

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD AUGUST 11, 2020**

CALL TO ORDER AND ROLL CALL

PRESENT

Claudette Byrd-Rinck via ZOOM/phone
Kurt Nelson via phone
Patti Singer
Robert Smith
Steve Duffy

ABSENT

Russ Vukonich
Mike Shepard
Steve Hughes
Sam Kavanagh

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

APPROVAL OF MINUTES:

Minutes of the July 14, 2020 Regular Planning Board Meeting - Motion made by Singer, seconded by Smith to approve the minutes as read. Voting Yes: Claudette Byrd-Rinck, Kurt Nelson, Patti Singer, Robert Smith, Steve Duffy.

VISITOR OR PUBLIC COMMENT: None.

PUBLIC HEARINGS AND ACTION:

Acting Chairman Duffy read the notice of hearing and asked for the staff report presentation.

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

Ruis Holdings 540 Nucleus Ave LLC is requesting an Amendment to their Planned Unit Development overlay for the property located at 540 Nucleus Avenue which was the former Bank of Columbia Falls site. The owner is amending the PUD to remove the planned three story south building and will instead remodel the former bank building instead of removing and replacing with a new building at this time. In addition, the owner is amending the north building to allow ground floor residential condominiums on the back half of the building but retaining retail/office space on the front half ground floor. The PUD is proposing two options for 48 parking spacing to serve the site. Option A would construct below grade parking under the north building. The second option would be to construct at grade parking where the old bank offices were located along 1st Avenue West. As with the original PUD, the building height for the north building will be 42'-8" to the top of the roof. The proposed development otherwise conforms to all of the zoning requirements. The property is described as Lots 1-15, Block 37, Columbia Falls Townsite in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

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Planner Mulcahy presented Staff Report CPUD-20-03 to the Board. The amended plan for the PUD was brought forward in part due to Covid-19 protocols making the applicant re-evaluate their plans. They decided to segregate the health club/gym and residential uses. Mulcahy recommended 16 conditions similar to the ones in the previously adopted PUD.

Duffy asked the Board if they had any questions for Mulcahy. Duffy asked if the underground parking option was viable and if a geotechnical engineer had studied it. Mulcahy stated they covered the reasons in the application and that this proposed amended project is very scaled down. Duffy asked what happens to the rest of the block after the phases are complete. Mulcahy stated that Phase 1 is the construction of the north building. Phase 2 is to remodel the old bank and other buildings, possibly adding a pool on the southeast corner. Mulcahy noted that more green space will be kept under the amended plans. Smith verified that residential use is ok on the ground level floor. Mulcahy confirmed that it is permitted with a PUD. Singer questioned if the residences would be individually owned, Mulcahy confirmed that the applicant has indicated that the units will be condos.

Duffy asked the applicant to present to the Board. Aaron Wallace, of Montana Creative, Architect, presented the options as outlined in the staff report. Wallace noted that Option 1 was to use the existing bank tunnels for parking, with one space per residence. Option 2 is the north building containing 2.5 floors of residential use and .5 of the ground floor for commercial, approximately ¼ of the block will be parking. The total residential units are 48, with studios on the 1st floor and 2 or 3 bedrooms on the 2nd and 3rd floor. There are two commercial units on the first floor. The owner wants to keep the Nucleus side (east side) for commercial use and transition to residential on the west side of the building. Residential spaces are easier to rent than commercial spaces. CB-4 allows for vacation rentals with appropriate inspections and licensing. Vacation rentals would drive use in the downtown area. 62 parking spots would be created, although none are required for the CB-4 zone. The commercial uses could include a restaurant but the actual use is unknown at this time. The old bank building would be renovated and kept in use.

Duffy asked the Board if they had any questions for the applicant. Singer asked if there were any issues with residential use on the ground level of the Duvall building to which Mulcahy stated there had been none. Duffy questioned why there would be an objection to first floor residential. Wallace replied that usually downtown development like window-shoppers for the commercial uses. Wallace stated that is why the owner planned the commercial uses on Nucleus Ave.

Duffy opened the hearing at 7:12PM and closed the hearing with no one wishing to testify. Nicosia noted that the City had not received any written comments on the amended PUD application.

Motion made by Singer, seconded by Byrd-Rinck to adopt Staff Report CPUD-20-03 as findings of fact. Voting Yes: Claudette Byrd-Rinck, Kurt Nelson, Patti Singer, and Steve Duffy. Voting No: Robert Smith.

Duffy said this is very similar to the first plan. Smith stated the applicant is trying to promote both residential and commercial downtown but he disagrees with the first floor residential. Residential use is supposed to be long-term and these will likely be vacation rentals. Wallace said there are only 15 ground floor units and 48 total units. Smith said there is potential for the units to become downtown vacation rentals, which are inexpensive to manage and have less hoops to jump through. Singer replied that not necessarily all of them would become vacation rentals and she stated that vacation rentals are not necessarily easier to manage. She stated that the commercial area needs help and adding residences downtown would help them and possibly drive more commercial uses downtown. The use of the space is up to the individual homeowners Singer noted.

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Nelson stated that he agrees with Singer's comments. Duffy asked about current commercial space on the plans. Wallace stated that currently there is 7,500 sq. ft. planned commercial and 15,000 sq. ft. residential. He noted that the owner has found it is extremely hard to fill that large amount of commercial space, especially when there is already vacant commercial spaces downtown.

Duffy motioned to add Condition 17: install safety fencing around the project during construction. Seconded by Singer, all members voted in favor.

Motion made by Singer, seconded by Byrd-Rinck to recommend approval of the PUD with 17 Conditions to City Council. Voting Yes: Claudette Byrd-Rinck, Kurt Nelson, Patti Singer, and Steve Duffy. Voting No: Robert Smith.

ADJOURNMENT – 7:28 PM

Acting Chairman

Alex Vissotzky | Public Works Clerk