



Date: July 12, 2016
CITY OF GREAT FALLS

PLANNING ADVISORY BOARD / ZONING COMMISSION AGENDA REPORT

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

Applicant: Robert Edwards, Owner

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

Action Requested: Recommendation to the City Commission

Public Meeting:

1. Chairman of the Board conducts public meeting, calling three times each for proponents and opponents.
2. Chairman of the Board closes public meeting and asks the will of the Board.

Suggested Motion:

1. Board Member moves:

“I move that the Planning Advisory Board recommend the City Commission approve the minor subdivision of Lot 3, Block 1, Viles and Robinson Acre Tracts, as described in the staff report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicant.”

2. Board Chairman calls for a second, discussion, and calls for the vote.

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 is requesting a minor subdivision of the subject property to create two lots. The proposed lots would consist of 10,000 square feet each (See Exhibit D).

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 and 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.

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. 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.

Alternatives:

The Planning Advisory Board could not provide a recommendation for the minor subdivision to the City Commission. However, such action would deny the applicant due process and consideration of a public meeting, as provided for in City Code and State Statute.

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 minor subdivision.
3. If approved, the applicants will submit any required documents for review and then file the required documents with the Cascade County Clerk and Recorder's Office.

Attachments:

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

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Patty Cadwell, Neighborhood Council Coordinator