



Item: Ordinance 3011 to rezone Lot 1, Block 1, Benefis West Minor Subdivision

From: Bill Walters, Senior Planner

Initiated By: TARA, LLC, and Benefis Healthcare System

Presented By: Benjamin Rangel, Planning Director

Action Requested: City Commission accept Ordinance 3011 on first reading and set a public hearing for August 5, 2008.

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (accept/deny) Ordinance 3011 on first reading and set a public hearing for August 5, 2008.”

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

City Zoning Commission Recommendation: The City Zoning Commission, at the conclusion of a public hearing held June 24, 2008, unanimously passed a motion recommending the City Commission rezone Lot 1, Block 1, Benefis West Minor Subdivision, from PLI Public lands and institutional district to R-5 Multi-family residential medium density district.

Background: TARA, LLC, is in the process of purchasing subject Lot 1 from Benefis Healthcare System and intends to construct twelve residential condominium units on the site. TARA, LLC, has prepared the attached preliminary site plan generally showing how the site is proposed to be developed. Access to the development will be provided through a private driveway at the rear of the site which will run between 4th Street South and Benefis Court. No direct access to 17th Avenue South is proposed. City water mains are located in the abutting portions of 17th Avenue South, 4th Street South and Benefis Court. A City sanitary sewer main is located in the abutting portion of 17th Avenue South.

The Land Development Code allows a maximum density of one dwelling unit per 1875 sq ft of lot area in a R-5 zoning district. Dividing the area of Lot 1 (56,323 sq ft) by 1875 sq ft yields a maximum of 30 allowed dwelling units.

Section 76-2-304 Montana Code Annotated lists criteria and guidelines which must be considered in conjunction with municipal zoning regulations:

- a) is designed in accordance with the comprehensive plan;
- b) is designed to lessen congestion in the streets;
- c) will secure safety from fire, panic or other dangers;
- d) will promote health and the general welfare;
- e) will provide adequate light and air;
- f) will prevent overcrowding of land;
- g) will avoid undue concentration of population;
- h) will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- i) gives reasonable consideration to the character of the district;
- j) gives reasonable consideration to the peculiar suitability of the property for particular uses;
- k) will conserve the value of buildings; and
- l) will encourage the most appropriate use of land throughout the municipality.

Subject Lot 1 is bordered on the north and east sides by parking lots serving medical related facilities, on the south by a daycare and a physician's office and on the west side by a single family dwelling unit. Numerous residential condominium/townhouse projects exist in the vicinity including Lamplighter Lane and Baron Arms.

Two primary goals of the land use element of the City of Great Falls Growth Policy are:

- ◆ To support and encourage efficient, sustainable development and redevelopment throughout the community.
- ◆ To preserve and enhance the character, quality, and livability of existing neighborhoods.

A goal of the housing element of the Growth Policy is to provide a diverse supply of safe and affordable housing for residents of all ages, needs, and income levels.

The Growth Policy encourages compatible infill and redevelopment which offer the community the highest degrees of efficiency and sustainability. Land use changes should be compatible with the type, scale, and physical character of the neighborhood.

In addition, the condominium project will be subject to the review and approval of the City's Design Review Board, which considers such features as building architecture, exterior materials, colors, façade design and elevations, outdoor lighting and landscaping.

Considering the remaining procedural steps to insure quality of the built environment, staff concludes all of the above cited criteria are or can substantially be met.

The involved property appears to be ideally suited for the proposed condominium project. It is close to numerous services, the proposed site plan adapts to the elongated configuration and topography of Lot 1, and public infrastructure exists to provide all required services.

The only citizens who spoke during the Public Hearing before the Zoning Commission on June 24 were Mr. Ralph Randonon representing the applicant and Mr. Richard Glover of 275 17th

Avenue South who asked if the applicant could increase the density beyond the 12 proposed residential units and what the estimated value of the proposed units would be. Based upon the area of the parcel and the maximum density allowed in the R-5 zoning district, a maximum of 30 units could be placed on the property. However, considering the configuration and topography of the parcel, it would be very difficult to provide the required parking for such density. Mr. Rando estimated the value of the units between \$225,000 and \$250,000.

Concurrences: Other City Departments including Public Works, Community Development and Fire have been consulted regarding the rezoning. Public Works has provided a Memorandum listing items that will need to be further addressed when more detailed information is available when building permits for the project are sought.

Fiscal Impact: Approval of the rezoning will allow development of a residential condominium project which will enhance the tax base but should not result in any fiscal impact to the City.

Alternatives: The City Commission could deny acceptance of Ordinance 3011 on first reading and not set the public hearing. However, such action would deny the applicants due process and consideration of a public hearing, as provided for in City Code and State Statute.

Attachments/Exhibits:

Ordinance 3011
Vicinity/Zoning Map
Preliminary Site Plan

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Mike Rattray, Community Development Director
TARA, LLC, 3000 Lower River Road #1, Great Falls, 59405
Benefis Healthcare System, Attn: Wayne Dunn, 1101 26th Street South, 59405