

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MARCH 10, 2020**

CALL TO ORDER AND ROLL CALL

PRESENT

Russ Vukonich
Mike Shepard
Claudette Byrd-Rinck
Kurt Nelson
Patti Singer
Robert Smith
Steve Duffy

ABSENT

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.

Introduction of new members - Claudette Byrd-Rinck and Robert Smith

Both new members are County Members appointed by the Flathead County Board of Commissioners.

REORGANIZATION OF BOARD - CHAIRMAN/VICE-CHAIRMAN

Motion made by Duffy to keep current leadership of Chairman Vukonich and Vice Chairman Shepard, Seconded by Singer. Voting Yea: Vukonich, Shepard, Byrd-Rinck, Nelson, Singer, Smith, Duffy

APPROVAL OF MINUTES:

Minutes of the October 15, 2019 Planning Board - Motion made by Shepard to approve the minutes as read, Seconded by Nelson. Voting Yea: Vukonich, Shepard, Byrd-Rinck, Nelson, Singer, Smith, and Duffy.

VISITOR OR PUBLIC COMMENT: (An opportunity for the Public to comment on any items not on tonight's agenda) None.

PUBLIC HEARINGS AND ACTION:

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

Ruis Holdings 540 Nucleus Ave LLC is requesting a Planned Unit Development overlay for the property located at 540 Nucleus Avenue which was the original Bank of Columbia Falls. The reason for the request is that the applicant would like the top of the roof structure to be 42'-8" in height where the maximum height without a PUD is 35-feet. The proposed development otherwise conforms to all of the zoning requirements. The property is described as Lots 1-15, Block 37,

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Columbia Falls Townsite in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

Planner Mulcahy presented Staff Report CPUD-20-01 to the Board. Mulcahy noted that the Board is reviewing the project's adherence to the large building standards and CB-4 zoning. Since this property is less than two acres, the City Council must approve its use as a PUD as well as the PUD itself. The applicant is requesting a height variation from 35 feet. This height restriction was previously enacted primarily because the Columbia Falls Fire Department (CFFD) had no ladder truck at the time and the height basically represented a 3-story building. The Fire chief, both Hagen and Weeks, have reviewed and accepted the project. The mixed use of the project is promoted in the downtown area as well as the Growth policy. The proposed roof elements, including parapets, hipped roof, and cornices result in the height of 42'8" to provide architecture and visual benefit, instead of a flat roof that could comply with the 35' height restriction.

The large building standards conflict with the CB-4 zoning standards for setbacks and landscaping. Staff recommends amending condition 7, so the applicant can provide more parking instead of landscaping. Parking is not required in the CB-4 zone, but the applicant is providing 81 spaces and has a parking lot on the east side of Nucleus Ave available. The lighting will be reviewed in the building permit process. Overall the buildings adhere to the large building standards. There is a tunnel linking the two bank buildings that needs to be mitigated for fire response if it is not filled in and built over. Staff recommends approval with 14 conditions.

Chairman Vukonich asked the Board if they had questions for staff. Duffy posed adding a condition 15, requiring construction fencing for public safety. Byrd-Rinck questioned the roof height and Vukonich asked why the roof access and mechanical was not counted in the height. Mulcahy stated the average height of the building was 42 feet 8 inches with the roof top access being 45 feet. There are certain exclusions to the maximum height such as chimneys, church spires, and access points. Shepard noted the 81 parking spots which are not required in the CB-4 zone, so any parking is more than what is required. Shepard stated that it need not be discussed because any argument against the proposed parking would be an argument against the zoning code. There is on street parking and the applicant owns a parking lot east of Nucleus Ave that will be available. Vukonich asked how the large building landscape requirement D conflict occurred. Mulcahy replied that it appeared to be an oversight at the time the large building standard was enacted. The Board had been more focused on the Highway 2 corridor and not redevelopment of the CB-4 zone. He recommends the Board revisit and resolve this conflict later this year with text amendments.

Chairman Vukonich asked for the applicants' presentation. Aaron Wallace of Montana Creative, 265 Hoppes Lake Ln, Whitefish, MT, represented the applicant. He reported that they will remove three existing buildings and the tunnel with the complete project phased over a few years. The two buildings will be mixed use with one athletic building/condos and the other being restaurant/retail/condos. There is 2,500 sq. of landscaping proposed, they would not want to give up on site parking for the 9,825 sq. of landscaping indicated in Condition #7. He discussed the 42 ft. 8 in height is only in certain areas with added pitch to break up the roof line and be more aesthetically pleasing.

Chairman Vukonich asked the Board if they had questions for the applicant. Bryd-Rinck asked about sidewalk awnings. Wallace said they will vary from 4-8 feet wide for most of the building. Nucleus

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Ave is a state highway, as such no columns are allowed and this limits awning size. Mulcahy stated this design is consistent with Kalispell for a state highway main street look. Shepard asked about snow removal and Wallace said it will have a contract and will be removed from the site. There was a discussion on business uses and parking. Vukonich asked about allowing short term rentals in the condos. Wallace and Mulcahy replied that it would follow zoning, which lists it as a permitted use in the CB-4 district.

Chairman Vukonich opened the hearing for Public Comment at 7:34 p.m. Vukonich also noted that the Board had 4 letters that would be entered as part of the permanent record.

Matt Montgomery, American Tile Company, 966 Trumble Creek Rd., Stated he is for the project. It is above and beyond what the valley and town need. It is exciting and good for business and downtown.

Kim Selby, 3820 HWY 40 W., she is against the project. She knows the city needs the tax revenue from new growth but this project will forever change downtown and the town itself. It will create a “canyon” in the middle of downtown and will no longer have the small town feel. This will disrupt many community events that have used the open space for years. This block is the town center. She would like the project anywhere else in Columbia Falls except where it is proposed to go. She would like Ruis to make it a green space so there is a town square. He could make it a park and either keep it or donate it to the City.

Wally Beck, 234 2nd Ave E. There is good and bad with this project. He would rather see the 55 living units be condos instead of apartments. The parking will not be enough between the retail shops and the living units. Has there been a traffic study? The utilities in the area seem adequate. The roof parapets for hiding the mechanical structures will look much nicer. Would angled parking on Nucleus Ave be an option? With no parking required in CB-4, the city needs to plan ahead for more traffic.

Karen Feather, 519 Nucleus Ave Unit 203. She concurs with the statement that this project will change the town. She wants the project anywhere but downtown.

Dave Petersen, 201 4th Ave E. He questioned what the living unit sizes were, one or two bedrooms? They’re not large units. 25-40 year old professionals are likely to occupy them, along with tele-commuters and retirees. Amenities are in close proximity. The living space is not conducive to families. This is a good fit for the area.

Kristine Marvin, 120 2nd Ave W. This project will change the town, the views will be gone. More traffic will be on the streets causing more safety concerns. Is this what we need and where we need it?

Cindy Ritter, owner of 615 Nucleus Ave. She is from Columbia Falls and believes business growth is good. She is scared of losing the small town charm and having the canyon feeling on Nucleus. Parking is an issue especially for the elderly and disabled. Parking and traffic needs to be looked at as a town. Everyone needs to be involved in our planning. She will miss the greenspace, but it is inevitable in that location. She does not want another Whitefish. The town needs to retain the small town feel. Be active people.

Chairman Vukonich closed the Public Comment at 8:00 p.m.

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Adopt Staff Report CPUD-20-01 as findings of fact.

Motion made by Singer to adopt Staff Report CPUD-20-01 as findings of fact, Seconded by Shepard.

The Board had a short discussion on covered parking. Shepard stated that he had people approach him expressing their views of the project but he can make an independent decision on the project tonight. Smith said parking was an issue; no parking requirement in CB-4 is a mistake. The condos will possibly be vacation rentals and this project is too big for that size of lot. City Attorney Breck explained to the Board members how the Board is limited in its scope and can only discuss the legal standing of a project. Mulcahy noted that the City can't be arbitrary in their decisions; projects are each reviewed in an equitable fashion. Singer stated that she understands the guidelines; this is a good but large project, but doesn't think it's overwhelming. Nelson asked how high the new ladder truck can extend. Shepard stated over 80ft to which Byrd-Rinck replied where the line is drawn on height then. Mulcahy clarified that three stories is around 35 feet high; the requested 7' variation lies in the roof line ascetics. Mulcahy noted that if this had been a request for a four story building, the staff report would have been different. A large building standard for downtown can be looked at in the future. Shepard said the bank building has many issues and is at the end of its useful life. He would rather this project be located downtown than up in the North Fork. He is amazed at the amount of parking they have provided and stated that the City Council will be doing a traffic study in the near future regardless of this project. He reminded everyone that Nucleus Ave is also State Highway 486, as such the State has jurisdiction over it. Wallace said angled parking and public space was looked at. The street scape was a concern during the design process. Many mitigation ideas were discussed at project planning meetings. Duffy stated that in his opinion the requested height is not an issue and this project is consistent with city growth.

Motion made by Duffy to add a condition 15 stating safety fencing per building code will be used during project construction, Seconded by Shepard. Voting Yea: Vukonich, Shepard, Byrd-Rinck, Nelson, Singer, Smith, Duffy.

Motion made by Shepard modify condition 7 by striking the 3rd sentence and indicating landscaping as planned in PUD, Seconded by Singer. Voting Yea: Vukonich, Shepard, Byrd-Rinck, Nelson, Singer, Smith, Duffy.

Vote on original motion to adopt Staff Report CPUD as findings of fact: Voting Yea: Vukonich, Shepard, Byrd-Rinck, Nelson, Singer, Smith, Duffy.

Recommend Approval of PUD to City Council:

Motion made by Singer to recommend the PUD to City Council with amended conditions, Seconded by Shepard. Voting Yea: Vukonich, Shepard, Byrd-Rinck, Nelson, Singer, Smith, Duffy.

The project will be on the City Council's April 6th meeting agenda.

ADJOURNMENT

Nelson motioned to adjourn, second by Duffy at 8:24 p.m.

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Next Regular Planning Board Meeting – TBD

Chairman

Attest:

Public Works Clerk

DRAFT