

DESIGN REVIEW BOARD

May 25, 2012

Case Number

DRB2012-13

Applicant

Fat Tuesdays, Inc.
Lexie Hoines

Property Owner

Brass Rail, Inc.

Applicant Representative

Nathan Hoines

Property Location

817 10th Avenue S
Neighborhood Council
#7

Requested Action

Design Review of a new
casino

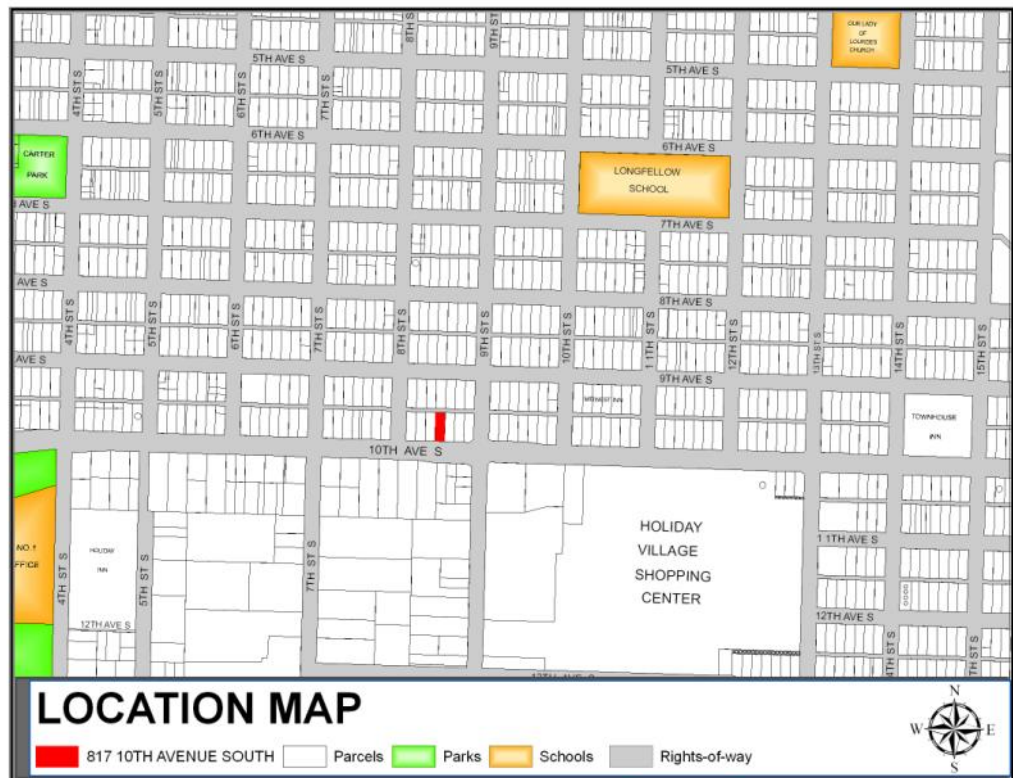
Recommendation

Approve design with
conditions

Project Planner

Charlie Sheets

FAT TUESDAYS 817 10TH AVENUE SOUTH



Project Description

The applicant intends to move a liquor license she purchased into the existing commercial property in order to establish a new casino. The subject property has contained several businesses in the past which include: (1) Loan Max, Title Loans, ceased in 2011, (2) Plum Crazy Casino, ceased in 2000, and (3) Brass Rail Bar, ceased in 1995. The existing building is 1,922 s.f. The building abuts property lines along 10th Avenue South and the west property line. The existing driveway along the east elevation of the building is currently used for both ingress and egress of vehicles. The rear of the property is used for parking and alley access.

Background

- Legal Description: Lot 11, Block 511, Great Falls Original Town Site
- Parcel Area: 7,500 s.f.
- Property Zoning: C-2 General Commercial
- Street Frontages: 50' along 10th Avenue South

Project Overview

Expansion: Exhibit 28-1 Standards and Guidelines for specific projects and buildings.

The proposed relocation of a full liquor license and the associated gaming to this property triggers the Land-Use provisions of the Land Development Code. This includes review by this Board for standards and guidelines for establishing a new casino. The applicant proposes no additions to the existing concrete block structure. They will paint over the existing yellow with two shades of tan, similar to the neighboring business, Riddle's Jewelry. The applicant proposes to reuse the existing yellow awning on three sides of the building. New signage will be attached to the awning. The existing freestanding sign is addressed in the following sections of the staff report. The building has two existing entrances on the east elevation of the building. These entries open directly onto the driveway, which currently has two-way traffic. Over each entrance is a wall fixture light. Three street lights are located next to the driveway and at the rear of the building. They cast light on the driveway as well as the parking lot. The proposed parking plan provides 10 parking stalls, including 1 van accessible stall and aisle. City Sanitation Service is provided in the alley of the property.

Conformance with Title 17

The property is zoned C-2 General Commercial district and a Casino Type 1 is allowed as a primary use when specific development standards are met. They are as follows:

17.20.6.140 - Casino, Type I.

- A. Purpose. This section is intended to allow the location of new casinos or the relocation of existing casinos in certain zoning districts provided they meet more stringent development and appearance standards than Type II casinos. (Ord. 2950, 2007)
- B. Classification. A casino shall be identified by definition in Chapter 8 of this Title.
- C. Proximity to residentially zoned properties. There is no minimum distance requirement from residential uses or between casinos.
- D. Proximity to other specified uses.
 1. Casinos shall not locate within six hundred (600) feet of an education facility (K through post-secondary), worship facility, park or playground. The distance shall be measured by direct line, without regard to intervening structures or streets, between closest property boundaries; and,
 2. Casinos shall not locate on premises operating a sexually oriented business.
- E. Design Review Board approval. The Design Review Board shall review and approve the exterior building design and finishes; and landscaping, signage, lighting and parking plan for any new or relocated casino, or an expansion or exterior renovation of an existing casino. (Ord. 2950, 2007)
- F. Special landscaping. Casinos must comply with all applicable landscaping requirements in Chapter 44 Landscaping. Additional or special landscaping requirements for Type I casinos include the following:
 1. Minimum square footage of interior landscaping, inclusive of landscaping in vehicular use areas and foundation planting areas, shall be twenty (20) percent of the gross property area to be developed.
 2. Fifty (50) percent of said landscaping shall be located between the front lot line and the building.
- G. Special signage. The following signage requirements shall apply:
 1. No freestanding signs shall be allowed.
 2. Wall signs shall not exceed seven and one-half (7.5) percent of the building wall area per frontage.
 3. No exterior or interior signage indicating any form of gaming shall be allowed to face an adjacent residential use.

As submitted, the proposed project is in conformance with most of the relevant requirements of Title 17 Land Development Code. The conceptual plans meet the requirements for purpose, classification, proximity to residential properties, proximity to education facilities, worship facilities, parks and playgrounds. The applicant is not proposing to operate a sexually oriented business at this location. Concerning the landscaping and signage of the Casino Type 1, the conceptual plans and specific requirements differ in the following:

1. The proposed landscape plan provides a 6' x 27' (162 s.f.) landscaping island between the City sidewalk and the building frontage and a 6' x 34' (204 s.f.) landscape island on the east side of the driveway (366 s.f. total). The front island is within the MDT right-of-way. The development standards require 20% of the gross property being developed, or 385 s.f., to be landscaped. Fifty percent (50%) of the required landscaping shall be located between the front lot line and the building.
2. The proposed signage for the building is 132 s.f. of wall signs and 42 s.f. on the existing freestanding sign on the frontage of 10th Avenue South. Development standards limit Casino Type 1 to no freestanding signs and wall signs not to exceed 7.5% of the building wall area per frontage.
3. The proposed parking plan provides 10 parking stalls, including 1 van accessible stall and aisle. The requirements of Chapter 36 would only require 8, including 1 van accessible stall and aisle, for a casino with 15 seats.

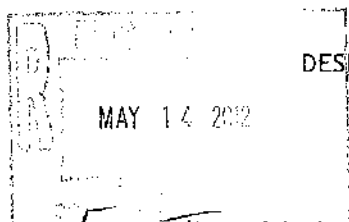
Summary

The redevelopment of the subject property is a positive step in improving a major business corridor in Great Falls. The proposed changes improve the visual quality of the property. Staff makes the following recommendations in support of this application and proposed plan.

1. Add directional signage limiting the driveway to one way traffic from 10th Avenue South to the parking in the rear. Egress is to the alley only.
2. Remove the freestanding pole sign.
3. Reduce the signage on the front awning to 24 s.f. Reduce the signage on the east and west awnings to 45 s.f. per side.
4. Change the color of the awning to complement the two shades of tan proposed for the building.
5. Paint the accessible route from the accessible van parking stall to the entrance.

With the five changes listed above, staff finds the spirit of Chapter 20 Land Use is met and supports the application and proposed plan. The proposal would be compatible with and support nearby commercial and residential properties, neighborhood character, and natural features. The proposed project would promote street activity, reinforce public spaces and promote public safety. The redevelopment of the building provides visual interest.

EXHIBIT A - APPLICATION



DESIGN REVIEW BOARD APPLICATION

DATE: MAY 9, 2012

NAME: FAT TUESDAY'S INC

ADDRESS: PO Box 829, GT FLS, MT PHONE: 406-788-4067

AGENT/REPRESENTATIVE: NATHAN HOINES

ADDRESS: PO Box 829 GT FLS, MT PHONE: 406-788-4067

SITE ADDRESS: 817 10TH AVE. SO. GREAT FALLS MT 59405

Square Footage of Building Site: _____
Square Footage of Structure(s): _____

Design Review Board Meeting Date: _____

The following items must be submitted as part of the application:

Legal Description

Lot(s): 008

Block(s): 511

Subdivision: GREAT FALLS ORIGINAL TOWNSITE

Or Township: 20N Range: 03 E Section: 12

Use Intended: BAR

PACKET (2 Copies Drawn to Scale to Sufficiently Demonstrate the Following Items)

- a. Application
- b. Site Plan/Landscaping Plan/Parking Plan - 11" x 17"
- c. Elevation Drawings - 11" x 17"
- d. Topography Map - 11" x 17"
- e. Drawing of each Proposed Sign (Type, Copy, Dimensions, Height, & Materials)
- f. Written Zoning Determination (obtained from City Planning Department)

Building and Property Frontage:

Street: 10th Ave S Building Frontage: _____ Property Frontage: _____

Street: _____ Building Frontage: _____ Property Frontage: _____

EXHIBIT B-1 - APPLICATION LETTER PAGE 1

NATHAN J. HOINES
HOINES LAW OFFICE, P.C.
Attorney At Law

Telephone: 406.761.0996

401 3rd Avenue North
P.O. Box 829
Great Falls, MT 59403

Facsimile: 406.761.3856

E-mail: office@nathanhoinelaw.com

May 11, 2012

City Design & Review Board
P.O. Box 5021
Great Falls, MT 59403

RE: Fat Tuesdays, Inc.

Dear Board Members:

My name is Nathan Hoines and I represent Fat Tuesdays, Inc. which is owned by my wife, Lexie Hoines. It is my wife's intentions to move a liquor license that she purchased into the building located at 817 10th Avenue South, Great Falls, Montana. This building had been historically operated as a bar and casino and was originally called the Brass Rail and then Plum Crazy Casino. Recently, this building was used by Loan Max Title Loans. The building is painted bright yellow and has been vacant for more than a year. It is my wife's intention to place the building back into its historical use as a bar/casino. CTA Architects have been hired to design the outside of the building. Our hopes are to get a color scheme that matches the surrounding businesses, especially Riddles Jewelry, which is on the corner of 9th Street and 10th Avenue South.

It is the intention to paint the building two shades of color, with the lower portion being a dark tan and the second color being a lighter tan, which both should match the color scheme of Riddles Jewelry and the surrounding buildings. Attached to the application are architectural renderings which show the color schemes.

The establishment is on a very limited lot which is 50' x 150' lot. The area surrounding the building is exclusively an asphalt parking lot and parking is somewhat limited. Forde Nursery has been hired by Fat Tuesdays to design appropriate landscaping for the lot. Forde's design is also attached to this Application. It is Ms. Hoines' hope that this proposed landscaping design would be acceptable since there is a limited of area that could be used for landscaping as it is important there be an appropriate amount of parking spaces.

It is the intention of Fat Tuesdays to have 15 gaming machines at the location. Also attached to the Application is a copy of the parking plan which would have one (1) handicapped parking space and eleven (9) non-handicapped spaces, for a total of eleven (10) parking spaces. This meets the

EXHIBIT B-2 - APPLICATION LETTER PAGE 2

requirements of Article II, Vehicle Parking set forth in Section 17.36.2.020, which requires one (1) parking spot per 2.5 seats, plus one (1) employee per shift. The parking also satisfies all ADA requirements.


Fat Tuesdays has also hired Gary Hill of Hill Signs & Graphics to change the signs on the building. Attached to the Application is a signed Permit Application for the change of the signs. It is not financially feasible to change the skins on the signs that are attached to the building. However, it is Fat Tuesdays intention to refurbish the signs and to place the attached lettering on the signs, with the colors on the signs to blend in with the colors on the building.

All of these modifications have been approved by the owners of the building, Brass Rail, Inc. Fat Tuesdays does not have a financial interest in the building and is limited in doing any significant modifications to the building structure.

If there are any questions or any additional information is needed, please do not hesitate to contact me at the above address and telephone number.

Sincerely,

HOINES LAW OFFICE, P.C.

By 
Nathan J. Hoines
Attorney at Law

.NJH/ab
Enclosures

EXHIBIT B-3 - APPLICATION LETTER PAGE 3

NATHAN J. HOINES
HOINES LAW OFFICE, P.C.
Attorney At Law

Telephone: 406.761.0996

401 3rd Avenue North
P.O. Box 829
Great Falls, MT 59403

Facsimile: 406.761.3856

E-mail: office@nathanhoineslaw.com

May 21, 2012

Charles Sheets
City Design & Review Board
P.O. Box 5021
Great Falls, MT 59403

RE: Fat Tuesdays, Inc.

Dear Charlie:

Please find enclosed the new landscaping design from Forde Nursery. There is additional landscaping on the property line that will match the grass and landscaping that is next to Riddles Jewelry. I hope this meets with the Design Review Board's approval.


In addition, I have enclosed a copy of the floor plan that was inadvertently omitted. On the floor plan, it shows the driveway will be a one-way, that being from 10th Avenue South and exiting through the alley. The roadway will be painted and there will be signs on the building and as you turn into the drive way that the drive is a one-way.

Regarding the sign application, I spoke with Bob Sechena, who is a shareholder and who has signed the applications regarding the current free standing sign. As you know, Brass Rail, Inc., owns the building and Fat Tuesdays is leasing the building. Bob and his partners are not willing to have the sign removed. He believes the sign is worth approximately \$3,000 to \$5,000 and will devalue their property. Fat Tuesdays' hands are tied in regards to having the sign removed. Fat Tuesdays would like an exemption or a variance concerning this requirement. Fat Tuesdays would be willing to modify the sign so that it would only read "Fat Tuesdays" and there would be nothing else on the sign. If an exemption or a variance is not granted, then our proposal is not to use the sign in any form. We would be willing to remove the lettering on the sign so that it is nothing but a free standing object.

If there are any questions or any additional information is needed, please do not hesitate to contact me at the above address and telephone number.

Sincerely,

HOINES LAW OFFICE, P.C.

By 
Nathan J. Hoines
Attorney at Law

NJH/ab
Enclosures

EXHIBIT C - AERIAL AND STREET VIEW

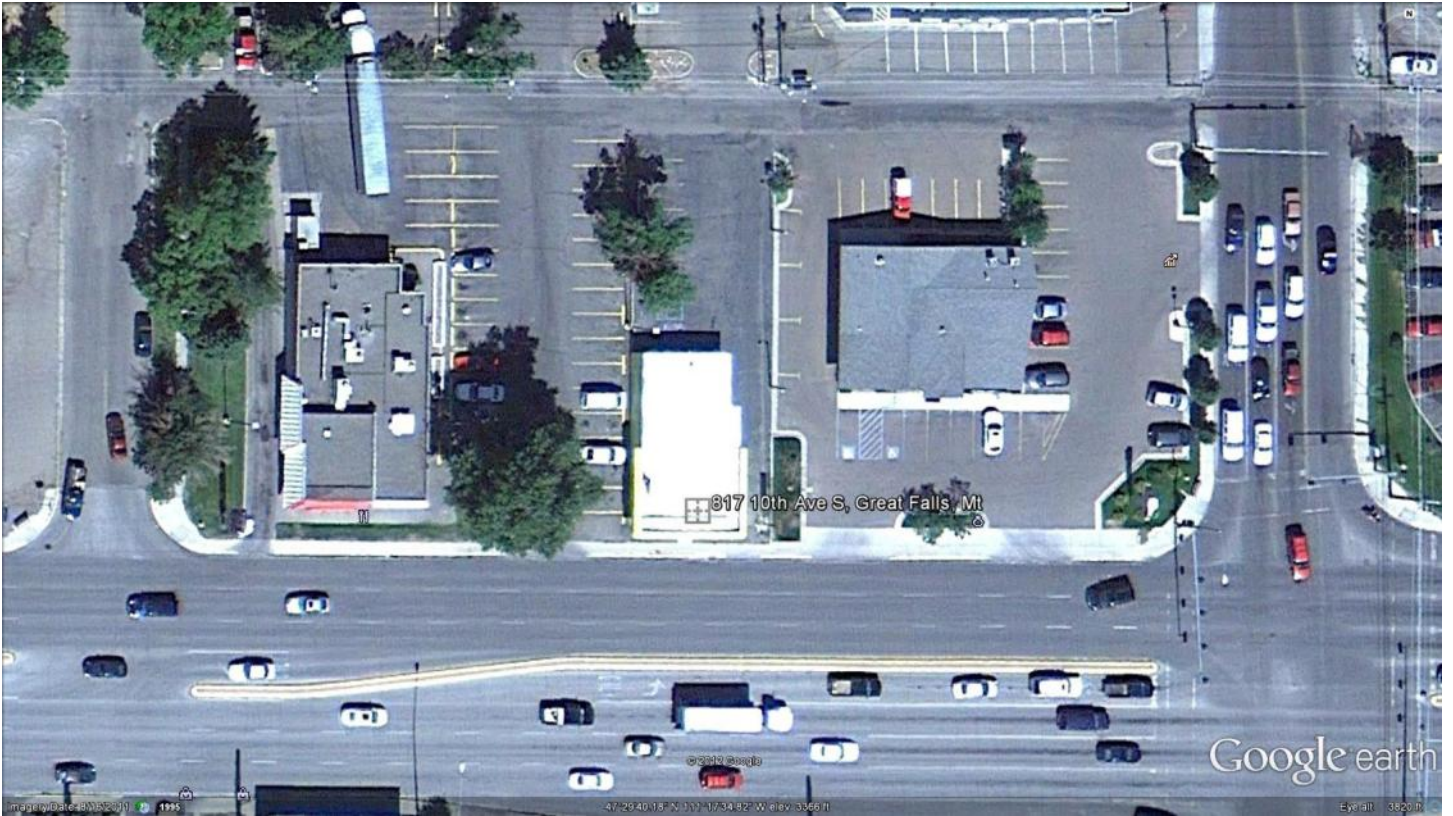
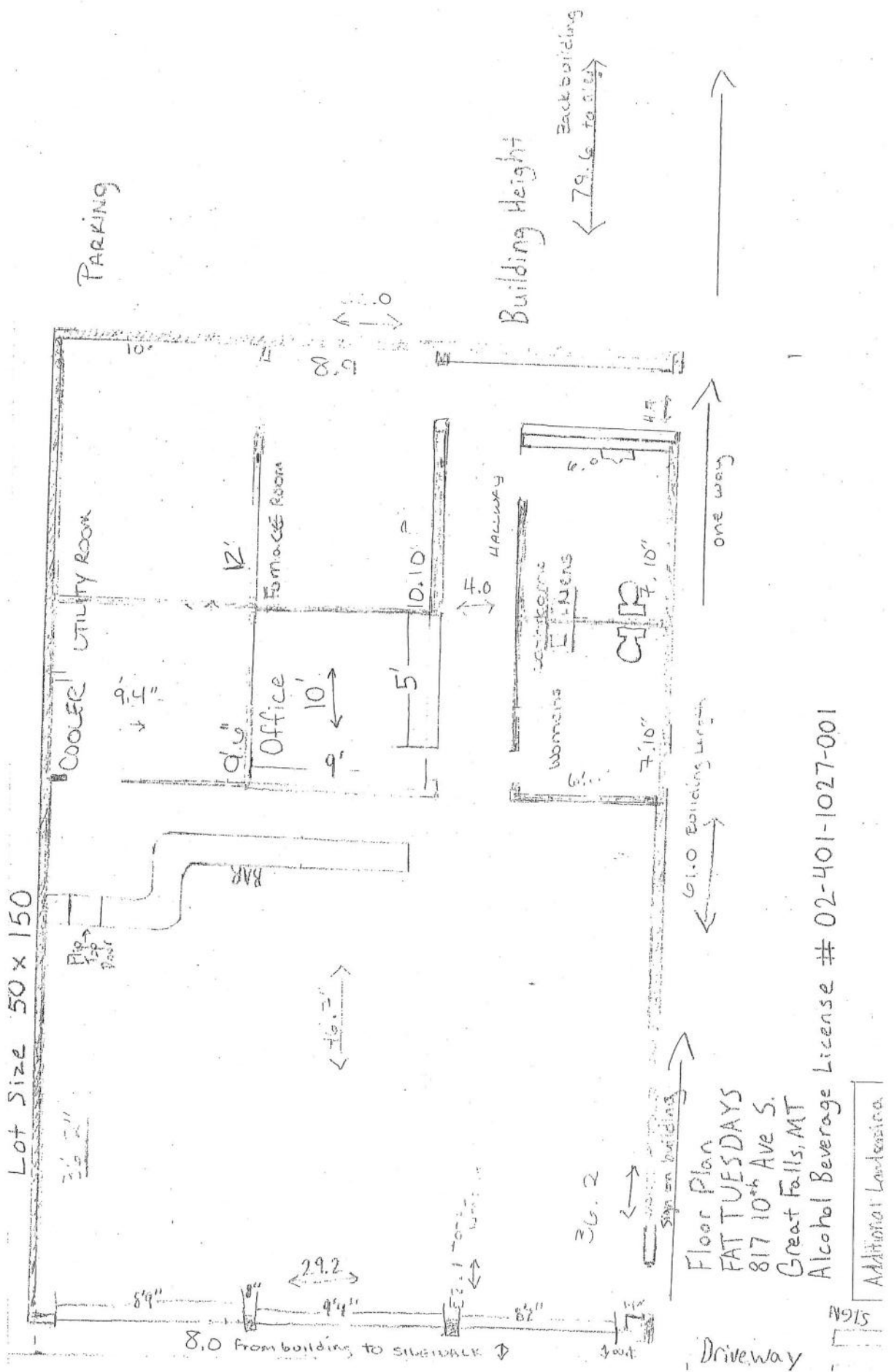


EXHIBIT D - FLOOR PLAN



Floor Plan
 FAT TUESDAYS
 817 10th Ave S.
 Great Falls, MT
 Alcohol Beverage License # 02-401-1027-001
 Additional Landscaping

EXHIBIT E - SITE/PARKING PLAN

ZONING REQUIREMENTS

PROPERTY DESCRIPTION

ZONE (EXISTING): C-2 GENERAL COMMERCIAL
 ADDRESS: 817 10TH AVENUE SOUTH
 GREAT FALLS, MONTANA 59405
 LEGAL DESCRIPTION: GREAT FALLS ORIGINAL TOWNSITE,
 S12, T20 N, R03 E, BLOCK 511, Lot 011
 GEOCODE: 02-3015-12-4-02-04-0000
 LOT ACREAGE: 7,500 SQ. FT. OR .17 ACRES
 BUILDING SQ. FT.:

EXISTING 1ST FLOOR 1,922 SQ. FT.
 EXISTING TOTAL 1,922 SQ. FT.

BUILDING COVERAGE:

BUILDING MAY COVER 60% OF LOT
 1,922 DIVIDED BY 7,500 = .27 OR 27% COVERAGE

SETBACKS:

REAR, SIDE AND FRONT YARDS ARE ESTABLISHED
 PER CITY OF GREAT FALLS

FRONT YARD SETBACK: NONE
 REAR YARD SETBACK: 1/10 OF LOT DEPTH,
 BUT NOT LESS THAN 10 FT BUILDING HEIGHT
 SIDE YARD SETBACK: 10 FT EACH SIDE

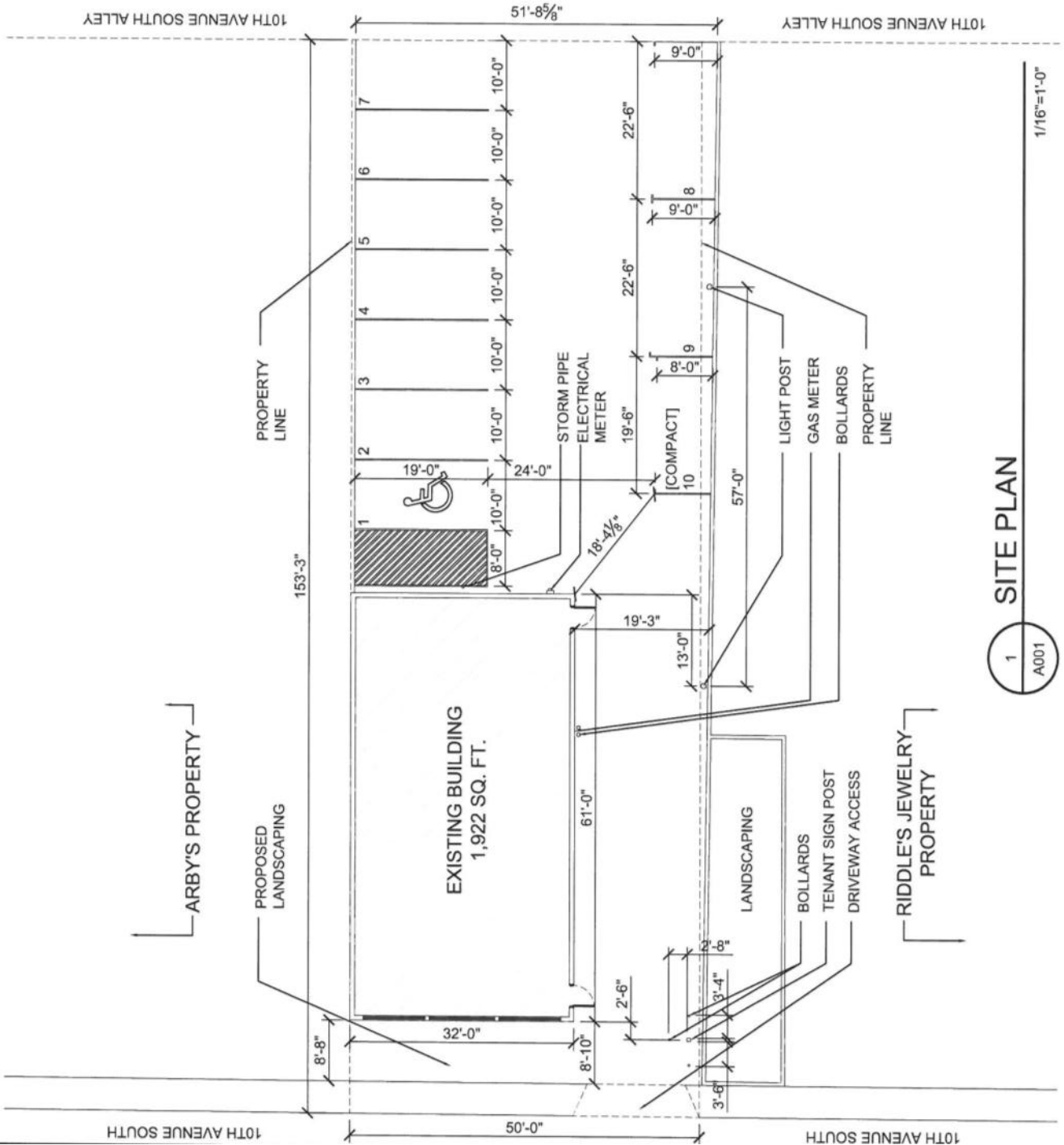
PARKING REQUIREMENTS:

PARKING REQUIREMENTS ARE ESTABLISHED
 PER CITY OF GREAT FALLS

REQUIRED: 1 PER 2.5 SEATS,
 PLUS 1 PER EMPLOYEE PER SHIFT
 PROVIDED: 8 STALLS, 1 COMPACT, 1 HANDICAP

LANDSCAPING COVERAGE:

REQUIRED: NONE
 PROVIDED: REFER TO OWNER FOR INTENTIONS,
 VEGETATION TO BE DETERMINED



1 SITE PLAN
A001
1/16"=1'-0"

EXHIBIT F-1 - LANDSCAPE PLAN

Qty	Common Name	Size/Condition
Shrubs		
6	POTENTILLA MANGO TANGO	2CG
1	PINE MUGO MOPS	6CG
Ornamental Grasses		
8	GRASS KARL FOERSTER FEATHER REED	KG
Perennials and Annuals		
22	DAYLILY STELLA D'ORO	KG

H.C. Parking

Fat Tuesday's

Strassen Retaining Wall

3 POTENTILLA MANGO TANGO
 12 DAYLILY STELLA D'ORO
 2 GRASS KARL FOERSTER FEATHER REED

6 GRASS KARL FOERSTER FEATHER REED
 10 DAYLILY STELLA D'ORO
 3 POTENTILLA MANGO TANGO

1 PINE MUGO MOPS

Walk

Sidewalk

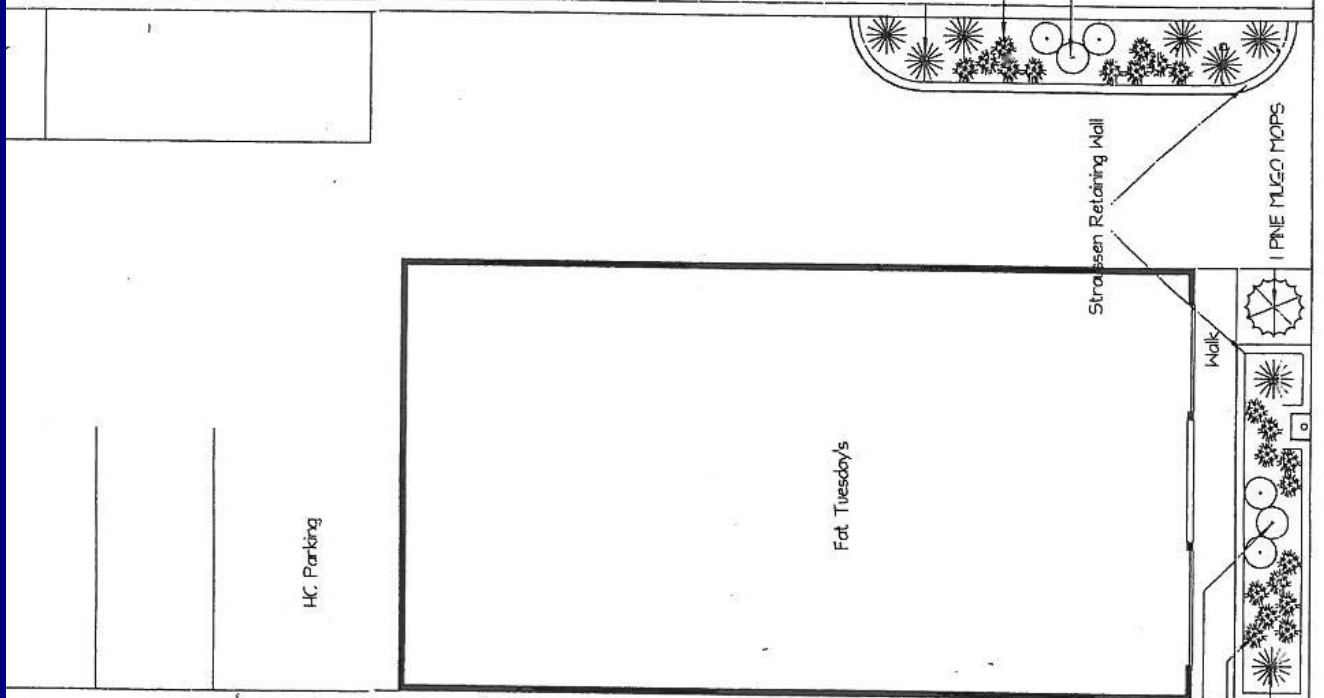


EXHIBIT F-2 - LANDSCAPING LETTER



Date: May 14, 2012

Re: Fat Tuesday's
817 10th Avenue South

The owner has indicated his desire to improve the appearance of this property and, to that end, add as much landscaping as feasible. Unfortunately, the size of the lot, the location of the building on the lot, and parking requirements put severe limitations on how much landscaping can actually be accomplished.

At the southwest corner of the property, our intention is to build a raised planter around the existing sign pole and incorporate the traffic bollards into that bed. In front of the building, running parallel to the roadway, another raised planter would be constructed between the city sidewalk and the 3' wide walk adjacent to the building. This planter will be built around an existing water "shut-off" located 6" inside of the city sidewalk.

The size of the beds to be constructed greatly restricts the available plant palate, but the plants chosen will be attractive, low maintenance, add some year-round interest, and will be able to handle the harsh conditions present at this particular site. The concrete block used for these two raised planters would be in earth tones complementary to the colors chosen for the buildings exterior facelift.

A drip/soaker type irrigation system will be installed to water the plant beds. In lieu of tearing up a significant portion of the parking lot, it will be necessary to operate this system manually.

GARDEN CENTER • LANDSCAPING • DESIGN • MAINTENANCE

2025 2nd Avenue NW • Great Falls, MT 59404 • Phone: (406) 727-0950 • Fax: (406) 727-4817

E-mail: mail@forde-nursery.com • www.forde-nursery.com

EXHIBIT G - ELEVATIONS



Recommendation

Suggested Motion

1. Board Member moves:

“I move that the Design Review Board (approve/approve with conditions) the Design Review Application of Lexie Hoines, Fat Tuesdays, Casino Type I, addressed as 817 10th Avenue South, as shown in the conceptual development plans contained within this report and provided by the Owners’ Agent, subject to the follows conditions:

- A. The proposed project shall be developed consistent with the conditions in this staff report, all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
- B. If after the approval of the concept development plan as amended by this Board, the owner proposes to expand or modify the conceptual development plans, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the concept for one or more review criteria. If such proposed change would alter the plan, the proposal shall be resubmitted for review as a new application.
- C. Add directional signage limiting the driveway to one-way traffic from 10th Avenue South to the parking in the rear. Egress is to the alley only.
- D. Remove the freestanding pole sign.
- E. Reduce the signage on the front awning to 24 s.f. Reduce the signage on the east and west awnings to 45 s.f. per side.
- F. Change the color of the awning to complement the two shades of tan proposed for the building.
- G. Paint the accessible route from the accessible van parking stall to the entrance.

2. Chairman calls for a second, discussion, inquiries from the public, and calls the vote.

CC City Engineering, Dave Dobbs
 Patty Cadwell, Neighborhood and Youth Council Coordinator
 Fat Tuesdays, Inc., Lexie Hoines, P.O. Box 829, Great Falls, MT 59403
 Brass Rail, Inc. 1526 Central Ave, Great Falls, MT 59401