

PLANNING ADVISORY BOARD ZONING COMMISSION

JANUARY 11, 2011

Case Number

SUB2011-3

Applicant

New Albertson's, Inc.

Owners

New Albertson's, Inc.

Property Location

2250 10th Avenue South
± 5.5 Acres
Neighborhood Council 5

Parcel ID Number

1056520

Requested Action

Split a single lot into two lots.

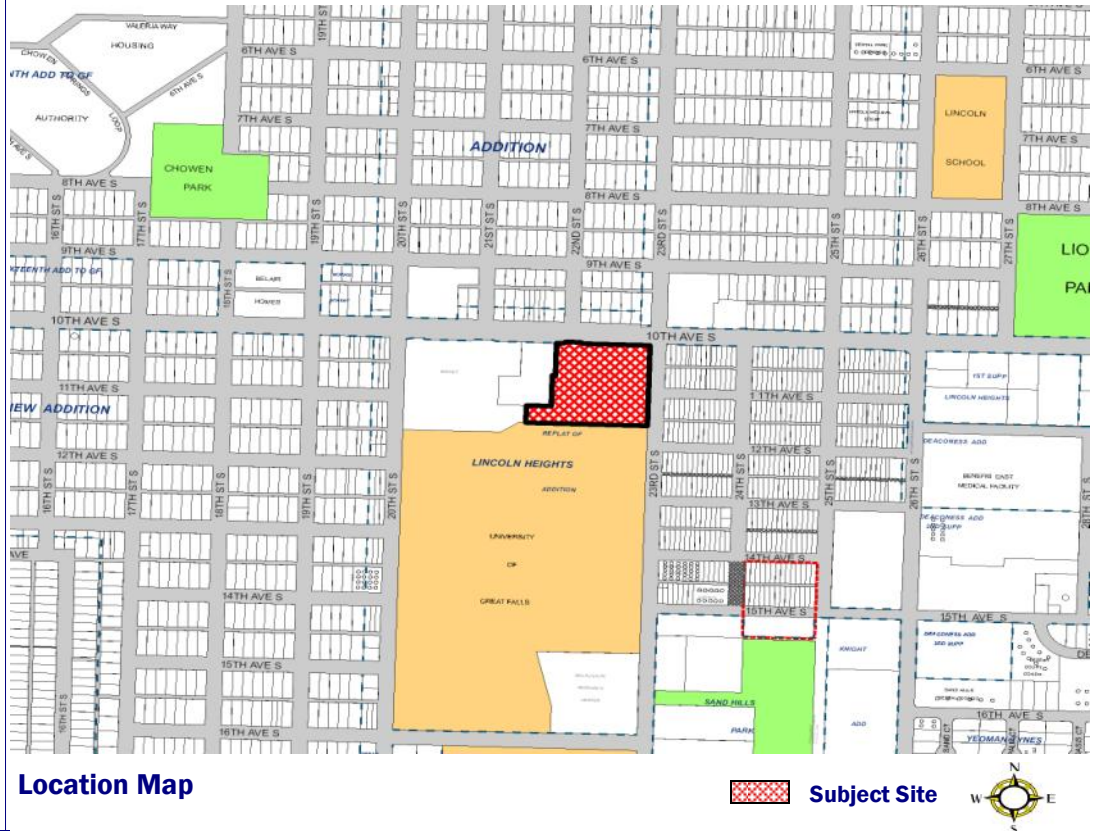
Recommendation

Approval of the Amended Plat of Tract 3, Lincoln Heights Addition.

Project Planner

Charlie Sheets

SINGLE-LOT SUBDIVISION



SUMMARY

Project Description

The ±5.5 acre subject property is the location of Albertson's Store # 2037 and Fuel Center. The purpose of the single-lot subdivision is to provide an individual lot description of the Fuel Center.

Background

- Legal Description of property; Tract 3, of Third Amended Plat of Lot A, Replat of Lincoln Heights, Section 18, Township 20 North, Range 3 East, Cascade County, Montana .
- Area of Property; $\pm 464' \times \pm 481' = 239,580 = 5.5$ acres

Agency Comment

Representatives from the City's Public Works, Planning and Community Development and Fire Departments have been involved in the review process for this application.

PROJECT OVERVIEW

Project Overview

The Planning and Community Development Department is in receipt of an application from New Albertson's, Inc., for the Amended Plat of Tract 3, Lincoln Heights Addition. The Amended Plat subdivides Tract 3 into two lots. Proposed Tract 3-A, addressed as 2250 10th Avenue South is the current location of Albertson's Store # 2037. Proposed Tract 3-B is the existing Fuel Center for the same store. The propose of the single lot subdivision is to provide an individual land description of the fuel center as a part of the companies overall federal tax planning strategy.

Proposed Improvements

No improvements are planned or needed to accommodate the subdivision. The applicant owns and operates the store and the fuel center. The existing site is fully landscaped and developed. Access to the proposed lots will be through the existing approaches on 10th Avenue South and 23rd Street South. Tract 3-B is restricted to utilizing only the existing accesses and no new approaches are permitted.

Utilities

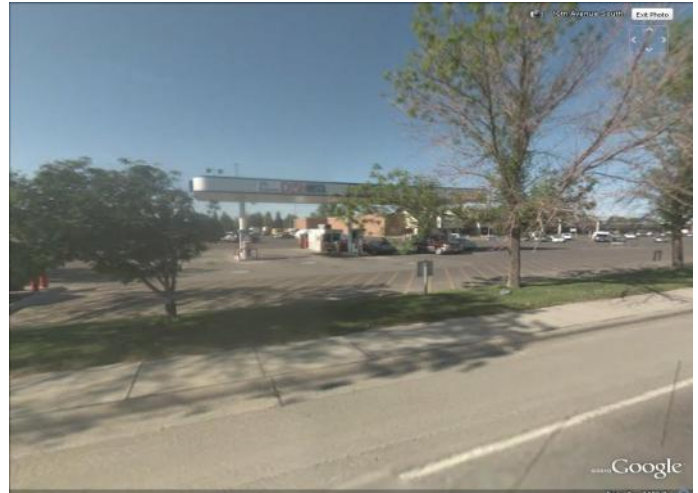
The existing Tract 3 is serviced by water and sewer mains in the abutting portion of 23rd Street South and within the utility easement within the property. The existing fuel center is not connected water or sewer. In the event that services are needed, mains are available in the abutting portion of 23rd Street South and it will be the owners responsibility to provide connections.

Zoning

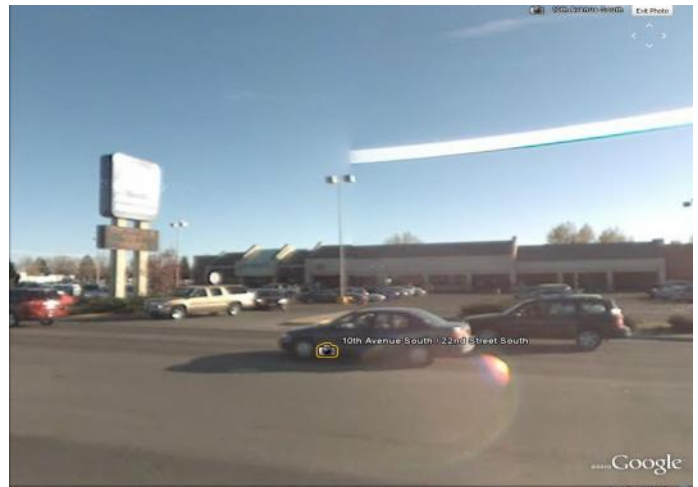
All of the area within said Amended Plat is zoned C-2 General commercial zoning district. This district is intended to accommodate high-traffic businesses that focus on vehicle traffic. The newly created parcel meets code with regard to lot size, setbacks, parking and landscaping.

Parking / Landscaping / Signage

The Albertson's Retail Store and Fuel Center were developed and constructed as one site, in compliance with the Code at the time. Future development will be review for compliance of the Code as plan are submitted.



View looking south at the subject fuel center from 10th Avenue South.



View looking south into the 10th Avenue South entrance. Subject fuel center is to the left.

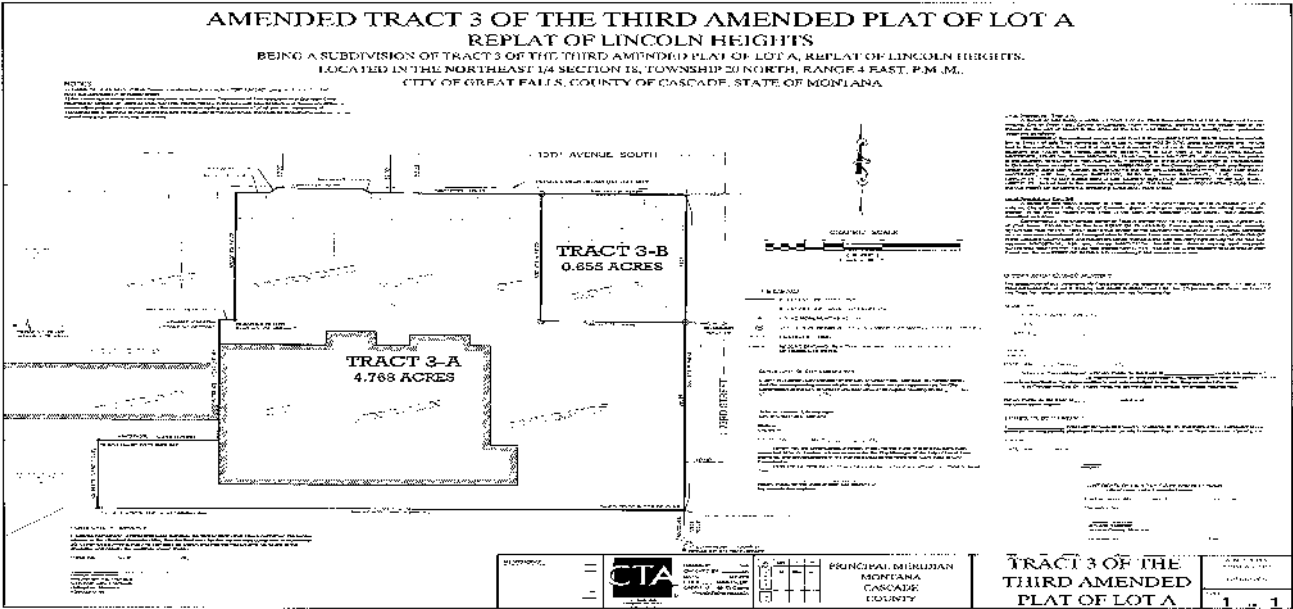


View looking west into the 23rd Street entrance. Subject fuel center is to the right.

AERIAL PHOTO



DRAFT AMENDED PLAT



FINDING OF FACT (PREPARED IN RESPONSE TO 76-3-608(3)MCA)

PRIMARY REVIEW CRITERIA

Effect on Agriculture: The tract of land within the Amended Plat is not currently being utilized for agricultural purposes. The subdivision will not interfere with any irrigation system or present any interference with agricultural operations in the vicinity. The land uses that do exist in the vicinity include general commercial and service businesses.

Effect on Local Services: The area within the Amended Plat is in the City of Great Falls, it will be served by City water and sewer systems. The City should not experience an appreciable increase in maintenance and operating costs. The lots within the Amended Plat will pay regular water and sewer charges.

The Amended Plat receives law enforcement and fire protection services from the City of Great Falls. The nearest fire station is 1.7 miles from the Amended Plat. Providing these services to the existing store and fuel center of the Amended Plat is expected to be a negligible cost to the City. Tax revenues from the existing properties will likely cover any share of costs.

A paved public roadway borders the north and east boundary of the Amended Plat and is maintained by the City of Great Falls.

Effect on the Natural Environment: The Amended Plat is not expected to adversely affect soils or the quality or quantity of ground water. A storm drainage plan was prepared and submitted to the City Public Works Department for review and approved when the property was developed.

Effect on Wildlife and Wildlife Habitat: The Amended Plat is located within an area containing urbanized development. The Amended Plat 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 Amended Plat 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 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

Existing utility easements accommodate water and sanitary sewer service lines to serve Lot 3-B of the Amended Plat. Previously established offsite utility easements will be utilized for the Amended Plat.

LEGAL AND PHYSICAL ACCESS

Paved public roadways boarder the Amended Plat and provides legal and physical access to the subdivision. Previously established offsite access easement will be utilized for the lots within the Amended Plat.

RECOMMENDATION

It is recommended that the Planning Advisory Board recommend the City Commission approve the Amended Plat of Tract 3, Lincoln Heights Addition based on the Findings of Fact subject to the conditions below:

CONDITIONS OF APPROVAL

1. **Review.** The Amended Plat of Tract 3, Lincoln Heights Addition shall incorporate correction of any errors or omissions noted by staff.

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 on the Amended Plat.
3. If approved, the applicant will submit any required documents for review and then file the required documents with the Cascade County Clerk and Records Office.