



Item: Minor Subdivision - Lot 3, Block 1, Viles and Robinson Acre Tracts, addressed as 501 Smelter Avenue Northwest

From: Charles Sheets, C.F.M, Development Review Coordinator, Planning and Community Development

Initiated By: Robert Edwards, Owner

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

Action Requested: City Commission to approve 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 requests a second to the motion, Commission discussion, and calls the vote.

Recommendation: The Planning Advisory Board, during a meeting held on July 12, 2016, passed a motion recommending the City Commission approve Minor Subdivision of Lot 3, Block 1, Viles and Robinson Acre Tracts, addressed as 501 Smelter Avenue Northwest, and the accompanying Findings of Fact, subject to the conditions of approval in the Planning Advisory Board Staff Report which include:

1. 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. The applicant shall provide an Amended Plat of the subject property which shall incorporate corrections of any errors or omissions noted by staff, as well as any easements that may be required to serve the single family dwelling on the properties.

At the July 12, 2016, Planning Advisory Board Meeting, no one spoke in opposition of the project.

Background: The applicant wishes to subdivide the existing property into two lots (See Exhibit D). The subject property is located at 501 Smelter Avenue Northwest and is legally described as Lot 3, Block 1, Viles and Robinson Acre Tracts (See Exhibit B). The existing lot is a double-fronted lot having frontages on Smelter Avenue Northwest and Colorado Avenue Northwest. The original subdivision was created in 1931 and twelve of the original eighteen lots have been subdivided previously. The subject property is zoned R-2 Single-family medium density and has been used for residential purposes. The property owner is proposing to do a single lot subdivision to create two lots that are 10,000 square feet each. If approved, the splitting of the property leaves the existing single family residence on the southern portion and the existing detached garage on the second northern portion. The existing garage is built 18 feet from the north property line along Colorado Avenue Northwest. The applicant intends to build a new single family residence on the second northern lot fronting on Colorado Avenue Northwest.

The applicant was granted conditional approval of three variances for the property from the Board of Adjustment, on February 11, 2016. These variances were: 1) for lot size to allow the 10,000 square foot lots instead of the zoning district minimum of 11,000 s.f., 2) a variance to allow the detached garage to remain on the second northern lot and 3) that the same garage may remain with the setback of 18 feet from the property line along Colorado Avenue Northwest. The conditional approval placed on the applicant was that he had to apply for the new single family residence within one (1) year of the approval date.

Minor Subdivision Request:

The applicant has had a draft amended plat prepared showing the proposed lots and easements that could be created with the City Commission's approval. The existing single family dwelling on the southern lot is connected to City utilities that are within Smelter Avenue Northwest. The proposed single family dwelling on the northern lot will be connected to City utilities within Colorado Avenue Northwest. Both lots are required to provide off street parking spaces for the residences.

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 Code Annotated (MCA). Staff has developed Findings of Fact for the proposed subdivision, and staff concludes the subdivision meets the basic requirements provided by 76-3-608(3) MCA. The full Findings of Fact are included as Exhibit C.

City of Great Falls Growth Policy Update:

The proposed minor subdivision is consistent with the goals and the intent of the Great Falls Growth Policy, Updated in 2013. These goals relate to land use, housing and economic development within the City of Great Falls. The proposed subdivision supports efficient, sustainable development and redevelopment throughout the community. In addition, the proposed subdivision will promote infill development and utilize existing infrastructure in a location where community facilities already exist.

Neighborhood Council Input:

The subject property is within Neighborhood Council #3. Information about the request was provided as a courtesy to the Council by Patty Cadwell, Neighborhood Council Coordinator. No public notice is required by Montana Code Annotated and the Official Code of the City of Great Falls (OCCGF 17.16.4.010 Table 16-2). At the time this staff report was written, there have been

no comments from the public regarding the application.

Agency Comment:

Representatives from the City's Public Works, Park & Recreation, Police and Fire Departments have been involved in the review process for this application. All comments made by the above parties have been addressed by the client or in the conditions of this report.

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:

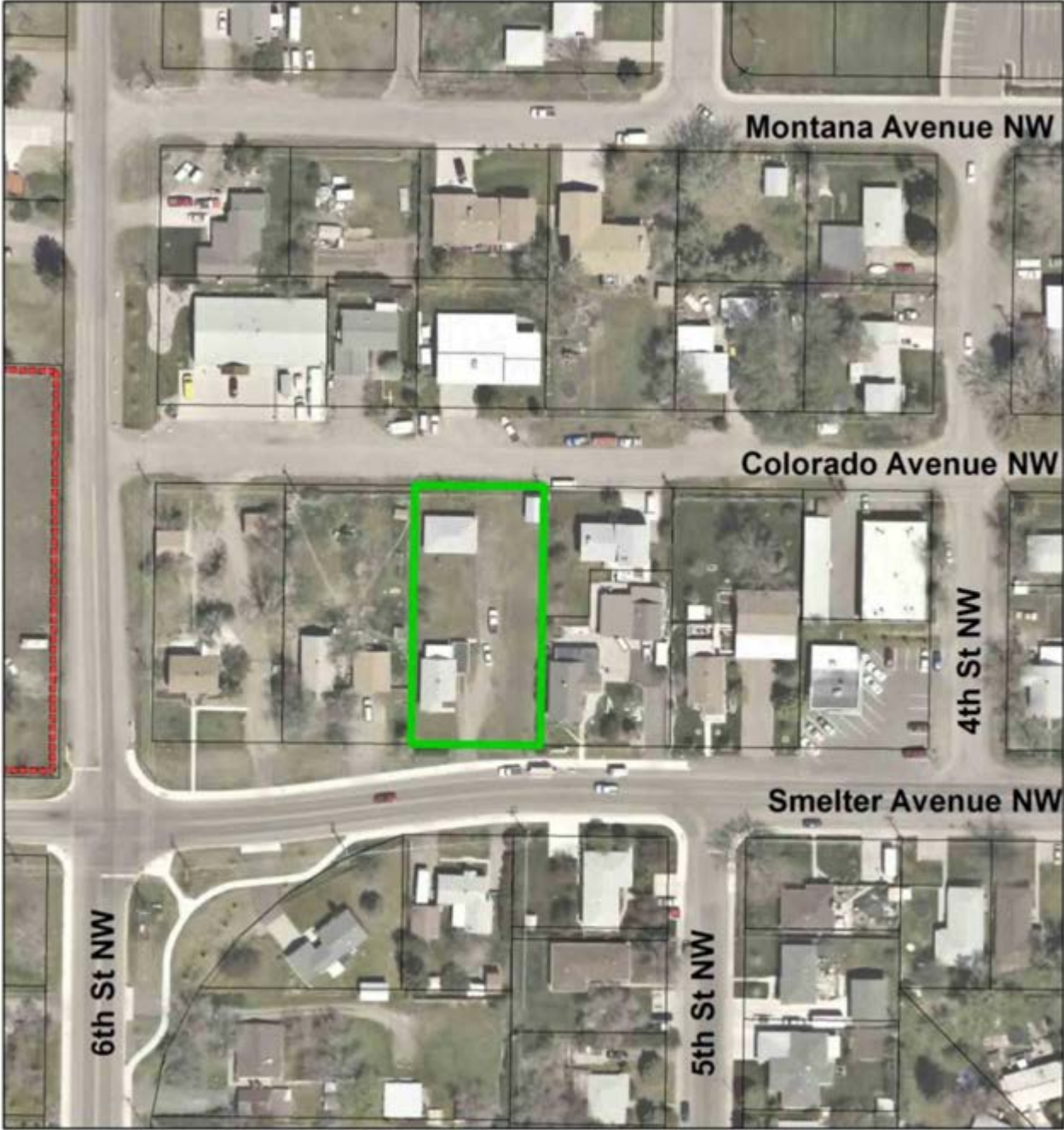
- Exhibit A - Application
- Exhibit B - Aerial Map
- Exhibit C - Findings of Fact
- Exhibit D - Reduced copy of Draft Amended Plat
- Exhibit E - Site Photography

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Patty Cadwell, Neighborhood Council Coordinator
Robert Edwards, 2100 6th St NW, Great Falls, MT 59404

APPLICATION Exhibit A

CITY OF GREAT FALLS PLANNING & COMMUNITY DEVELOPMENT DEPT. P.O. Box 5021, GREAT FALLS, MT, 59403-5021 406.455.8415 • WWW.GREATFALLSMT.NET	Submittal Date: _____ Application Number: _____ Paid (Official Use ONLY): <input type="checkbox"/> <ul style="list-style-type: none"> <input type="checkbox"/> Annexation: \$500 <input type="checkbox"/> Preliminary Plat, Major: \$1,500 + \$50/lot <input type="checkbox"/> Revised Preliminary Plat: \$1,000 <input type="checkbox"/> Final Plat, Major: \$1,500 + \$25/lot <input checked="" type="checkbox"/> Minor Subdivision: \$1,250 <input type="checkbox"/> Amended Plat, Administrative: \$200 <input type="checkbox"/> Amended Plat, Non-administrative: \$1,000 <input type="checkbox"/> Zoning Map Amendment: \$2,000 <input type="checkbox"/> Conditional Use Permit: \$1,500 <input type="checkbox"/> Planned Unit Development: \$2,000 <input type="checkbox"/> Vacata Public Right-of-Way: \$1,250 <input type="checkbox"/> Public Hearing Notice
DEVELOPMENT APPLICATION	
Name of Project / Development: <u>Robert Joe Edwards</u>	
Owner Name: <u>Same</u>	
Mailing Address: <u>2100 6TH ST NW, 59404</u>	
Phone: <u>406-250-6133</u>	Email: _____
Representative Name: <u>Jane</u>	
Mailing Address: <u>Same</u>	
Phone: <u>Same</u>	Email: _____
PROPERTY DESCRIPTION / LOCATION:	
Mark/Lot: <u>3A</u>	Section: _____
Township/Block: <u>1</u>	Range/Addition: <u>VILLES & ROBINSON</u>
Street Address: <u>501 SMELTER AVE NW</u>	
ZONING:	
Current: <u>R-2</u>	Proposed: <u>R-2</u>
LAND USE:	
Current: <u>SFR</u>	Proposed: <u>SFR</u>
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: <u>[Signature]</u>	Date: <u>5/28/15</u>
Representative's Signature: _____	Date: _____

AERIAL
Exhibit B



501 Smelter Avenue NW



Tracts of Land



FINDINGS OF FACT

Exhibit C

Amended Plat of Lot 3, Block 1, Viles and Robinson Acre Tracts, located in the SW¼, Section 35, Township 21 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 proposed subdivision are in the City of Great Falls and are not currently being utilized for agricultural purposes. The use on the property is existing single-family residence and will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity. The land uses that are existing in the vicinity are residential uses.

Effect on Local Services: When development occurs on Lot 3, the owner will connect to City water and sewer mains. The applicant agrees to pay for and install all necessary utilities to the subdivision after the Amended Plat is approved. The City shall provide water and sewer service to the lots, which will be assessed and required to pay standard City fees for these services. The City should not experience an appreciable increase in maintenance and operating costs by approving the subdivision.

The lots are located within the City of Great Falls, and the City provides law enforcement and emergency services to the subject property. The nearest fire station is approximately a half mile from the subject property, which is within sufficient travel time for emergency services. Providing these services to the proposed development is expected to be a negligible cost to the City.

Adjacent to the subdivision are Smelter Avenue Northwest and Colorado Avenue Northwest, which are public roadways maintained by the City of Great Falls Public Works Department.

Effect on the Natural Environment: The subdivision is not expected to adversely affect soils or the quality or quantity of ground water because the future development proposed on the subject property is limited to one new single-family residence.

Effect on Wildlife and Wildlife Habitat: The proposed subdivision is surrounded by urbanized development. The project 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 proposed subdivision is not subject to potential abnormal natural hazards such as flooding, snow or rockslides, wildfire, nor potential man-made hazards such as high voltage power lines.

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

The minor 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.

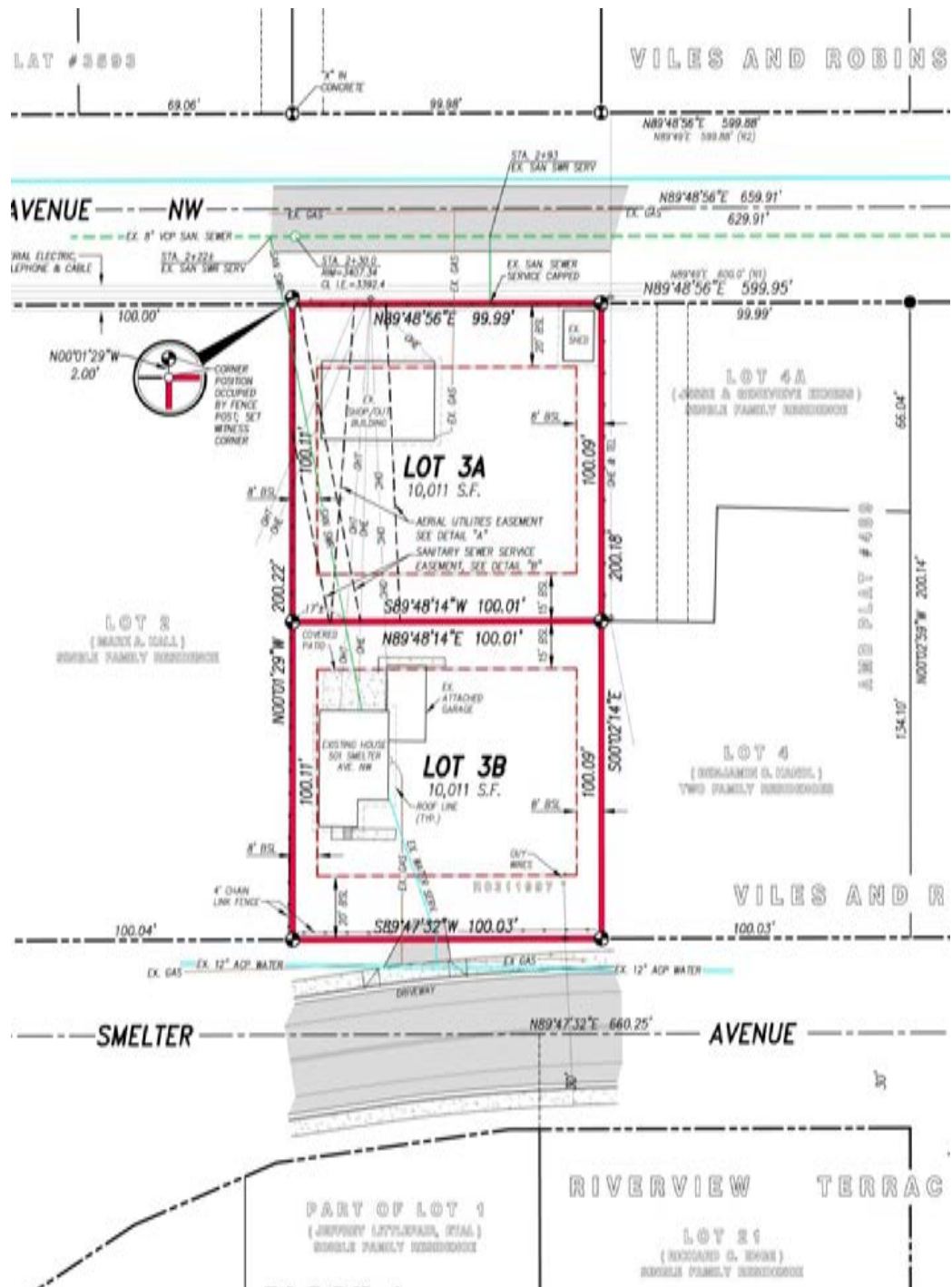
EASEMENT FOR UTILITIES

The applicant shall provide all necessary utility easements to accommodate water, storm water and sanitary sewer mains to serve any future development on the subject property.

LEGAL AND PHYSICAL ACCESS

The subject property is bounded by Smelter Avenue Northwest and Colorado Avenue Northwest; these roadways are public roadways that are maintained by the City of Great Falls. The proposed subdivision will have direct access to public rights-of-way, which provides the legal and physical access required by State statute.

SITE PLAN Exhibit D



SITE PHOTOS

Exhibit E



View looking north across the subject property, from Smelter Avenue Northwest.



View looking south from Colorado Avenue Northwest.



View looking at the detached garage from Colorado Avenue Northwest.