

**CITY OF COLUMBIA FALLS
PLANNING BOARD AND ZONING COMMISSION MEETING MINUTES
HELD JANUARY 10, 2023**

REGULAR MEETING – 630 PM.

Chairman Vukonich called Meeting to order at 6:31 PM

PRESENT: Vukonich, Nelson, Smith, Byrd-Rinck, Lundgren, Shepard, Kavanagh, Singer

ABSENT: Duffy

Also present: City Manager Susan Nicosia, Contract Planner Eric Mulcahy, City Attorney Justin Breck, City Attorney Stephanie Breck, Police Chief Clint Peters and Public Works Clerk Caleb Sobczak

APPROVAL OF MINUTES:

Approval of December 13th, 2022 Regular Meeting Minutes

Motion made by Shepard to approve the December 13th, 2022 minutes as presented, Seconded by Lundgren and the motion carried.

VISITOR OR PUBLIC COMMENT: (An opportunity for the Public to comment on any items not on tonight's agenda)

Frank Leftwich, 245 Klein Lane, Columbia Falls. Board Member of the Columbia Falls Rural Water Resources Fund. Leftwich believes commercial entities are compromising the Flathead Valley aquifer, and is concerned that regulations by DNRC in Helena were not followed when people were given water rights in the Flathead Valley. Leftwich wants the Planning Board to know that they have concerns in the Flathead Valley on planned developments tapping into the aquifer. Leftwich asks for the proper vetting process with these planned developments and to take their concerns into consideration.

Clarence Taber, 24 Taber Lane, Columbia Falls, said there is a group starting the process of getting rid of the Zoning Donut around Columbia Falls and going back to a County Planning Board because they feel they have no representation.

PUBLIC HEARINGS AND ACTION:

Request for a Planned Unit Development (PUD) for the River Highlands Development:

James Barnett, on behalf of River Highlands LLC, is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction called River Highlands. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loeffler Ridge Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The project consists of 83 detached single-family homes; 98 attached single family townhomes, 162 apartment units. The total unit count is 343 units on 49.1 acres gross for a density of 6.9 units per acre. The applicant is proposing 19.55 acres (40%) of the site as park and open space. With the project, the applicant is proposing to move River Road further east on Highway 2 and, if supported by MDOT, the applicant would install a traffic signal at Highway 2 and River Road. The applicant is not requesting any deviations other than the clustering of density and the density bonus provided by the PUD regulations.

Request for Preliminary Plat approval of the River Highlands Subdivision in the Columbia Falls Zoning Jurisdiction:

James Barnett, on behalf of River Highlands LLC, is requesting preliminary plat approval for property located at 264, 316, 378, & 494 River Road in Columbia Falls further described as Lots 1, 2, & 3 of Loeffler Ridge Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township

**CITY OF COLUMBIA FALLS PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING MINUTES HELD ON
JANUARY 10, 2023**

20 North, Range 20 West, P.M.M., Flathead County. The applicant will subdivide the property to create 21 lots (17 residential and 4 open space lots). The subdivision will extend Municipal water and sewer services along with reconstructing River Road and incorporating a detached pedestrian path. The new roads within the project will be public and privately maintained but all open to the public. The proposed subdivision is part of a PUD application for River Highlands.

Contract Planner Eric Mulchy presented Staff Report CPUD-22-04: Request for a Planned Unit Development (PUD) for the River Highlands Development going through all Findings and the 19 Conditions. Mulcahy also presented Staff Report CPP-22-04: Request for Preliminary Plat approval of the River Highlands Subdivision in the Columbia Falls Zoning Jurisdiction going through all Findings and the 22 Conditions. Mulchy noted that no variances were asked for. Staff Report presentation ended at 7:05 PM and questions from the Board were fielded.

Lundgren asked if the City of Columbia Falls is capable of assuming the responsibility for the infrastructure once it is completed. Mulcahy answered in the affirmative, it has been reviewed by the Public Works Department and the City's Consulting Engineer.

Vukonich inquired about the traffic study and southbound traffic as it was not reflected in the TIS. Mulcahy replied that in the traffic study it was shown the traffic disperses primarily to the north, with 10% going to the south.

Shepard asked how long Fish, Wildlife and Parks did their study. Mulcahy replied they did not specify the length of their study in the letter.

Vukonich inquired on setbacks of the river and if that setback is measured from the high-water mark? Mulcahy replied that generally it is the average of high water, it is not flood height and it is not the lowest point.

Smith asked if in 2008 this proposal was for 151 units? It is his understanding the water and sewer running under the river will be paid for by the applicant and then the City would take over and annex the area? Mulcahy answered yes. Smith then asked could these new homes be vacation rentals? Mulcahy replied everywhere in the City and County can apply for a conditional use permit for a vacation rental. The Planning Board can request that the developer not allow short term rentals.

Kavanagh asked if Staff can expand on present water and sewer capacity. Nicosia said the City is working with HDR Engineering on the bioreactor expansion. The City has the capacity and has planned to increase the capacity of the wastewater treatment plant. Federal dollars have allowed the City to not borrow funds for this project. In regards to water, the City has completed a third well that has greatly increased capacity and the water rights encompasses the entire planning jurisdiction, including this area. Kavanagh asked if the City has had a conversation with MDT regarding a signal at this location. Mulcahy answered that MDT sent a comment letter saying that this development is being reviewed by their System Impact Action Process. It has not been completely reviewed yet so they specifically did not elaborate on the improvements proposed. Kavanagh inquired about the timeframe for the evaluation? Mulcahy said generally it is a 6-8 month process.

Shepard asked how does this project's density compare to other projects of similar in size in the Valley? Mulcahy answered Kalispell has a project they are reviewing that is 400 units on 20 acres and another project that is roughly 230 units on 40 acres. This is not completely out of scale with what is being proposed in Kalispell. The County does not see projects of this magnitude since they do not have water and sewer systems. Whitefish has not approved any big projects in quite some time, the last one big one was Pheasant Run and it was pushing 12 units an acre said Mulcahy.

Singer asked where the water sewer capacity number is coming from. Nicosia said it is coming from HDR Engineering. Singer then asked if it is based on per unit that will be built and how many people live in the units? Nicosia answered there is a DEQ formula on capacity and the City has a permit based on flow of over ½ a million gallons per day. Singer asked how much can the City handle? Nicosia said that the permit is based on average daily flow. DEQ's formula is based on households, taking everything and converting it to an equivalent dwelling unit.

Kavanagh inquired if the intention is to plat the entire development in a single plat or multiple? Mulcahy answered that there would be multiple plats. The first phase would be infrastructure and the multifamily units, then the subsequent

**CITY OF COLUMBIA FALLS PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING MINUTES HELD ON
JANUARY 10, 2023**

phases would be portions of the outer ring of the development. Kavanagh asked in order to change phases in the future would they would have to come back and amend the PUD? Mulcahy said they can change the order of phasing and ask for an extension of time without coming back, but should they want to change the makeup of the development they would be required to go through the Public Hearing process again.

Vukonich inquired on page 21 of the packet, item number 3. It refers to zoning complying with the Growth Policy. Noting that this proposal is just under the maximum. Does compliance in that manner compel approval for the quantity of the units? Does the Board have to approve it because it is under that number? Mulcahy answered you do not need to approve the subdivision because it is under that number. The reason we have hearings is so the Planning Board and City Council can weigh in on these proposals. Should there be other findings that constitute a reason for denial you can make that decision.

Applicant presentation began at 7:27 PM. Mike Brodie, WGM Group, 431 1st Ave W, Kalispell is representing the applicant. Mr. Brodie presented the applicants PowerPoint. The applicant scaled down the density and took away the Zoning Map Amendment. The applicant took the public comments into consideration, making the proposal predominantly single-family homes. They took the cottage cluster idea with smaller homes fronting on to a shared park space, as well as townhomes with shared walls fronting onto something nice like a park. Apartment buildings were scaled down to 18-unit buildings vs the previous 41-unit buildings. The applicant looked at Growth Policy weaknesses and threats. The applicant stated this proposal works within the existing zoning and is not requesting any variances. Short term rentals are not the intention of the developer or this application, and the applicant encourages the Board to limit short term rentals. This proposal was compared to the housing supply need of the 2019 Growth Policy and will provide 286 of the 300 units needed by 2025 and at full build, in 2027, will provide 343 units of the 635 units needed by 2030. The cost of a lot with utilities will be approximately \$600,000 per acre, and a ¼ acre lot, the minimum lot size without a PUD, is about \$150,000. The applicant will reduce the lot size, with a PUD, to .08 of an acre at a cost of about \$50,000. Main variables are cost of the structure and the cost of the land. The goal of the applicant is to “produce a single-family residence that will be less expensive than anything on the market.” The proposal provides a linear park element allowing them to preserve the open space; the project has many pocket neighborhoods and will dedicate parkland to the City of Columbia Falls. No river front homes are proposed. The only structures within the 300-foot river setback are 6 townhomes by the jog in the property line and they are proposing a network of pocket parks along the east side of River Road. Mr. Brodie said in addressing Ms. Singers question about sewer capacity, typically it is calculated at approximately 100 gallons per day per person and a typical household is 2.5 people. In this case it is (2.5 x343)x100. Brodie said he spoke with Morrison Maierle and met with HDR regarding the capacity of the treatment plant and there is a high level of confidence that there is capacity, especially with the upgrade. He wanted to point out that they will be willing to hang the water and sewer lines from the bridge if that what the Board decided was best. Mr. Brodie passed around a piece of pipe that is of the same type that will be placed under the river. It is a little over ½ inch thick and is air tested before they put it through the machine to install under the river. Once the pipe is in they do high pressure tests to determine if it is working properly. An in depth scour analysis is done before boring to make sure the river will not impact it. It is not an uncommon practice to bore under the river when there is development on both sides. Stormwater would be subject to City and DEQ treatment requirements. A majority of open space will be planted with native/drought tolerant plants to reduce irrigation and fertilizer and the treatment ponds are designed to be landscape features.

Mr. Brodie wanted to explain the level of service in the traffic study, a grade of F is a 70 second wait time and a level of service grade C is a 23 second wait time. They looked at a signal warrant analysis for this development and the 4 hour traffic volume and the crash volume are relevant. Crash volume is 5 crashes a year and less than 50% of this development will trigger the hour traffic volume. They looked at getting the signal before meeting volume warrants but MDT would need to review it more and the first phase would trigger the volume warrants. There is a maintenance cost with running a lift station but running the city service line under the river would require little maintenance said Brodie. Brodie stated that the Community benefits of this project are housing availability, parkland, lower price single family options, pedestrian path extension and improve safety with a traffic signal. Presentation ended and questions were fielded from the Planning Board.

**CITY OF COLUMBIA FALLS PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING MINUTES HELD ON
JANUARY 10, 2023**

Nelson said last summer there was 10 donated lots to the Northwest MT Community Land Trust, now on page 81 it shows a donation lot. Mr. Brodie said the donation lot is a park. Applicant is still in discussions with the Community Land Trust and does intend to pursue it.

Singer asked if the rentals will not be short-term? Brodie answered that is the intention. Singer then asked will there be CC&Rs for this development? Brodie said there is draft CC&R's included in the application. Mulcahy said the Board can condition that short term rentals not be permitted in the development and that note would be placed on the plat. Singer inquired if the pipe that was presented is the same pipe that would be attached to the bridge if it is not put under the river? Brodie said he was unsure at this point as it would require more engineering and design review. Singer inquired on apartment monthly rent? Brodie answered they do not know what the market will be once completed. Singer inquired when it is all built out will the developer sell? Brodie thinks that there is an intention to sell at least some of the lots, but market conditions will dictate what will happen.

Kavanagh asked Mr. Brodie if he would elaborate on how this is accommodating the character of the neighborhood as opposed to something of an entirely different character. Brodie said they have reduced size to keep it congruent with the neighborhood. Keeping open space around the outside, the roads are not on property lines and excess soil material can be mounded to block sight and make it have a more rural feel. Kavanagh wondered if the townhomes have garages? Brodie said the townhomes and single-family homes will have garages. They tried to cluster the multi-family towards the center and away from the edges with additional parking lots to keep the cars above the two per unit. Kavanagh asked about the traffic going to the south, was there an analysis on the intersection of River Road and Columbia Falls Stage? Brodie answered they did not look at that intersection but they can. Kavanagh then inquired about the preliminary engineering and having adequate pressure? Brodie said there is a chance they may have to reduce pressure.

Vukonich asked about the number of apartment units compared to the single-family units and how that weighed in with your redesign? Brodie answered that Mr. Barnett is an apartment developer but it was called out in the last meeting that this area is predominantly single family so they reduced the multifamily.

Shepard said if this fails tonight at what point, number wise, do you not offer providing City water and sewer to this development? Brodie answered that it would be similar to the Benches subdivision, so maybe 40 or 50 units on this property with drain fields.

Chairman Vukonich called a recess at 8:08 PM.

Chairman Vukonich called the meeting back to order at 8:20 PM.

Public Comment opened at 8:21 PM.

Mark Reiten, 380 Kokanee Bend Drive, Columbia Falls. Said he believes that most of the traffic will not go north and will use Columbia Falls Stage Road. Mr. Reiten is concerned about a herd of approximately 80 elk on Rogers Road that migrate through this area. He believes the density is not appropriate for this particular property. This project does not fit the personality of Columbia Falls said Reiten.

Clare Reese, 4123 Columbia Falls Stage, Columbia Falls. Said she is concerned about the traffic on Columbia Falls Stage and River Road. There are only two entrances and exits to this development which could create a bottleneck. She is also concerned about evacuation through these two exits if there is a fire.

Clarence Taber, 24 Taber Lane, Columbia Falls. Said he wants to live in the country, do not bring the city to us. Mr. Taber said that the proposed development is on a property with Native American artifacts and should be protected as a Cultural Heritage Site.

Fred Haas, 4188 Columbia Falls Stage, Columbia Falls, said there has been comparison of this development to the rest of the County but this area is not the rest of the County. He does not want to see this development when driving to Glacier National Park.

**CITY OF COLUMBIA FALLS PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING MINUTES HELD ON
JANUARY 10, 2023**

Matthew Padgett, 220 Larch Ridge, Columbia Falls, said the average family size is 3.15 and 2.5 cars per family so you could potentially see an increase of population of 1080 people and potentially add 857 cars to highways and roads. Mr. Padgett questions if the City infrastructure can support this project.

Keigh Smiley, 2950 Columbia Falls Stage, Columbia Falls, also has concerns about the traffic. The current intersection of River Road and Highway 2 has F grade and with the traffic light it will go up to a C grade, he believes we should be attaining a higher grade. Smiley said that they should be looking at 2 signals in this proposal, one for the development and one for River Road. Smiley is also concerned about adding a lift station on the west side of the river and the noise it could produce.

Kristi Sell-Gullufsen, 2995 Columbia Falls Stage, Columbia Falls, said she is concerned about the traffic and speed limit on Columbia Falls Stage.

Tom Countryman, 1009 3rd Ave E, Columbia Falls. Said the developer talks about firefighters and teachers but he has yet to see a Columbia Falls resident able to afford a \$500,000 house. Countryman said the pipe has an expiration date and when it fails the tax payers will have to replace it.

Courtney Stone, 225 Rogers Road, Columbia Falls, believes the increase in people will essentially form a new town outside of the City of Columbia Falls. She believes the density is still too high. Stone says that it is fair to look at short-term rental vacancy as well and all the housing that is servicing visitors and not teachers and firefighters.

Samantha Towery, 711 3rd Ave E, Columbia Falls; said she does not believe that the proposition complies with the Growth Policy. She stated the developer recognizes that to be affordable; housing should cost 30% or less than the household income. Then the Developer references median family income in the Flathead Valley which is slightly more than \$80,000 a year and according to these figures, affordable housing would be a \$2000 a month. She believes average home price for this development would need to be less than \$385,000 to be affordable. The developer does not have the interest of this community in mind said Towery.

Deborah Fleming, 24 Diane Road, Columbia Falls, is opposed to this development. Her main concern is the negative impacts of the water and sewer pipelines under the river. She stated the river changes course most of the year and according to this pipe size, when it is damaged 50 gallons per minute will flow into the river, causing loss of aquatic life and loss of tourist dollars. She believes the City services need to be improved soon and that tax payers will be forced to pay for infrastructure improvements.

Jackie Demongin, 4250 Columbia Falls Stage, Columbia Falls, said she is challenging conditions #4 and #12 on the PUD. #4 regards congestion of the streets. She believes an increase from an F to a C at the intersection is not a great improvement. She has met with Flathead Roads and Bridges looking for solutions. #12 regards the character of the neighborhood and she believes the area does not reflect urban development. Demongin said 100% of the homes around her are farms or single-family homes. She asked the developer if he would consider letting the citizens of Flathead County buy the property back so it can be donated to Flathead Land Trust.

Shirley Folkwein, 285 Shooting Star Drive, Columbia Falls. Is representing the Upper Flathead Neighborhood Association and they have attempted an objective review of this proposal. Their conclusion is that this is not sensible development especially for the east side of the Flathead River. They urge the Planning Board to take a hard look at far reaching impacts on this fragile low land along the river. Folkwein said the property is zoned for limited multifamily and primarily single family. In this proposal they have 53% single family and 47% multifamily. She believes that on page 15 of the Growth Policy under natural resources it contains language that precludes a development of such high density on this property. The extension of services is not a benefit to the neighborhood and the City should stop at the river said Folkwein. The City of Columbia Falls housing approvals since July of 2021 include a minimum of 180 units which does not include another 180 units in the Highline Apartments, and 103 units proposed in Tamarack Meadows, senior housing in the old Junior High and long-term housing in the new hotel on Highway 2. Folkwein believes affordable housing figures provided are for the entire county, the median income for Columbia Falls is \$48,000.

**CITY OF COLUMBIA FALLS PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING MINUTES HELD ON
JANUARY 10, 2023**

Christopher Kay, 587 Red Hawk Lane, Columbia Falls, said he got his numbers from the United States Census Bureau. Columbia Falls median household income is \$56,000 per year from 2017-2021. Per capita for the last 12 months is \$29,000. He challenges the definition of affordable housing with the average rental being \$1900-\$2200. Kay inquired about the contingency plan for recovery when infrastructure fails? Kay said jobs build communities and we are not providing them in this community.

Debbie Evans, 1206 2nd Ave W, Columbia Falls. Said she believes the Planning Board should put a cap on vacation rentals for this development. She saw that on the internet there are over 250 houses for sale in Columbia Falls. Evans is also concerned with traffic and believes the City infrastructure cannot handle the population growth.

Locke Ballard, 107 River Butte Drive, Columbia Falls. Believes this development is a cancer on the land and the zoning is not cast in stone and can be changed.

Dawn Lorenzen, 2730 Middle Road, Columbia Falls. Stated before approving any high density development the Planning Board must think critically and clearly on the personality it wants to project and protect. Don't make decisions that are monetarily beneficial in the short term said Lorenzen.

Charles Lorenzen, 2730 Middle Road, Columbia Falls. Said he is opposed to this development. Projects like this require long term maintenance, deep pockets, tax assessment districts and HOA's to make it better for them. He believes Badrock Fire is going to take care of the development and they are small volunteer Fire Department. Lorenzen spoke on traffic concerns, City services and added taxes.

Vicki Brown, 385 Badrock Drive, Columbia Falls, said she feels there is more concern for accommodating new residents than concern for the quality of life of current residents. Brown questions city infrastructure accommodating the population increase. Brown believes the character of community would be negatively affected due to increased traffic, decreased wildlife on River Road and sewage under the Flathead River.

DJ Zor, 372 Badrock Drive, Columbia Falls. Zor is speaking on behalf of MT Chapter of Backcountry Hunters and Anglers. He encourages the City to think long-term and big picture. Zor said the upmost importance is the local environment, the Flathead River and current residents being forced to absorb the external cost of the development. Zor believes running sewer pipes under the Flathead River is risky and could cause impacts to water quality and damage to fisheries. Zor stated the only successful sewage boring under tail water rivers is controlled by a dam. Fixing a leak would cost millions of dollars that the citizens will potentially have to bear.

Kathleen Melee, 612 3rd Ave W, Columbia Falls, is opposed to this development. Melee said in her opinion we do not have the resources for this development. According to the American Community Service, the US Census Bureau, the Social Security Administration and the Library of Congress, the per-capita income of Columbia Falls is \$27,612 per household with a population of 5621. She questions how we will afford litigation brought on us by the DNRC, tribes or water rights if the developer is allowed to run services under the river and what happens when things go wrong?

Elenore Smiley, 2950 Columbia Falls Stage, Columbia Falls, believes the school system does not need more students as there are not enough teachers or classrooms. She notes that a C is not the grade she strives for in school and a C is not good enough.

Lee Shamp, 150 Red Barn Road, Columbia Falls. Mr. Shamp is concerned with infrastructure and how it will be addressed.

Evon Druyvestein, 4196 Columbia Falls Stage, Columbia Falls. Druyvestein said she used to be able to get patients in within 24 hours but now she cannot. In her opinion the current Columbia Falls infrastructure cannot support this development. Druyvestein said she received a letter from the city to keep her sidewalks clean and the city road adjacent to her business had not been plowed in days.

James Druyvestein, 4196 Columbia Falls Stage, Columbia Falls. Said the developer obviously listened to public comment by reducing unit numbers but this development but still does not address the major concerns of the community. #2 and #6 of the PUD are still a concern and have been poorly addressed. Druyvestein stated in his opinion boring or putting the

**CITY OF COLUMBIA FALLS PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING MINUTES HELD ON
JANUARY 10, 2023**

sewer under the bridge is not the answer. Maintenance will be required, who will perform it and pay for it as well as who is responsible for damage? Druyvestein noticed some City streets are not being plowed. He believes the requested zone does not comply with the growth policy and that multifamily is not in limited quantities. Druyvestein said the survey on the direction of growth in 2018 and 2019 said that 45% of people surveyed wanted expansion to the west, 18% to the north and 18% to the east.

Phillip Matson, 1125 Raven Lane, Columbia Falls, stated he has family ties to Salish-Kootenai Tribes and is opposed to this development. The artifacts on the property have not been exhumed or studied which should make this a hard no said Matson. He believes this development will make more wildlife traffic in town without that migratory corridor. Matson is concerned about the wetlands adjacent to the proposed stoplight as well as the aquifer.

Glenn Wehe, 267 Rogers Road, Columbia Falls, said he is opposed to this development. He said there will be increased light and noise pollution with this development. He also said that the landowners in the immediate area have shallow wells, and he has yet to see any geological index summaries or hydrological surveys. He believes liquification from this development will affect their wells. He has not seen the elk for 2 years, western meadowlarks do not nest there anymore and the gray owls are gone.

Chelsea Hawser, 630 12th St W, Columbia Falls, believes this development is not affordable housing. She said that the deer are in town because their habitat by the river has been destroyed.

Lucy Yeats, 315 Shooting Star Drive, Columbia Falls, is opposed to this development. She said the Growth Policy is not a regulatory document and is more of a general concept. She believes that the development does not belong here. She took issue with the math on page 6 of WGMs narrative and says only 17% of the total acres is multifamily and 23% is single family. She said from the headwaters of the Flathead River all the way to Flathead Lake there is not one area close to the river that has multifamily dwellings with this kind of density. She also saw the video on the Cities website, it is a 10-minute-long video that no longer reflects Columbia Falls.

Ruth Clawson, 355 Rogers Road, Columbia Falls, is concerned with the impact this development will have on wildlife. She believes having 3 story dwellings next to her hay field does not fit the character of the current neighborhood. She believes there will be trespassing on her property. She spoke to a fishing guide who said the river is changing daily because it is a freestone, free flowing river and is less than ideal for City services under the river.

Mayre Flowers, 135 Main Street, Kalispell, represents Citizens for a Better Flathead. Flowers believes the questions and public comment highlights is not enough information to make a sound decision tonight. It is required under State Law to provide a 15-day notice for a Public Hearing. She said the public is guaranteed the right to have the information and believes it was not available until 3 days before the hearing. The City should not close the public hearing in order to give the Planning Board, Staff and the public more time to review. The City should be providing more information on the Extension of Service Plan that was last done in 2001. The movement of River Road was called for in the 2008 proposal for safety and infrastructure. Flowers stated the PUD application needs to be looked at as an illegal application.

Patty Timlick, 54 Middle View Trail, Columbia Falls, is opposed to this development and hopes the Planning Board will listen to the public and vote no.

Tom Pullen, 819 12th St W, Columbia Falls. He believes his community is losing its character. Pullen said we do not have to be like some other towns in the valley and he would like to see this mitigated.

Kelly Toman, 2805 Middle Road, Columbia Falls, said he has seen developments come into the city and go bankrupt then the City had to take over. The South Hilltop apartments are privately owned and the rent is very high. Toman read the posts in the police blotter happen on Martha Rd. and believes the area is neglected by the City. Toman is concerned this development could easily turn into an issue without proper policing. Toman also inquired about the current City water usage.

Susan Wheeler, 170 River Road, Columbia Falls, inquired about the lack of the developer attendance as she has spent hours of her time attending meetings.

**CITY OF COLUMBIA FALLS PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING MINUTES HELD ON
JANUARY 10, 2023**

With no further comments Chairman Vukonich closed Public Comments at 10:01 PM

Chairman Vukonich called a recess 10:01 PM.

Chairman Vukonich called the meeting back to order at 10:08 PM.

Motion made by Nelson to accept Staff Report CPUD-22-04 as Findings of Fact. Seconded by Singer.

Chairman Vukonich asked the Board for discussion at 10:10 PM.

Nelson stated his biggest concern is traffic and density. Running the lines under the river is the least of his concerns, as it has been done before.

Singer said she has concerns about traffic. In her opinion we need the traffic light before anything. She is concerned about the fact that after phase 1 if the developer will continue to do the rest of the phases? She said that the schools are crowded, teachers are in a shortage and it is a huge issue. She believes that no short-term rentals allowed should be put in the CC&Rs. There are several other developments with infrastructure issues and she does not know how the City will handle this quantity of people in a short amount of time.

Nelson inquired if the HOA can stipulate that there are no short-term rentals in the development? Mulcahy replied placing the note of no short-term rentals on the plat will allow it to be enforced by the City. The developer can also add it to the CC&Rs.

Kavanagh said he too has concerns on traffic. He would also like to know the numbers for the capacity to serve with sewer and water. He said the intersection of River Road and Columbia Falls Stage Road was never intended to be a through intersection but now it operates as just that. An increase would warrant an investigation before they move forward. There are a number of questions still unanswered and he would like to see an additional study namely on capacity and traffic to the south. He is fully supportive of conditioning any approval on having the traffic light installed in phase 1. They need to ensure that they are providing a neighborhood that will serve the residents well said Kavanagh. He has not had an opportunity to dive into the shallow aquifer but there is merit for a study. Kavanagh believes the Findings of Fact leaves questions that need to be addressed.

Vukonich said that City water and sewer would serve this community and there could be an impact on stormwater running into the ground. He asked if there is anything from DEQ or a Hydrologist that explains to us what this project would do to other offsite wells.

Mulcahy answered the way subdivisions work is there is a condition in every subdivision that makes it subject to DEQ approval for water, sewer and stormwater. It is not reviewed at this stage and will be reviewed after a preliminary plat approval and before final plat approval. The reason the Benches subdivision was testing neighboring wells was because they developed their own water system. Contaminants were also reviewed for the Benches subdivision. To address Kavanagh's questions on traffic and capacity there is 2 ways to handle that. You can table this meeting to a date to receive those numbers, you can condition those numbers or you could recommend denial until you get those numbers. The Consulting Engineers have run the numbers on capacity and those can be provided by the City but the expanded traffic data you are requesting is not available at this time and would have to come from the consultant.

Shepard stated this property will be developed whether it is done now, 2 years from now or 10 years. The density of the project is a concern for him and he cannot fathom that many facilities on that piece of property.

Kavanagh wants to table this discussion until they receive more information, as it is his responsibility to obtain more information on this project.

Sub motion made by Byrd-Rinck to table this agenda item until more information is presented, regarding transportation to the south to include the Columbia Falls Stage intersection and to get a more complete picture of water and sewer capacity. Seconded by Kavanagh. A roll call vote was performed. AYES: Nelson, Byrd-Rinck, Kavanagh, Singer. NOES: Vukonich, Smith, Lundgren, Shepard ABSENT: Duffy. The motion failed with a tie vote.

**CITY OF COLUMBIA FALLS PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING MINUTES HELD ON
JANUARY 10, 2023**

Vukonich stated there is still a motion to accept Staff Report CPUD-22-04 as Findings of Fact and it has been seconded. A roll call vote was performed. AYES: None. NOES: Vukonich, Nelson, Smith, Byrd-Rinck, Lundgren, Shepard, Kavanagh. ABSTAIN: Singer. ABSENT: Duffy. The motion failed.

Vukonich inquired if agenda item number 2 is now moot? Mulcahy asked the Board to elaborate on what findings they are disagreeing with. Vukonich believes that the Growth Policy did not envision a project of this density and it does not fit the character of the neighborhood.

Smith concurs with Vukonich and believes it is too dense.

Kavanagh believes the analysis and impacts of the transportation in the area was incomplete and insufficient.

Since the Staff Report on the CPUD failed the Subdivision application does not comply with the zoning requirements and no voting is required.

Chairman Vukonich said the City Council will hear this proposal on January 30th, 2023 at the Jr. High Cafetorium.

Board comments and discussion closed at 10:42 PM

Vukonich said some board members are concerned with projects of this nature and that the Board would like the information as soon as possible. Nicosia replied the report was delivered 5 days before the hearing. Singer does not feel that 5 days is enough time to read through a large packet. She needs the opportunity to review the application first and then when the Staff Reports are complete can be given to the Board 5 days before the public hearing.

Next regular Planning Board Meeting will be on February 14th, 2023.

Motion made by Nelson to adjourn. Seconded by Singer.

ADJOURNMENT – Meeting duly adjourned at 10:44 PM

Chairman

Attest:

Public Works Clerk