by Lumber Yard Supply Company. The property immediately west of the subject property is also the Lumber Yard Supply Company. The proposed rezone is a logical and compatible continuation of the existing I-1 zoning district from the west to the subject parcel to the east.

### Findings for the Basis of Decision

The basis for decision on zoning map amendments is listed in the Land Development Code Section 17.16.40.030. The recommendation of the Zoning Commission and the decision of City Commission shall at a minimum consider the following criteria of the Findings for the Basis of Decision:

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

The proposed rezoning is consistent with the overall intent and purpose of the 2013 City Growth Policy Update. This project strongly supports Economic, Environmental, and Physical goals and policies.

#### Economic

*Eco 3.5 — Continue efforts to support and develop small business in Great Falls.*

The rezone of the subject property would accommodate Mitchells' Crash Repair Shop, which is a locally owned and operated vehicle repair shop in Great Falls. The rezone would allow the business owner to expand their business.

#### Environmental

*Env 2.3 — Enhance the urban built environment by promoting infill and redevelopment in the City.*

The subject property is an ideal location for infill development due to the project's proposal of adaptive reuse of existing infrastructure and redevelopment of the vacant buildings.

#### Physical

*Phy 4.1.3 — Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City.*

The approval of this rezone would provide a compatible land use pattern between the existing mixed-use and light industrial uses in the nearby vicinity.

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

Great Falls is separated into nine Neighborhood Councils. There are no adopted Neighborhood Plans for any of the Councils within the City. The subject property is located in Neighborhood Council #7. The applicant presented the proposed project to the Council on October 13, 2014. The Council and neighbors in attendance of the meeting are in support of the project.

**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 lies within the Missouri River Urban Corridor Plan, designated in the primary impact area. One of the impacts listed is to remove barriers to neighborhood connectivity, specifically by increasing bicycle and pedestrian connectivity to adjacent neighborhoods. Similarly, the 2014 Great Falls Area Long Range Transportation Plan notes sidewalk gaps in this particular area. Sidewalk gaps are generally concentrated in neighborhoods where these facilities were not required during development or were initially developed in Cascade County and subsequently annexed. These corridors have been identified as a pedestrian need or anticipated future need. As part of this project, sidewalks are proposed along the property's 15th Street North frontage, ultimately improving pedestrian connectivity from the neighborhoods to the south to the amenities offered along River Drive.

**4. The code with the amendment is internally consistent.**

The proposed zoning map amendment is consistent with the applicable code and is within City limits. Nearby properties to the west and south have similar uses, making the zoning district consistent with surrounding development.

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

Any development within the City limits requires City review, including review of how the development will impact the public health, safety and welfare. It is not anticipated that the rezone and development proposal will have negative impacts.

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

Completion of the rezoning will have a beneficial financial impact for the City due to the increased property value and resulting tax base after development. There is adequate staffing to administer and enforce the amendment.

**Improvements**

Circulation

The applicant will construct a sidewalk along the property's 15th Street North frontage. In addition, the applicant is proposing a new curb cut on the northeast corner of the property, onto 15th Street North. The curb cut location is shown on the proposed Landscape Plan, which is attached to this report. Both the proposed curb cut and sidewalks will be reviewed by Montana Department of Transportation (MDT) and the City Public Works Department.

Utilities

The site is within a developed area with an adequate capacity of water and sewer lines.

Stormwater

Any redevelopment of the site may trigger stormwater review by the City Public Works Department.

**Design Review**

Generally, buildings in industrial zoning districts are not required to go through the Design Review process; however, exterior renovations and new construction in the M-2 zoning district are required. Given the intent for design review in the M-2 zoning district and the high traffic volume of 15th Street North, staff finds it beneficial for the applicant to receive a recommendation from the Design Review Board. A condition of approval for the completion of the Design Review process is allowed pursuant to Land Development Code Section 17.28.050.11, which enables Design Review for projects forwarded by the City Commission as a condition of approval for zoning, subdivision, or annexation.

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

**Fiscal Impact:** No fiscal impact.

**Alternatives:** The City Commission could deny acceptance of Ordinance 3127 on first reading and not set the public hearing. However, such action would deny the applicant due process and consideration of a public hearing, as provided for in City Code and State Statute.

**Attachments/Exhibits:** Ordinance 3127  
Proposed Site Plan  
Proposed Landscape Plan  
Location Map  
Zoning Map

Cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Jim Page, Project Representative; jimp@lpwarchitecture.com  
Michael Mitchell, Property Owner/Applicant; crashrepair@bridgemail.com

ORDINANCE 3127

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS TO REZONE THE PROPERTY LEGALLY DESCRIBED AS LOT 2, BLOCK 1, FIFTEENTH STREET BRIDGE ADDITION, SECTION 6, TOWNSHIP 20 NORTH, RANGE 4 EAST, P.M.M., CASCADE COUNTY, MONTANA, FROM M-2 MIXED-USE TRANSITIONAL TO I-1 LIGHT INDUSTRIAL

\* \* \* \* \*

WHEREAS, Lot 2, Block 1, Fifteenth Street Bridge Addition, Section 6, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, is presently zoned M-2 Mixed-use transitional; and,

WHEREAS, the property owner, Michael Mitchell, has petitioned the City of Great Falls to rezone the subject property to I-1 Light industrial; and,

WHEREAS, notice of assigning I-1 Light industrial zoning classification to the subject property was published in the *Great Falls Tribune* advising that a public hearing on this zoning designation would be held on the 16<sup>th</sup> day of December, 2014, before final passage of said Ordinance herein; and,

WHEREAS, following the public hearing, it was found and decided that the I-1 Light industrial rezoning designation be made; and,

WHEREAS, the zoning map amendment on the subject property meets the Basis of Decision requirements in the Official Code of the City of Great Falls, Section 17.16.40.030; and,

WHEREAS, the Great Falls Zoning Commission conducted a public hearing on October 28, 2014, to consider rezoning the subject property from M-2 Mixed-use transitional to I-1 Light industrial and at the conclusion of the hearing passed a motion recommending the City Commission rezone the property legally described as Lot 2, Block 1, Fifteenth Street Bridge Addition, Section 6, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. It is determined that the herein requested rezoning will meet the criteria and guidelines cited in Section 76-2-304 Montana Code Annotated, and Section 17.16.40.030 of the Land Development Code of the City of Great Falls.

Section 2. That Lot 2, Block 1, Fifteenth Street Bridge Addition, Section 6, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana be rezoned to I-1 Light industrial.

Section 3. This ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

APPROVED by the City Commission of the City of Great Falls, Montana on first reading November 18, 2014.

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Michael J. Winters, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

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Sara Sexe, City Attorney

State of Montana     )  
County of Cascade   : ss

City of Great Falls )

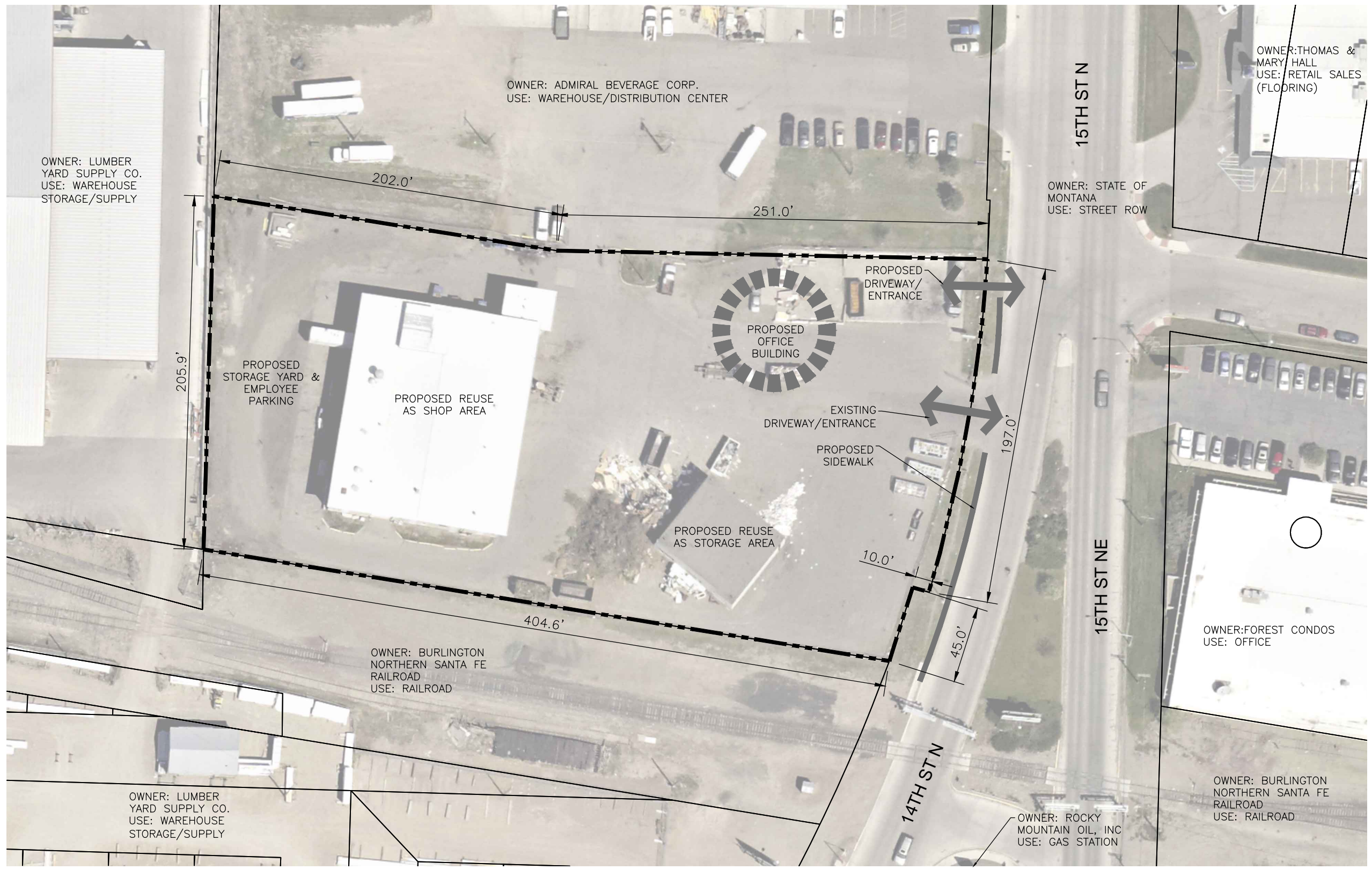
I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the City Commission, Ordinance 3127 in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;  
On the Bulletin Board, first floor, Cascade County Court House;  
On the Bulletin Board, Great Falls Public Library

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Lisa Kunz, City Clerk

(CITY SEAL)



**PROJECT INFORMATION**

**OWNER:** MICHAEL MITCHELL  
 1021 15TH ST N  
 GREAT FALLS, MT 59401

**LEGAL DESCRIPTION:**  
 LOT 2, FIFTEENTH STREET BRIDGE  
 ADDITION, SECTION 6, TOWNSHIP 20  
 NORTH, RANGE 4 EAST, P.M.M. CASCADE  
 COUNTY, MONTANA

**PROPERTY ADDRESS:**  
 1100 15TH ST N

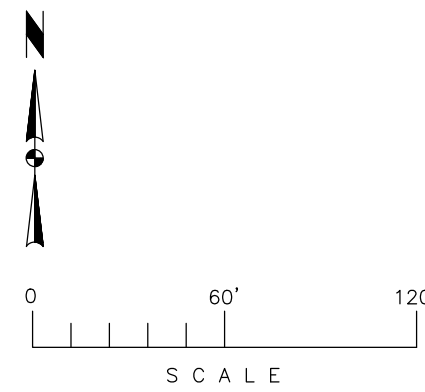
**PARCEL SIZE:**  
 2.152 ACRES

**EXISTING ZONING:**  
 M-2: MIXED-USE TRANSITIONAL

**PROPOSED ZONING:**  
 I-1: LIGHT INDUSTRIAL

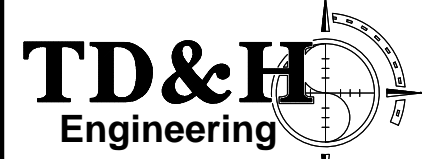
**EXISTING USE:**  
 ABANDONED RECYCLING CENTER

**PROPOSED USE:**  
 VEHICLE REPAIR



**MITCHELLS' CRASH REPAIR  
 GREAT FALLS**

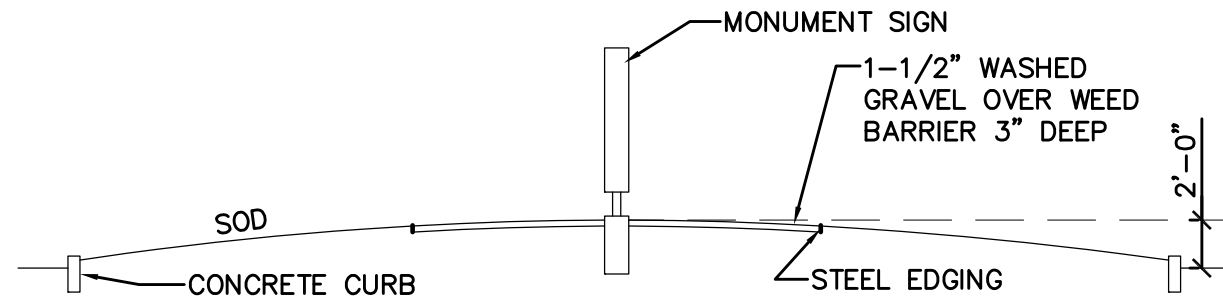
**ZONING MAP AMENDMENT SITE PLAN**



tdhengineering.com  
 GREAT FALLS-BOZEMAN-KALISPELL-SHELBY MONTANA  
 SPOKANE WASHINGTON  
 LEWISTON IDAHO  
 WATFORD CITY NORTH DAKOTA

<b>DRAWN BY:</b>	JCC
<b>DESIGNED BY:</b>	JCC
<b>QUALITY CHECK:</b>	WD
<b>DATE:</b>	08/14/14
<b>JOB NO.</b>	14-220
<b>CAD NO.</b>	14-220-ZONING EXHIBIT

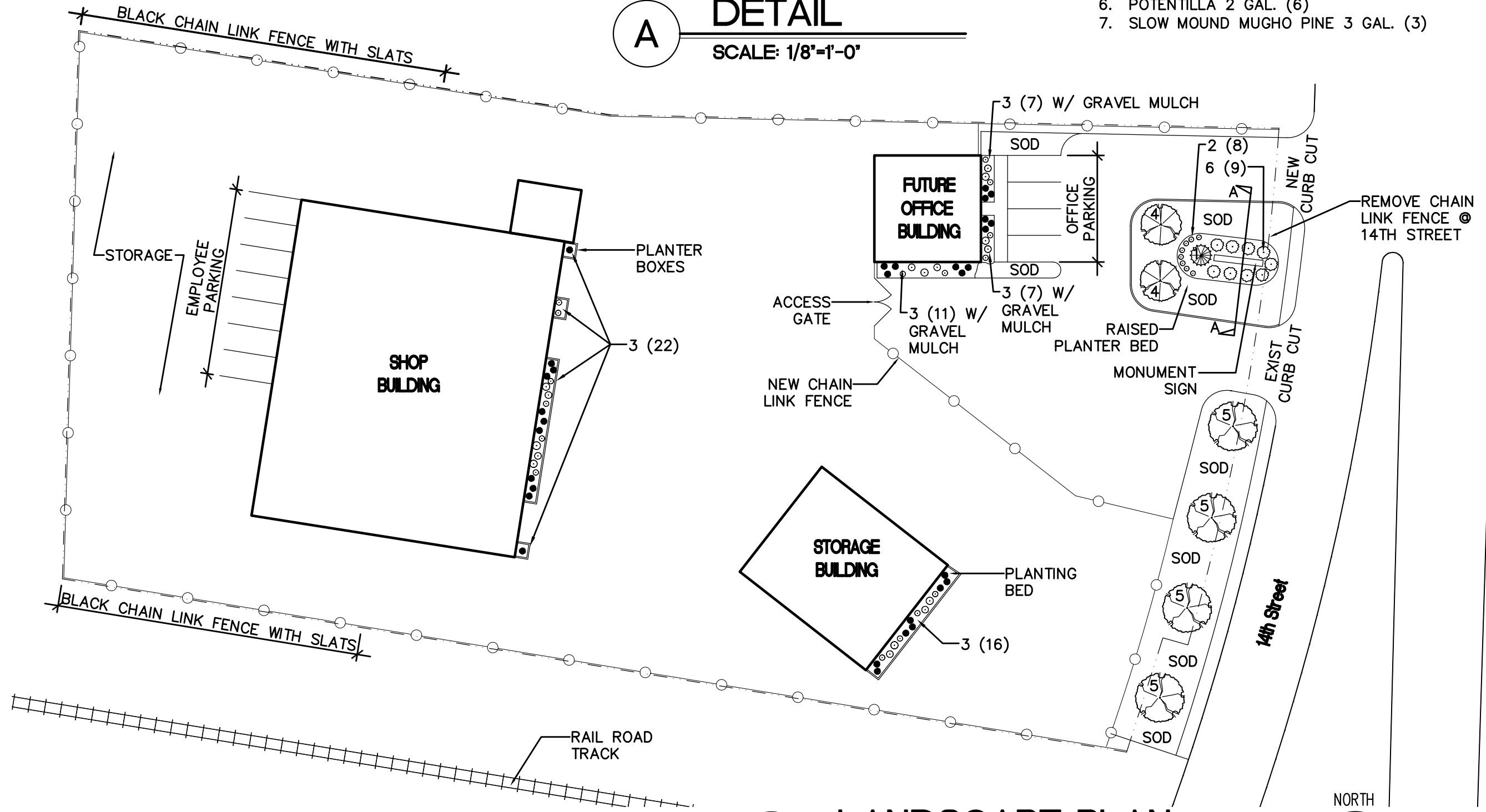




**A** **DETAIL**  
SCALE: 1/8"=1'-0"

**PLANTING KEY**

1. MEDORA JUNIPER, NARROW COLUMNAR 7 GAL (1)
2. STELLA-D-OR, 1 GAL (8)
3. COMBINATION OF KARL FORESTER GRASS, DWARF SPIREA, DWF ARBORVITAE AND ECHINACHEA. 1 GAL (34)
4. AMUR MAPLE 1-1/2" CALIPER (2)
5. GREEN ASH OR GREEN SPIRE LINDEN 1-1/2" CALIPER (4)
6. POTENTILLA 2 GAL. (6)
7. SLOW MOUND MUGHO PINE 3 GAL. (3)



**1** **LANDSCAPE PLAN**  
SCALE: 1"=40'-0"

CRASH REPAIR  
GREAT FALLS, MONTANA

LANDSCAPE PLAN

DATE 9.4.14  
DRAWN BY

SHEET NUMBER  
**SP1.1**

15 Fifth Street South  
Great Falls, Montana 59401

**L'Heureux Page Wemer**

Phone (406) 771-0770  
Fax (406) 771-0626

# Location Map



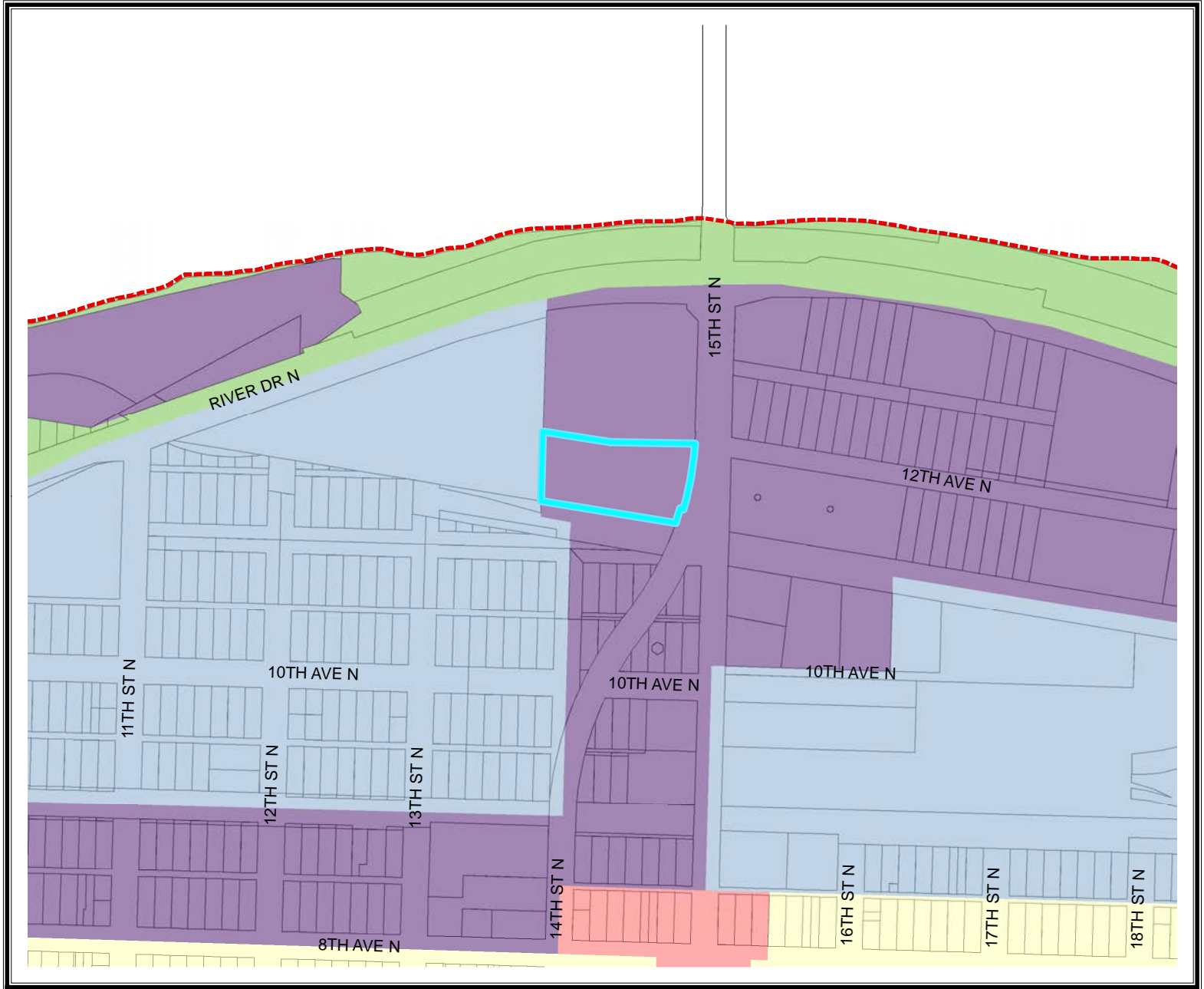
 Subject Property









 City Limits



0 150 300 600 900 1,200 Feet

# Zoning Map



- |   |                                |   |                             |
|---|--------------------------------|---|-----------------------------|
|  | Subject Property               |  | C-1 Neighborhood Commercial |
|  | Parcels                        |  | M-2 Mixed-use Transitional  |
|  | City Limits                    |  | I-1 Light Industrial        |
|  | R-3 Single-family High Density |  | POS Parks and Open Space    |



0 160 320 640 960 1,280 Feet