

# PLANNING ADVISORY BOARD ZONING COMMISSION

**AUGUST 9, 2011**

***Case Number***

SUB2011-11

***Applicant***

MMK, LLC

***Owners***

Tim Murphy

***Property Location***

601 6th Street Southwest - 6th Street Southwest and Crescent Circle

***Parcel ID Numbers***

353700

***Requested Action***

Subdivision of one lot into four lots.

***Neighborhood Council***

Neighborhood Council #2

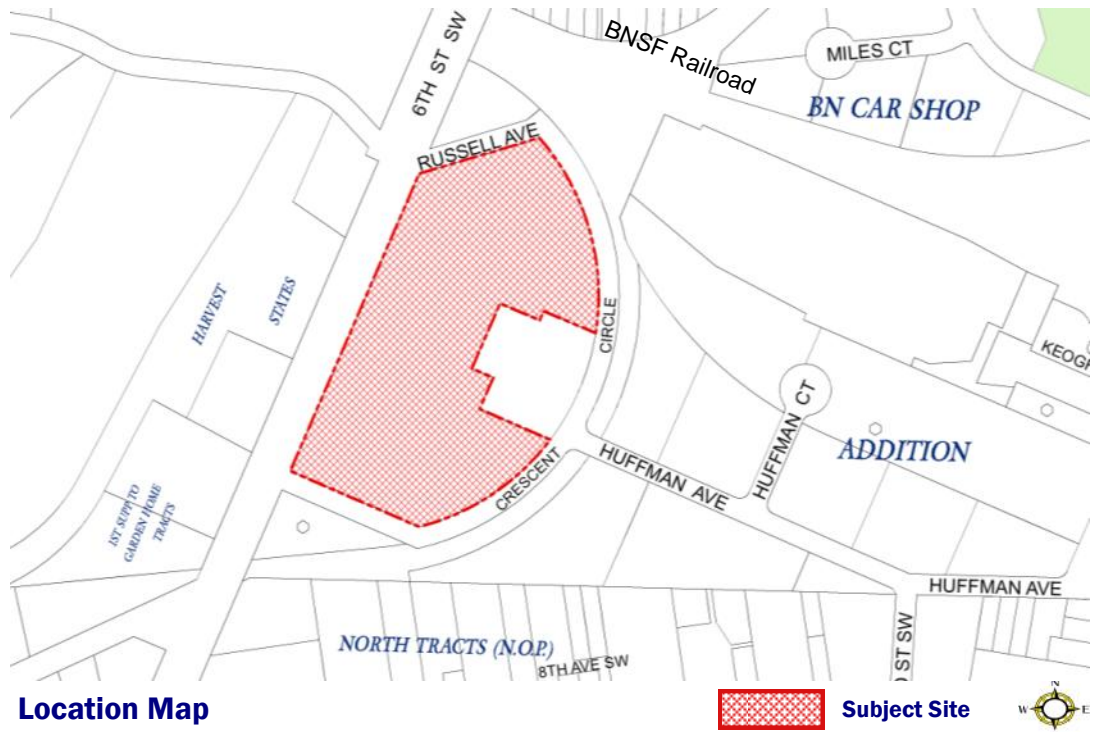
***Recommendation***

Approval of the request with Conditions.

***Project Planner***

Jana Cooper, RLA

## INDUSTRIAL SUBDIVISION (FORMER BUTTREYS WAREHOUSE)



### Summary

#### **Project Description**

The ±12.86 acre subject property is generally located east of 6th Street Southwest, north and west of Crescent Circle.

The applicant is requesting a minor subdivision of Lot 1A, Block 2, B.N. Car Shop Addition, herein referred to as subject property, from one lot into four lots.

#### **Background**

##### **Legal Description:**

- Amended Plat of Lot 1A, Block 2, B.N. Car Shop Addition, a Subdivision in the W 1/2 Section 11, T20N, R3E, P.M.M., Cascade County, Montana.

Area: ±12.86 acres.

##### **Agency Comment**

Representatives from the City's Public Works 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.

## Existing Conditions

The existing site information for the said property includes:

**Existing Use:** There is a large existing warehouse building on Lot 1A that has been vacant for a number of years, but is currently being redeveloped for use as mixed-use business suites. The eastern part of the building was previously subdivided as Lot 2A, Block 2 and is owned and operated by National Laundry Company.

**Existing Zoning:** I-1 Light Industrial. This district is intended to accommodate those types of activities typically associated with manufacturing of finished products, storage and wholesale operations.

**Adjacent Land Use:** North of the subject property is the BNSF Railroad Line. East of the subject property are existing industrial businesses including a warehouse, a recycling center, and a cabinet manufacturing business. South is an existing restaurant, Ryan's Station, and west of the subject property includes a grain elevator, office suites, mini-storage units, and a restaurant/casino. See Exhibit A - Vicinity/ Zoning Map, and Exhibit B - Aerial Photo, for the zoning of the surrounding properties.



View west along Crescent Circle toward grain elevator



View east from the corner of 6th St SW and Crescent Circle



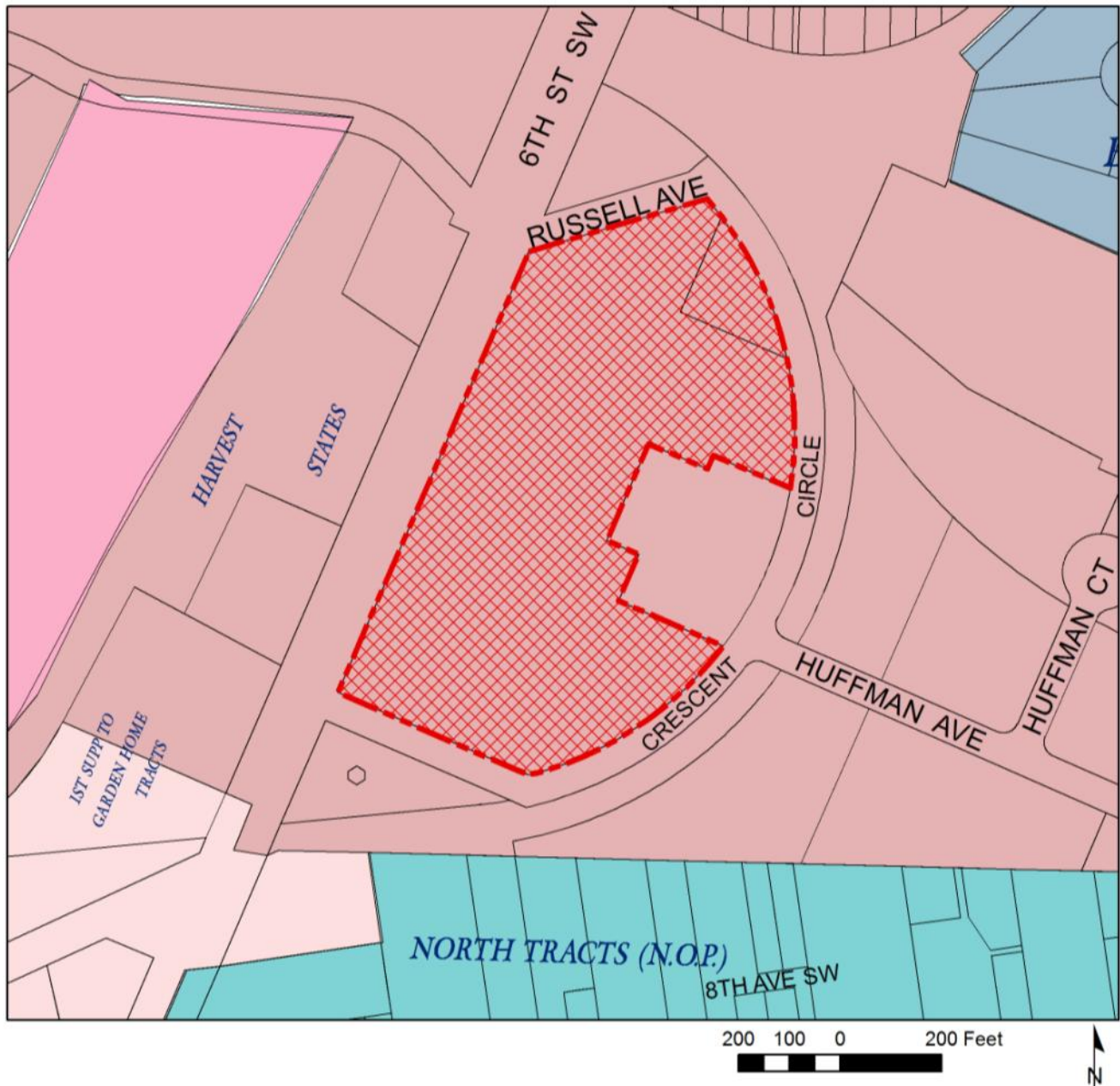
View northwest across existing parking lot



View south along 6th St SW, toward existing warehouse building

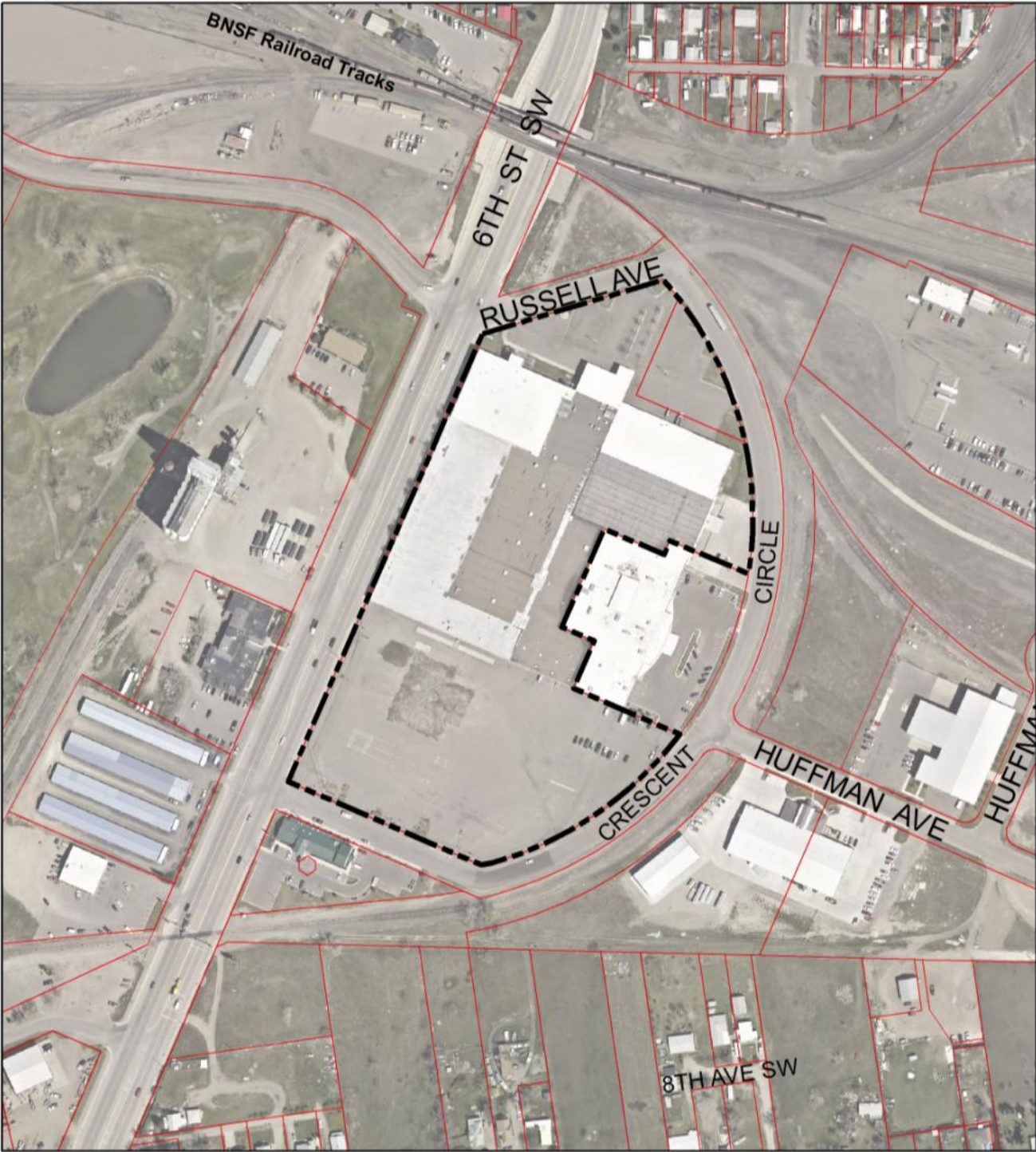


## EXHIBIT A - VICINITY / ZONING MAP



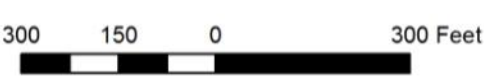
|   |                                |   |                                |   |                                  |
|---|--------------------------------|---|--------------------------------|---|----------------------------------|
|  | Subject Property               |  | I-1 Light industrial           |  | R-2 Single-family medium density |
| <b>ZONING</b>   |                                |  | I-2 Heavy industrial           |  | R-3 Single-family high density   |
|  | 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 Enclave           |
|  | C-5 Central business periphery |  | R-1 Single-family suburban     |   |                                  |

EXHIBIT B - AERIAL PHOTO



Aerial Photo: May, 2009

-  Tracts of Land
-  City Limits
-  Subject Property





## Subdivision Request

The applicant is requesting a minor subdivision of Lot 1A, Block 2 of the B.N. Car Shop Addition, which consists of  $\pm 12.86$  acres. The request is to subdivide the property into four lots.

The proposed northern lot (Lot 1A-1) consists of an existing warehouse that is currently being converted into office/retail suites and will be  $\pm 11.32$  acres.

The newly created southern lots are proposed for new development, but specific uses have not yet been determined. These lots consist of the following:

- Lot 1A-2: 36,616 sq. ft.
- Lot 1A-3: 23,066 sq. ft.
- Lot 1A-4: 7,601 sq. ft.

All of the newly created lots in the subdivision meet minimum standards for subdivisions for I-1 zoning within the City (see attached Exhibit D - Amended Plat).

The applicant will be required to provide a shared parking agreement that shall continue in perpetuity, which describes the right of all of the properties within the subdivision to share the parking provided on the proposed Lot 1A-1.

## Zoning Analysis

The current zoning of the property is I-1 Light Industrial. All proposed new development in the subdivision shall meet requirements for I-1 Light Industrial and shall be reviewed by the Planning and Community Development and Public Works Departments for consistency with all relevant code sections.

## Infrastructure

### **Streets & Utilities**

6th Street Southwest and Crescent Circle area are existing and built to City standard; the applicant will not be required to provide any improvements to these roadways.

Water service lines to the project can be served from City water main (12-inch) existing in Crescent Circle.

Providing a sanitary sewer main to the project may be more difficult. There is a sewer main in 6th Street Southwest, but a 30-inch sewer force main must be crossed to access it. Also, 6th Street is under Montana Department of Transportation jurisdiction and has

concrete pavement. There is also an existing sewer in Huffman Avenue to the east, but it might be too shallow to access. Public Works has stated the applicant should be advised to address the sewer concern as soon as possible, as it could impact development plans. The applicant will be required to provide all engineering plans for approval by the Public Works Department before building permits will be issued for any stage of the project.

### **Stormwater Management:**

The closest storm drain is located in Crescent Circle east of the subject property. The developer will be allowed to direct flows to this location. The applicant has submitted storm drainage plans as a part of the re-development plans for the large warehouse on-site. The applicant will be required to revise these plans in compliance with the City of Great Falls Storm Design Manual and City standards as new development is proposed on the subject property.

### **Traffic Analysis**

The main contemplated uses (automobile services) are low traffic-generators. Because Crescent Circle carries little traffic that is generally spread throughout the day, there is sufficient capacity to accommodate the additional vehicles the uses would generate. The conceptual sit-down restaurant would generate largely evening (off-peak) traffic, which would reduce the peak-hour impact of the development. Some delays to traffic entering 6th Street Southwest will be encountered, but these are anticipated to be brief except during peak hours, where longer delays are experienced between gaps in traffic.

The location of the proposed south driveway could cause visibility problems due to the curvature of Crescent Circle to the west. During review of any proposed development site plan, it is strongly recommended that any sight-limiting obstructions proposed within the sight-visibility triangle on the west (including but not limited to vertical landscaping, structures, utility boxes, light poles and signs) and any obstructions in the public boulevard area to the west until the curve be prohibited.

Finally, the City should consider prohibiting parking on the north side of Crescent Circle to enhance visibility and improve safety.

### 2005 City of Great Falls Growth Policy

The proposed request is compatible with the 2005 Growth Policy, as it advances themes contained within the Policy, and is generally consistent with the general principles found in the document. The subject property is in an area experiencing new development within the City limits.

Goals of the economic element of the Great Falls Growth Policy include:

- Enhance, strengthen, and expand the existing economic base.
- Attract new business and support expansion of existing businesses that tend to raise the median income level.
- Encourage businesses and industries that will utilize existing infrastructure.

Goals of the land use element of the Great Falls Growth Policy include:

- To support and encourage efficient, sustainable development and redevelopment throughout the community.
- To support and encourage a compatible mix of land uses in newly developing areas.

### Neighborhood Council Input

The subject property is within Neighborhood Council #2. Information about the request was not provided to Council #2 because this is a Minor Subdivision. No public notice or Neighborhood Council notification is required by Montana Code Annotated and the Official Code of the City of Great Falls (OCCGF 17.16.4.010 Table 16-2).

## Finding of Fact for the Proposed Subdivision on Mark 22LA (Prepared in Response to 76-3-608 (3) MCA)

### **PRIMARY REVIEW CRITERIA**

**Effect on Agriculture:** The lots within the proposed subdivision are not currently being utilized for agricultural purposes. The proposed uses on the property and the existing uses 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 include Industrial, Commercial and Residential uses.

**Effect on Local Services:** The proposed subdivision is within the City of Great Falls. City services, including water and sewer systems, are nearby the subject property. The applicant agrees to pay for and install all necessary utilities to the subdivision within two years of the approved Amended Plat. The City should not experience an appreciable increase in maintenance and operating costs by approving the subdivision. The subdivision will be assessed regular water and sewer charges.

The City of Great Falls provides law enforcement and emergency services to the tracts of land in the subdivision. The nearest fire station is approximately 0.8 miles from the subject parcel, 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.

6th Street Southwest and Crescent Circle are paved public roadways adjacent to the subdivision. Both Roadways will be used to access the proposed subdivision and are maintained by the City of Great Falls. Additional roadways or driveways, if necessary, will be built and maintained at the property owner's expense internally in the subdivision.

**Effect on the Natural Environment:** The subdivision is not expected to adversely affect soils or the quality or quantity of ground water. A storm drainage plan will be prepared and submitted to the City Public Works Department for review and approval before any building permits are issued for new development on the subject property.

**Effect on Wildlife and Wildlife Habitat:** The proposed subdivision is located adjacent to an area containing 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 abnormal potential 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, stormwater and sanitary sewer mains to serve any future development on the subject property.

### **LEGAL AND PHYSICAL ACCESS**

The subject property is bounded by 6th Street Southwest and Crescent Circle; these roadways are paved public roadways that are maintained by the City of Great Falls. The proposed subdivision will have direct access from both of these roadways, which provides the legal and physical access required by state statute.

## Recommendation

The Planning Advisory Board has the responsibility to review and make recommendations on annexations and subdivisions.

**Recommendation I:** It is recommended the Planning Advisory Board recommend the City Commission approve the Amended Plat of Lot 1A, Block 2, B.N. Car Shop Addition, a Subdivision in the W 1/2 of Section 11, Township 20 North, Range 3 East, P.M.M., Cascade County, Montana, subject to the Conditions of Approval being fulfilled by the applicant.

## Conditions of Approval

1. The Amended Plat of Lot 1A, Block 2, B.N. Car Shop Addition shall incorporate corrections of any errors or omissions noted by staff.
2. The final engineering drawings and specifications for the required public improvements to serve the subject property shall be submitted to the City Public Works Department for review and approval prior to any building permits being issued by the City.
3. A Grading Plan, State Stormwater Discharges Associated with Construction Activities Permit, and Stormwater Management Plan shall be developed to City standards and shall be submitted to the City Public Works Department for review and approval prior to issuance of building permits.
4. Applicant shall submit proposed project drawings including architectural, landscape, signage and lighting plans as required for review and approval by the Design Review Board prior to submittal of permit plans.
5. A geotechnical investigation and report prepared by a Professional Engineer (and indemnifying the City) with recommended building foundation design shall be submitted to the Planning and Community Development department for review and approval prior to issuance of building permits.
6. A Shared Parking Agreement shall be prepared containing terms and conditions for the shared use of parking for all lots in the proposed subdivision, which are acceptable to the City's Planning and Community Development and Public Works Departments.

## Review/Approval Process

### **Next Steps**

1. The Planning Advisory Board recommendation will be presented to the City Commission.
2. City Commission will approve or deny the Subdivision.
3. If approved, the applicant will submit any required documents for review and then file the required documents with the Cascade County Clerk and Recorder's Office.

Cc: Jim Rearden, Public Works Director  
Dave Dobbs, City Engineer  
Patty Cadwell, Neighborhood & Youth Council Coordinator  
Tim Murphy, MMK LLC, PO Box 2972, Great Falls, MT 59401



## EXHIBIT C - APPLICATION



P. O. Box 5021, 59403-5021

Planning Department

## DEVELOPMENT REVIEW APPLICATION

Name of Project/Development: RuthlessOwner(s): MNK LLC / Tim MURPHYMailing Address: PO Box 2972Phone: 406-888-1100 FAX: 406-453-3278E-mail: TM MURPHY55@YAHOO.COM

Agent(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

E-mail: \_\_\_\_\_

Legal Description: AMENDED PLAT of Lot 1A, BIR 2 B.N. CAR SHOP ADDITIONSection: W 1/2 Sec 11 Township: 20N Range: 3EStreet Address: 601 6th St S.WZoning: Current: LIGHT INDUSTRIAL Proposed: LIGHT INDUSTRIAL

Land Use: Current: \_\_\_\_\_ Proposed: \_\_\_\_\_

Covenants or Deed Restriction on Property: Yes ☐ No ☐  
(If yes, please attach to application)

## Application Type (please check all that apply):

- ☐ Subdivision Preliminary Plat-\$800    ☐ Annexation-\$400  
☒ Subdivision Minor Plat-\$600 w/DA \$800    ☐ Zoning Map Amendment-\$700  
☐ Conditional Use Permit-\$700    ☐ Subdivision Final Plat-\$300  
☐ Establishment of Zoning with Annexation-\$700

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) also attest that the above information is true and correct to the best of my (our) knowledge.

Property Owner's Signature: [Signature] Date: 7/19/2011

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

