

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD JUNE 09, 2020**

CALL TO ORDER AND ROLL CALL at 6:35PM

PRESENT

Russ Vukonich
Mike Shepard
Kurt Nelson
Robert Smith
Sam Kavanagh

ABSENT

Claudette Byrd-Rinck
Steve Hughes
Patti Singer
Steve Duffy

Also present were City Manager Susan Nicosia, City Planner Eric Mulcahy, City Attorney Justin Breck via Zoom, and Public Works Clerk Alex Vissotzky.

APPROVAL OF MINUTES:

Minutes of the May 12, 2020 Planning Board - Motion made by Kavanagh, seconded by Nelson to approve the minutes as read. Voting Yes: Vukonich, Shepard, Nelson, Smith, Kavanagh.

VISITOR OR PUBLIC COMMENT: None.

PUBLIC HEARING AND ACTION:

Chairman Vukonich read the notice of hearing and asked for staff report presentation:

Request to establish a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

Erik Eckert is requesting a Planned Unit Development overlay for the property located on 7th Street East between 1st and 2nd Avenues East. The PUD takes three existing city lots all zoned CR-5 and reorients them creating four townhouse units. The overall effect is a reduction in units from six to four. No other deviations are requested through the PUD. The property is described as Lots 8, 9, & 10, Block 46, Columbia Falls Townsite in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

Planner Mulcahy presented Staff Report CPUD-20-02 to the Board. The proposed PUD consists of three lots and around 1.5 acres in the CR-5 two family residential zone. This PUD is less than two acres and requires the Council's consent. A large slope runs through the properties preventing them from being easily developed as platted. Four, two story townhomes are planned on the PUD while 76% of the property will remain undeveloped. The applicant has had a wetland study preformed and an initial geotechnical report performed. A more in-depth geotechnical report will be done if the PUD is approved. Public Works Director Tyler Bradshaw has requested a professional engineer stamped drainage plan prior to the building permit being issued. This is a city infill building project, and the area is not within Mosquito Flats Neighborhood Plan. City Staff recommends approval with 8 Conditions.

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Chairman Vukonich asked the Board if they had questions for staff. Kavanagh asked if this fell under the large building standards. Mulcahy stated it was less than 10,000 sq.ft and therefore did not qualify. Smith asked if vacation rentals would be allowed. Mulcahy said they are permitted if an Administrative Conditional Use Permit is obtained. Vukonich asked how property values were estimated, there was a written public comment concerning them. Mulcahy stated it is subjective. City Planning Staff uses assumptions similar to that of a real estate agent would make on such development. The valuation is based on zoning, geography, etc. There was a short discussion on house values and recent Columbia Falls trends. Shepard asked if Planner Mulcahy had any comments about the public comment received after the packets were delivered. Mulcahy said in the initial meeting with the applicant, Staff voiced concerns over wetlands and the slope. A wetland study was performed, the Public Works Director will review the drainage plan, and a more thorough geotechnical report will be performed. 76% of the lot will remain intact. These lots have always been private, platted property. The noise that will exist will mostly be during the construction of the homes. Nelson questioned outcome of the wetland study and why it was performed in the winter months. He stated he was there this week and it is very wet and that there is abundant vegetation because it is so wet. Mulcahy replied that the study looks at soil, type, vegetation, and surface moisture. Kavanagh said the current surface water appears to be within the platted 2nd Ave E Right of Way. Kavanagh noted that Condition 5 could contain that the Geotech report will be stamped by a professional engineer. Mulcahy agreed with the stamped Geotech report in Condition 5 and will add that the drainage report includes the entire site to Condition 4. Kavanagh noted that many toe of slope areas have organic matter build up that retains ground water longer than the soil underneath might.

Chairman Vukonich asked for the applicant's presentation. Erik Eckert of Greenhaven Homes, 309 Lupfer Ln, Whitefish. He discussed his building and development background. He designed the townhomes to have minimal impact to the lot. Each townhome will have three bedrooms, small office, basement, and a single car garage. His plan is to have one of the houses will be his personal home. He discussed how he designed the townhouses. The majority of the building will be below the toe of the slope and the type of terraced foundation built should bolster the slopes stability. He designed the townhomes specifically for this site. There will be no decks, storage, or rear access to the homes, preventing increased noise to the neighborhood. The front will have wood and natural stone. He stated a dry well will be installed below the toe of the slope at the rear of the homes to help mitigate drainage. These homes are designed for families and they should enhance the surrounding property values. A fire hydrant will be installed for the property when the water main is extended.

Chairman Vukonich opened the Public Hearing at 7:36 pm.

Myni Ferguson, 611 2nd Ave E, Columbia Falls, MT. She noted that she had provided written testimony to the Board.

Joe Sullivan, 211 7th St E. he owns the property to the southeast. The area has water issues during high ground water years. There are springs in the area. He is encouraged by the design, but skeptical about the actual construction.

Leslie Riser, 621 2nd Ave E, Columbia Falls, MT 59912. She noted that she had provided written testimony to the Board.

Matt Hutchenson, 227 7th St E. He noted that he had provided written testimony to the Board.

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Chairman Vukonich asked if anyone had any additional comments. Applicant Erik Eckert addressed the noise concern, noting that he is considering having panelized walls made which would reduce noise from framing and speed the process of the build. He described how he has mitigated springs on past projects. He will assess the 2nd Ave E drainage problem with this project. The sewer is already available. The water line is will be extended and he will pay for that as the developer.

Chairman Vukonich closed the Public Hearing at 7:55 pm.

Motion made by Nelson to adopt Staff Report CPUD-20-02 as findings of fact, Seconded by Shepard.

Kavanagh motioned to amend condition 5 to read: The applicant shall provide a stamped set of the full geotechnical exploration and analysis to the City Public Works Department and Building Department prior to any dirt work and issuance of a building permit. The geotechnical analysis shall address all site development and construction including site grading, retaining walls, and the building. Seconded by Shepard. Voting Yes: Vukonich, Shepard, Nelson, Smith, Kavanagh

Shepard stated that Condition 4 drainage plan should also include all site improvements and site work. Eric Mulcahy stated that Condition 4 text will be clarified accordingly.

Mulcahy expanded on the geotechnical report process. Vukonich asked to clarify the references in the letter and if adding a condition stating that no development prior to the spring issues being addressed was in the Boards' purview. Mulcahy stated it was not and that it is the City Staff that enforces the conditions before the project is too far into the process. Kavanagh noted that subsurface water is a complicated set of regulations. He proposed adding a condition stating that in the event groundwater is encountered during the build, the applicant will show the city a mitigation plan.

Motion made by Kavanagh, seconded by Shepard to add Condition 9: In the event springs are encountered during the geotechnical analysis or during construction, the applicant and his engineer shall provide a plan on how they will address foundation dewatering without impacting any neighboring properties downslope. Voting Yes: Vukonich, Shepard, Nelson, Smith, Kavanagh

Motion made by Nelson to adopt Staff Report CPUD-20-02 as findings of fact, as amended. Seconded by Shepard. Voting Yes: Vukonich, Shepard, Nelson, Smith, Kavanagh

Motion made by Kavanagh to recommend approval of CPUD-20-02 with Conditions, as amended, to City Council, seconded by Shepard. Voting Yes: Vukonich, Shepard, Nelson, Smith, Kavanagh

ADJOURNMENT: Motion by Nelson to adjourn at 8:10 p.m., seconded by Smith.

Chairman

Alex Vissotzky | Public Works Clerk