

PLANNING ADVISORY BOARD ZONING COMMISSION

NOVEMBER 24, 2014

Case Number

ZON2014-9

Applicant/Owner

Casey Cummings

Representative

Anthony Houtz, AIA
CTA, Inc.

Parcel ID Numbers

1149400

Requested Action

Rezone the subject property from R-3 Single-family high density to R-5 Multi-family medium density

Neighborhood Council

Neighborhood Council #4

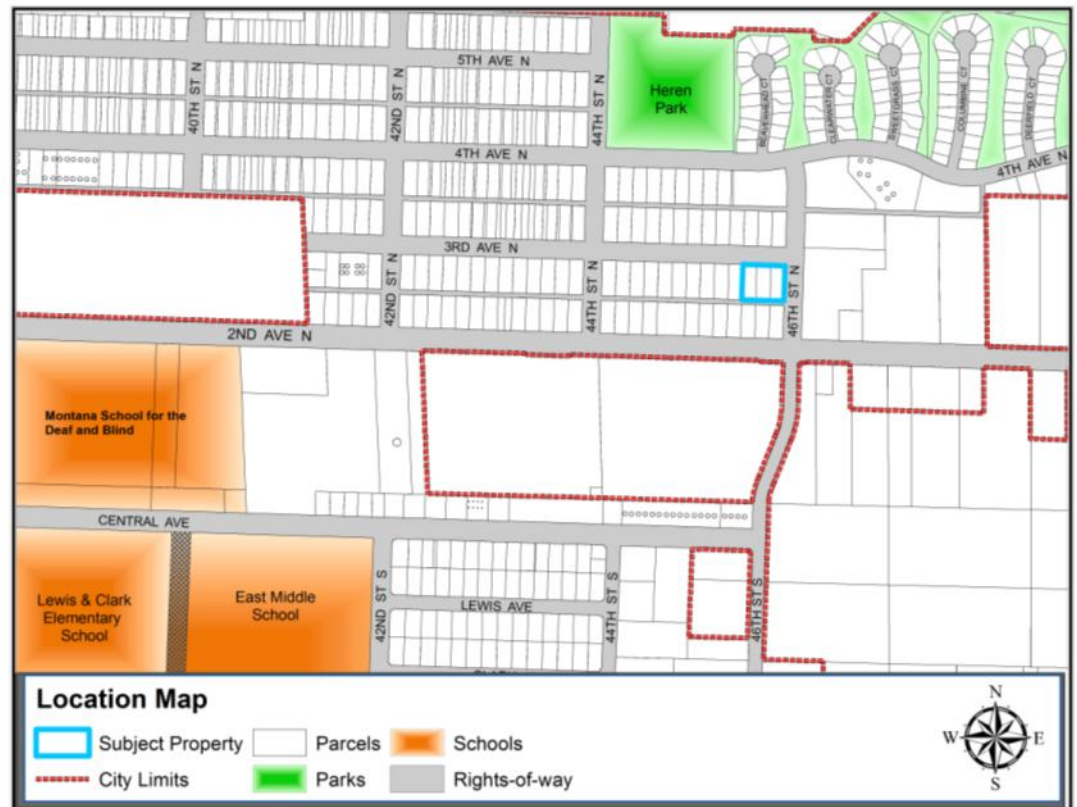
Recommendation

Approval of the request with Conditions

Project Planner

Galen Amy

REZONE: 46TH STREET NORTH & 3RD AVENUE NORTH



Summary

The subject property is located on the southwest corner of 46th Street North and 3rd Avenue North. The applicant is requesting rezoning from R-3 Single-family high density to R-5 Multi-family medium density in order to construct a 12-unit multi-family apartment building

- Legal description of subject property: Lots 11-13, Block 12, Morningside Addition, Section 9, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana

- Total area: \pm 0.62 acres or \pm 27,000 square feet

Agency Comment

Representatives from the City's Public Works, Park and Recreation, 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 applicant or in the conditions of this report.

Subject Property Conditions

Existing Use: Vacant undeveloped land

Proposed Use: Landscape buffered parking lot

Existing Zoning: R-3 Single-family high density

Proposed Zoning: R-5 Multi-family medium density

Adjacent Land Use: The property is located on the edge of a confluence of zoning districts, with existing R-3 Single-family high density district neighborhood to the north and west and a commercial corridor to the south along 2nd Avenue North, which includes C-1 Neighborhood commercial, C-2 General commercial, and M-2 Mixed-use transitional zoned properties. Diagonally across the intersection to the northeast and northwest there are also multiple R-5 Multi-family medium density apartment buildings and a PUD Planned unit development.

Property Background

The subject property has a non-residential land use history as it was previously the location of a neighborhood church and parking lot. There was also a preschool/daycare approved by the State for up to 45 children which operated at the church in 2003 and 2004. City records indicate the church existed from at least the early 1960s through 2009, when it was razed. The property has been vacant since that time.



View south from 3rd Ave N, across the subject property at the north façade of the owner's existing apartment building.



View southeast from 3rd Ave N, across the subject property with Wadsworth Builders in the background.



View east from the alley between the subject property and the existing apartments and garages on the right.



View west from 46th St N at the subject property and the residential neighborhood beyond.

EXHIBIT A - ZONING MAP



- | | | | | | |
|--|------------------|--|---------------------------------|--|----------------------------|
| | Subject Property | | R-3 Single-family High Density | | C-2 General Commercial |
| | City Limits | | R-5 Multi-family Medium Density | | M-1 Mixed-use District |
| | Tracts of Land | | R-6 Multi-family High Density | | M-2 Mixed-use Transitional |
| | right-of-way | | PUD Planned Unit Development | | POS Parks and Open Space |
| | | | C-1 Neighborhood Commercial | | U Unincorporated Enclave |



EXHIBIT B - AERIAL MAP



-  Subject Property
-  City Limits
-  Tracts of Land



Rezoning Analysis

A multi-family apartment building with a garage facility is not permitted in the existing R-3 Single-family high density district, and the legal nonconforming use of the church has since expired. The owner is proposing rezoning to R-5 for development of one 12-unit multi-family apartment building, which equates to 19.35 dwelling unit per acre (du/ac). The adjacent neighborhood is 4.76 du/ac. Though this project is much more dense than the adjacent neighborhood to the north and west, the size of the property, \pm .62 acres, appears to provide enough area for the development to meet all of the R-5 district development standards for setbacks, height, lot coverage, and landscaped area.

Immediately to the south across the alley is a 12-unit apartment building, also owned by the applicant, that is the same design as what is being proposed on the subject property. There are a few site specific differences, but the proposed concept and density is the exact same. The location of the subject property seems to lend itself well, in most respects, to multi-family development, and every rezone request must be considered in its full context.

In this instance, the subject property is in the vicinity of numerous existing multi-family apartment and condominium buildings to the northeast, south and southwest. Because similar housing configurations exist in the immediate vicinity, with similar look, function and impact, it would not be inappropriate to establish R-5 zoning for the subject property. In addition, the applicant shall be required to fulfill the development standards, parking, lighting and landscaping requirements when the project goes to the Design Review Board and applies for building permits.

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

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 the Social and Physical portions of the Growth Policy, specifically the goals and principles to 1) encourage a safe, adequate and diverse supply of housing and fair housing opportunities in the City; and 2) develop new and diverse housing supply throughout the City, including single-family residential, multi-family, and housing for those with special needs.

Additional supportive Policies that this project is consistent with include:

Social - Housing

- Soc1.4.1 Work with the private sector and non-profits to increase housing opportunities in the city.
- Soc1.4.2 Expand the supply of residential opportunities including single family homes, apartments, manufactured homes and assisted living facilities.
- Soc1.4.3 Encourage, promote and support adequate and affordable home ownership in the City.
- Soc1.4.6 Encourage a variety of housing types and densities so that residents can choose by price or rent, location and place of work.

Physical - Land Use

- Phy4.1.3 Create a balanced land use pattern that provides for a diversity of uses that will accommodate existing and future development in the City.
- Phy4.1.4 Foster the development of safe, walkable neighborhoods, with a mix of uses and diversity of housing types.

Moreover, the Growth Policy calls for promoting redevelopment and infill as a primary community development mechanism. The Growth Policy states that the City should regulate new development to achieve a high degree of

self containment. This Policy is encompassed in the approval process being sought by this applicant as a result of this request.

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 #4. The applicant presented to the Council on October 23, 2014, and the Council voted in favor of the proposed 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 area that this project is located in does not have a set of planning documents beyond the Growth Policy that assess existing conditions and/or provide recommendations for the area. The project will involve filling in gaps, and connecting to, the existing neighborhood sidewalk network. Due to the location of the project, routine vehicle trips are necessary for residents in this area to access work, shopping, and other recreational opportunities.

4. The code with the amendment is internally consistent.

The proposed zoning map amendment is consistent with the applicable code and is within the city limits. Properties to the northeast, south and southwest have similar uses, so the zoning district would be consistent with existing development.

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

The subject property is located close to the eastern fringes of the city in between residential and commercial uses and was used for institutional purposes for over forty years as a church and daycare facility, which ultimately served as a complimentary buffer between the two uses. The applicant would like to redevelop the site in order to construct an apartment building that matches his existing apartments adjacent to the subject property across the alley to the south. As stated earlier, because the current zoning district restricts the type of development on the property, rezoning ultimately allows the applicant to address the increased need to provide additional housing options to City residents.

Any development within the City limits requires City review, including review of how the development will impact the public health, safety and welfare. At the time that this project was initially annexed and received City zoning, it went through said review. It is not anticipated that the change in zoning and ultimate use will have any negative impact. The proposed project will be well landscaped, lighted, maintained and managed by the applicant to ensure this is the case.

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

Completion of the full project proposal, contingent on rezoning, will have beneficial financial impact for the City due to the increased property value and resulting tax base. There is adequate staffing to administer and enforce the amendment.

Transportation

Access to the property will mainly be from the adjacent alley to the south and from a driveway off of 3rd Avenue North. An apartment building generates an estimated 6.65 average trips per unit on a weekday. Using this number, the proposed 12-unit apartment would generate approximately 80 trips during an average weekday, distributed over a 24-hour period. The maximum number of peak-hour trips is expected to be .51 per unit, or about 7 trips during the morning peak (*Source: ITE Trip Generation Manual, 9th Edition*).

The low-volume local streets adjoining the proposed site have adequate capacity to accommodate the projected additional traffic. The proximity of a major arterial (2nd Avenue North) just one block to the south will encourage the majority of the traffic to access the property via 46th Street North, rather than driving through the neighbor-

hood on 3rd Avenue North. In addition, any work that may impact the 3rd Avenue North or 46th Street North public right-of-ways shall be coordinated, reviewed and approved by the Public Works Department.

Improvements/Storm Water

There is an existing 8-inch clay sewer in the alley and there are two potential connections for water: 3rd Avenue North has a 6-inch ACP water main and 46th Street North has an 8-inch ACP water main, which can provide services to the subject property.

Public Works has provided the following comments from their preliminary review for the site and stormwater:

1. The required site storm drain report and plan shall be completed by a registered engineer.
2. The site drainage should be conveyed to 3rd Avenue North rather than the alley. A sidewalk drain can be installed to convey stormwater to the street gutter. There are some concerns about adding more drainage to the alley.
3. The applicant shall pave the alley adjacent to the subject property.
4. The alley design grade should include an inverted crown.
5. An alley apron shall be installed at 46th Street North.
6. Sidewalk should be adjacent to the curb.
7. The driveway approach to 3rd Avenue North, and the alley access, shall be in accordance with City standard drawings.
8. Dual handicap ramps shall be installed at the southwest corner of the 3rd Avenue North and 46th Street North intersection.

The project architect and engineer shall submit reports and site civil plans to the City Public Works Department for review and approval.

Recommendations

The City Zoning Commission has the responsibility to review and make recommendations on Zoning Map Amendments.

Recommendation:

The Zoning Commission, based on the Findings for the Basis of Decision, recommends the City Commission approve rezoning the subject property, legally described as Lots 11-13, Block 12, Morningside Addition, Section 9, Township 20 North, Range 4 East, P.M.M., Cascade County, Montana, from the existing R-3 Single-family high density to R-5 Multi-family medium density, subject to the Conditions of Approval being fulfilled by the applicant.

Conditions of Approval

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. Provide an amended plat aggregating the lots of the subject property, which shall incorporate corrections of any errors or omissions noted by Staff.
3. The applicant shall pave the alley adjacent to the subject property, in accordance with the design approved by the City Public Works Department.
4. A concrete alley apron shall be installed at 46th Street North.
5. The project architect and engineer shall submit reports and site civil plans to the City Public Works Department for review and approval.
6. Dual handicap ramps shall be installed at the southwest corner of the 3rd Avenue North and 46th Street North intersection.
7. Outdoor lighting shall have cutoff fixtures and be situated to prevent off-site light pollution.
8. If after approval the owner proposes to expand or modify the use, buildings, and/or structures, the Director of the Planning Department shall determine in writing if such proposed change would alter the finding for one or more review criteria. If such proposed changes would alter a finding, the proposal shall be submitted for review as a new development application. If such proposed change would not alter a finding, the owner shall obtain all other permits as may be required.

Review/Approval Process

Next Steps

1. The Zoning Commission recommendation will be presented to City Commission.
2. City Commission will approve or deny the rezoning.
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 Council Coordinator
Anthony Houtz, AIA, Representative, CTA, Inc., anthonyh@ctagroup.com

EXHIBIT C - APPLICATION

CITY OF GREAT FALLS
 PLANNING & COMMUNITY DEVELOPMENT DEPT.
 P.O. BOX 5021, GREAT FALLS, MT, 59403-5021
 406.455.8415 • WWW.GREATFALLSMT.NET

DEVELOPMENT APPLICATION

Submittal Date: _____

Application Number: ZON2014-9

Paid (Official Use ONLY):

- Annexation: \$500
- Preliminary Plat, Major: \$1,500 + \$50/lot
- Revised Preliminary Plat: \$1,000
- Final Plat, Major: \$1,500 + \$25/lot
- Minor Subdivision: \$1,250
- Amended Plat, Administrative: \$200
- Amended Plat, Non-administrative: \$1,000
- Zoning Map Amendment: \$2,000
- Conditional Use Permit: \$1,500
- Planned Unit Development: \$2,000
- Vacate Public Right-of-Way: \$1,250
- Public Hearing Notice

Name of Project / Development:

CASEY CUMMINGS

Owner Name:

307 4th St SW

Mailing Address:

761-7708

Phone:

Email:

CTA, INC . ANTHONY HOUTZ, ARCHITECT

Representative Name:

219 2nd Av So GREAT FALLS

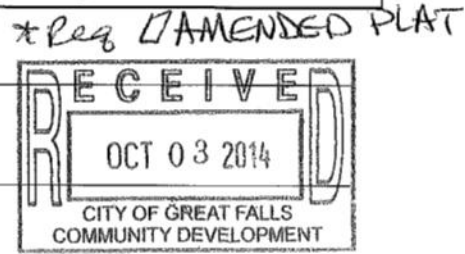
Mailing Address:

406-452-3321

anthonyh@ctagroup.com

Phone:

Email:



PROPERTY DESCRIPTION / LOCATION:

Block 12, Lots 11-13 09 T20N R04E
 Mark/Lot: Section: Township/Block: Range/Addition:

Street Address:

ZONING:

R-3 R-5 Vacant Condominiums
 Current: Proposed: Current: Proposed:

LAND USE:

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.

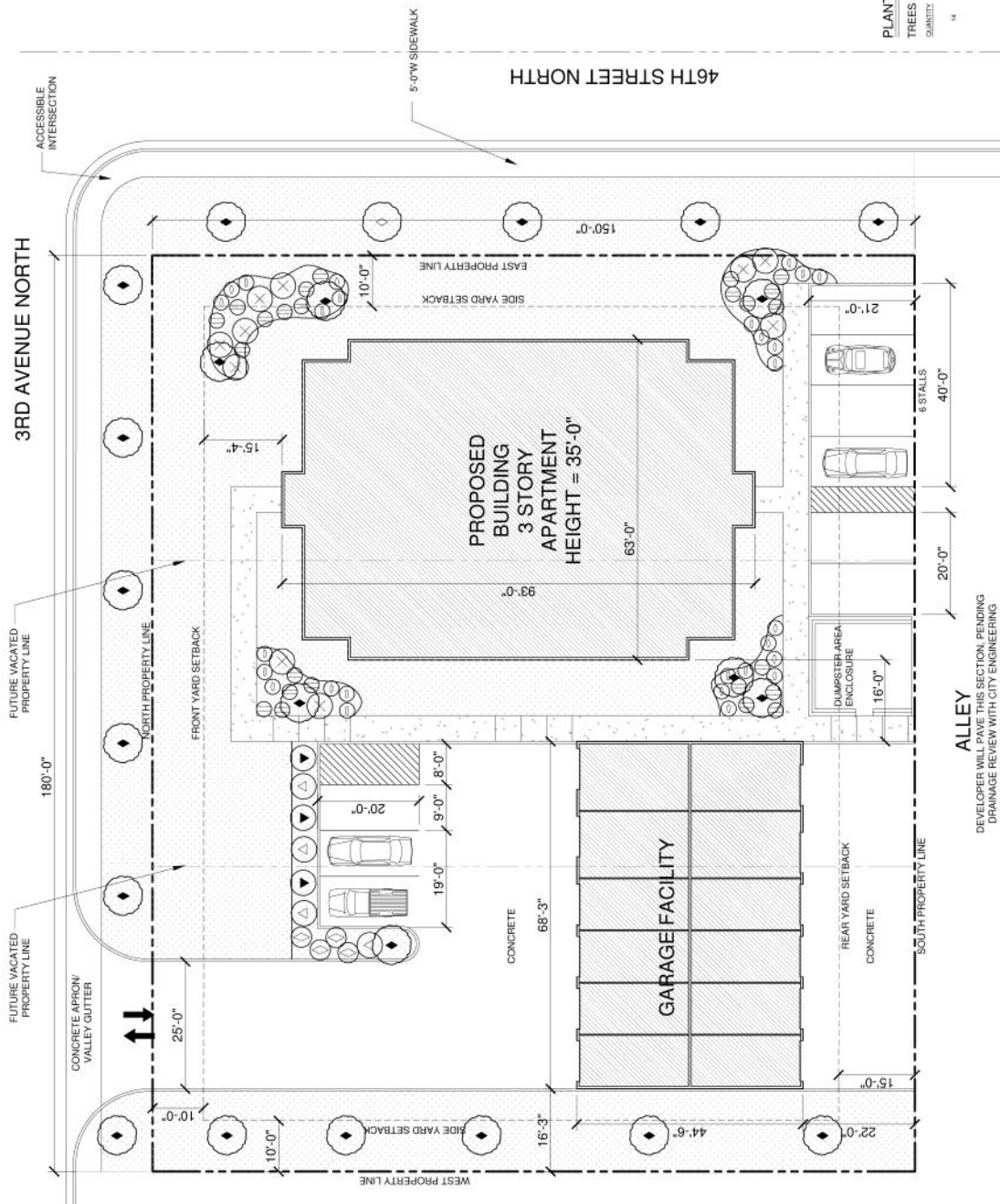
Casey E Cummings
Property Owner's Signature:

9/30/14
Date:

[Signature]
Representative's Signature:

9.30.14
Date:

THIRD AVENUE APARTMENTS



PARKING REQUIREMENTS :
 BASED ON CITY OF GREAT FALLS
 PARKING REQUIREMENTS:
 REQUIRED: 1.5 SPACES PER UNIT
 12 UNITS X 1.5 STALLS PER UNIT = 18 STALLS
 PROVIDED: 18 GARAGES, 8 ON-SITE PARKING STALLS
 = 26 TOTAL STALLS PROVIDED

LANDSCAPING COVERAGE :
 REQUIRED: 26,792 SF OF GROSS LOT AREA
 8,334 SF OF BUILDING
 YIELDS 18,458 SF OF NET LOT AREA
 18,458 / 1,500 SF = 12.3 (13) TREES REQUIRED
 2 OF BOLLIVARD TREES CONTRIBUTE
 11 INTERIOR TREES REQUIRED.
 GROUND COVER/GRASS ON AT LEAST 9,229 SF
 PROVIDED: 9,570 SF OF VEGETATED AREA
 12 INTERIOR TREES

PLANT LIST

TREES	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
14	14	SYRINGA RETICULATA	JAPANESE TREE LILAC	1" TYPICAL (R&H)	AS SHOWN	WALL OFF SETBACK
SHRUBS						
4	4	BERBERIS THUNBERGII BALT TW	BARBERIS	5 GAL		SHRUBS
4	4	CORNUS ALBA BALSALZ	BURNING BUSH	5 GAL		SHRUBS
10	10	LEONURUS ALATUS COMPACTUS	DWARF BURNING BUSH	5 GAL		SHRUBS
3	3	PRUNUS MUGO PALMLO	DWARF MUGO PINE	5 GAL		SHRUBS
24	24	POTENTILLA FRUTICOSA	PANGERSNE	5 GAL		SHRUBS
0	0	SALIX PURPUREA VAR	DWARF PURPLE OSIER WILLOW	5 GAL		SHRUBS
27	27	SPARGANGLA TOXICARIA	DWARF PURPLE OSIER WILLOW	5 GAL		SHRUBS

1 SITE PLAN
 SCALE: 1" = 16'-0"
 4/10/20