



ROOM A | 130 6TH STREET WEST
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391
FAX (406) 892-4413

AGENDA
PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING
TUESDAY, JULY 14, 2020 BEGINNING AT 6:30 PM
COUNCIL CHAMBERS CITY HALL

This meeting will be held in person in the City Hall Council Chambers as well as virtual ZOOM meeting to provide for social distancing. Please contact PW Clerk, Alex Vissotzky to register for the ZOOM meeting: vissotzkya@cityofcolumbiafalls.com

CALL TO ORDER AND ROLL CALL

APPROVAL OF MINUTES:

[Approval](#) of Regular Meeting Minutes - June 9, 2020

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

PUBLIC HEARINGS AND ACTION:

[The](#) Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, July 14, 2020 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on July 20, 2020 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings.

Request to establish a Conditional Use Permit in the Columbia Falls Zoning Jurisdiction:

Heather Peters is requesting a Conditional Use Permit to operate a drive-thru coffee stand at 2620 9th Street West (formerly Melby's). The property is zoned CB-2 Commercial however all drive-thru's require a conditional use permit in this zone. The coffee stand was formerly located at the Town Pump Site at Highway 2 and 40. The property is described as Assessor's Tract 9D in NW1/4 Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

- A. Adopt Staff Report CCU-20-02 as Findings of Fact.
- B. Recommend Approval of CUP to City Council.

Persons may testify at the hearing or submit written comments prior to the meeting. Written comment may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912. For more information call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

ADJOURNMENT

Next Regular Planning Board Meeting – August 11, 2020

**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.

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

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

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, July 14, 2020 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on July 20, 2020 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings.

Request to establish a Conditional Use Permit in the Columbia Falls Zoning Jurisdiction:

Heather Peters is requesting a Conditional Use Permit to operate a drive-thru coffee stand at 2620 9th Street West (formerly Melby's). The property is zoned CB-2 Commercial however all drive-thru's require a conditional use permit in this zone. The coffee stand was formerly located at the Town Pump Site at Highway 2 and 40. The property is described as Assessor's Tract 9D in NW1/4 Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staalnd, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed conditional use, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 24th day of June, 2020

Susan Nicosia

Susan Nicosia, City Manager/Planning & Zoning Administrator
COLUMBIA FALLS CITY-COUNTY PLANNING BOARD

Publish: Daily Interlake Sunday June 28rd 2020

**CONDITIONAL USE PERMIT REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION**

**COLUMBIA FALLS PLANNING OFFICE STAFF REPORT #CCU-20-02
For Heather Peter's Friske Beans Drive-Thru Coffee Stand on the site that was
previously Melby's Home Interiors**

June 29, 2020

A report to the Columbia Falls City-County Planning Board and Zoning Commission and the Columbia Falls City Council regarding a request to permit a conditional use for a drive-thru Espresso Stand within the Columbia Falls Zoning Jurisdiction. The Conditional Use request is scheduled for a public hearing before the Planning Board on July 14, 2020 at 6:30 PM and the City Council on July 20, 2020 at 7:00 p.m. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings.

BACKGROUND INFORMATION

A. PETITIONERS

Heather Peters
1114 8th Street West
Columbia Falls, MT 59912

B. PETITIONER'S TECHNICAL ASSISTANCE

Same

C. LOCATION/DESCRIPTION

Subdivision Name:	N/A	Block: N/A		Lot : N/A	
Tract:	9DF				
Section:	18	Township:	30N	Range:	20W
Address	2620 9th Street West, Columbia Falls				

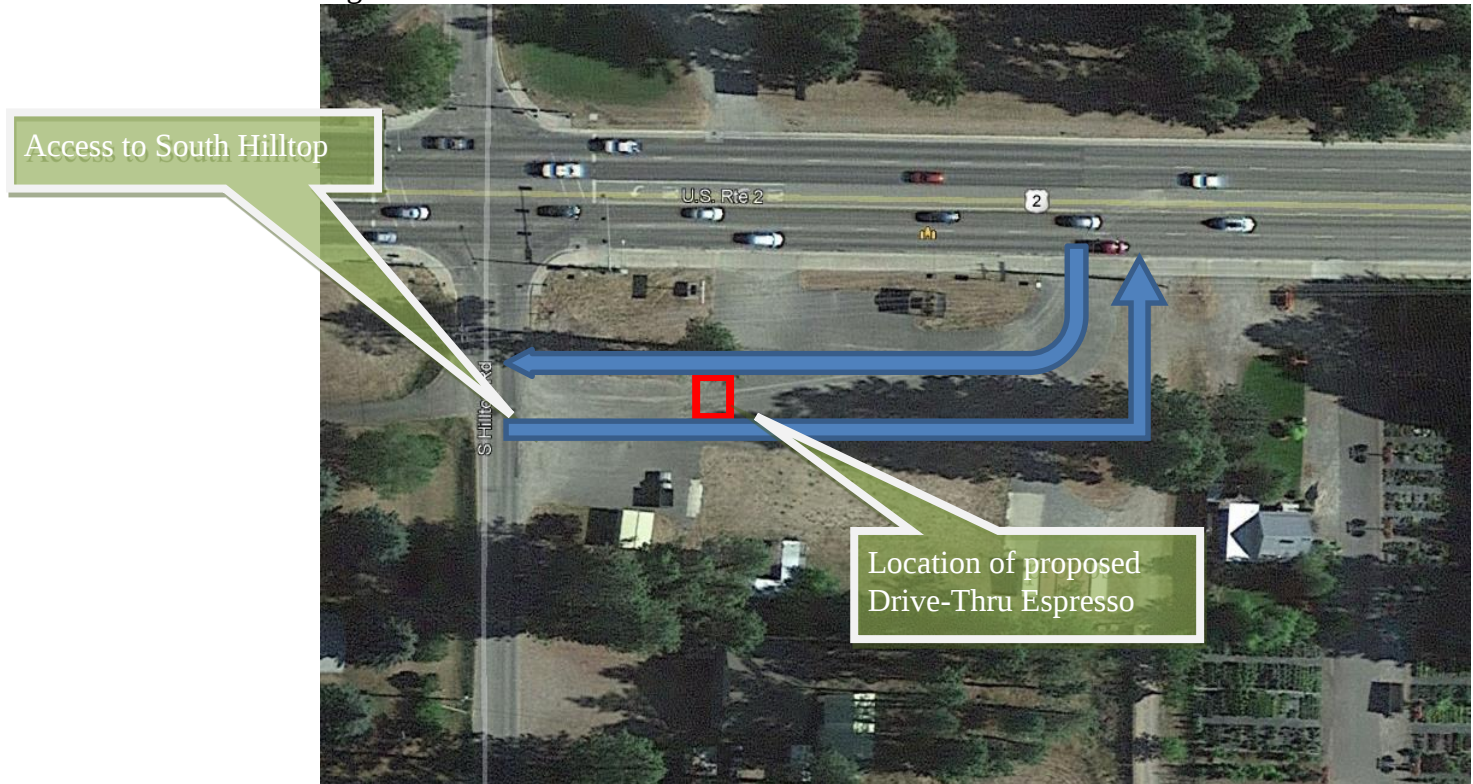
D. REQUEST

A Conditional Use Permit to establish a drive-thru espresso business located on the site vacated by Melby's Home Interiors. This particular drive-thru was previously located at the Town Pump site on Highway 2 and 40. The Town Pump did not renew the lease so the applicants have temporarily moved the building to this site pending the outcome of the CUP.



Drive-thru stored temporarily on the Melby's Site pending the outcome of the CUP process.

Figure 1



E. REASON FOR REQUEST

Drive through espresso businesses are only permitted in this zone as a conditional use. The applicant proposes to lease the location from Melby's.

F. EXISTING LAND USE

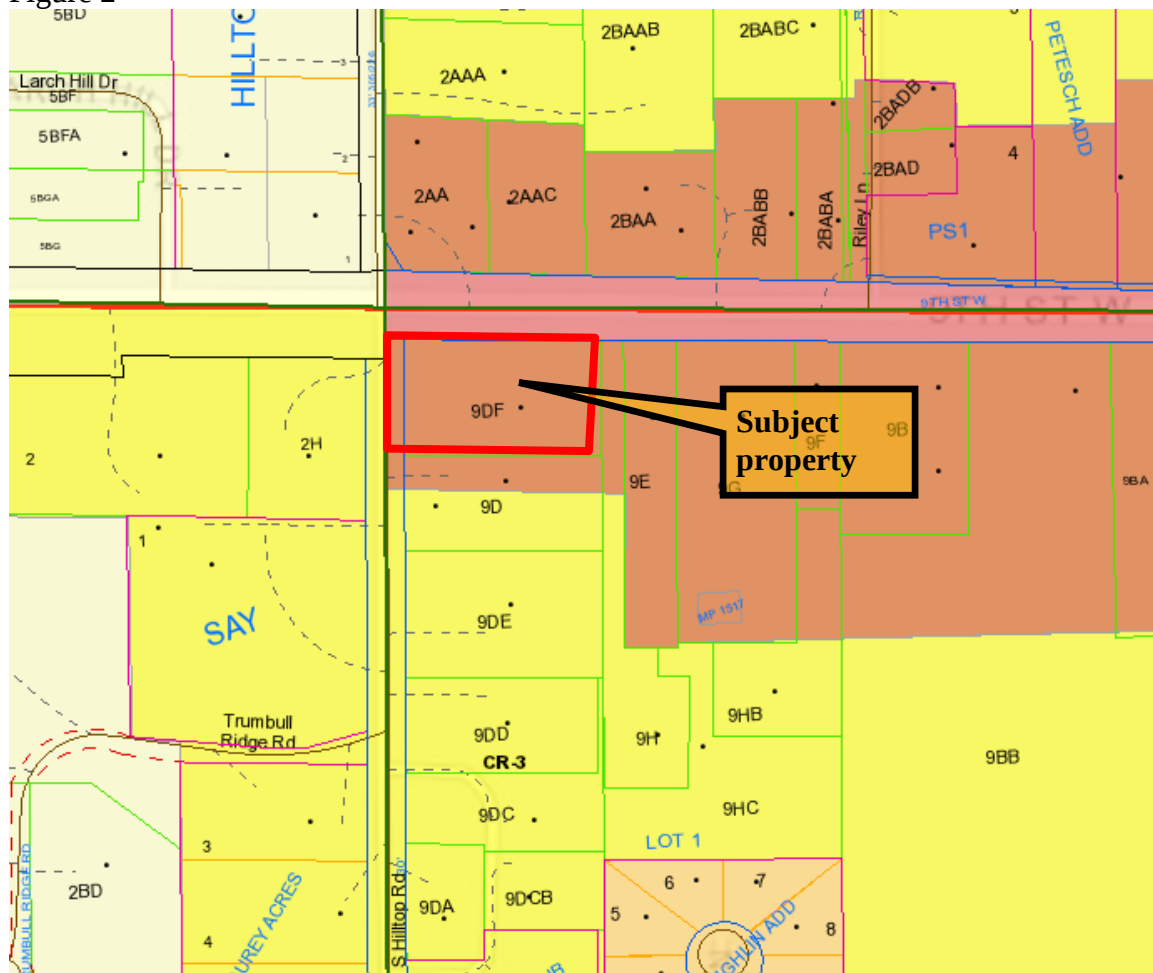
Currently the site is vacant with the exception of some storage containers which were left over from the Melby's fire. The applicants are also storing the drive-thru on the property temporarily while they go through the Conditional Use Permit process (Figure 1)

G. ADJACENT ZONING AND LAND USE:

North	CB-2	Meadow Lake Laundry facility and residential
South	CB-2 and CR-3	Columbia Glass and residential
East	CB-2	Columbia Nursery and Antique Shop
West	CR-3	Residential.

The current use and other uses in the area are in reasonable compliance with the existing zoning.

Figure 2

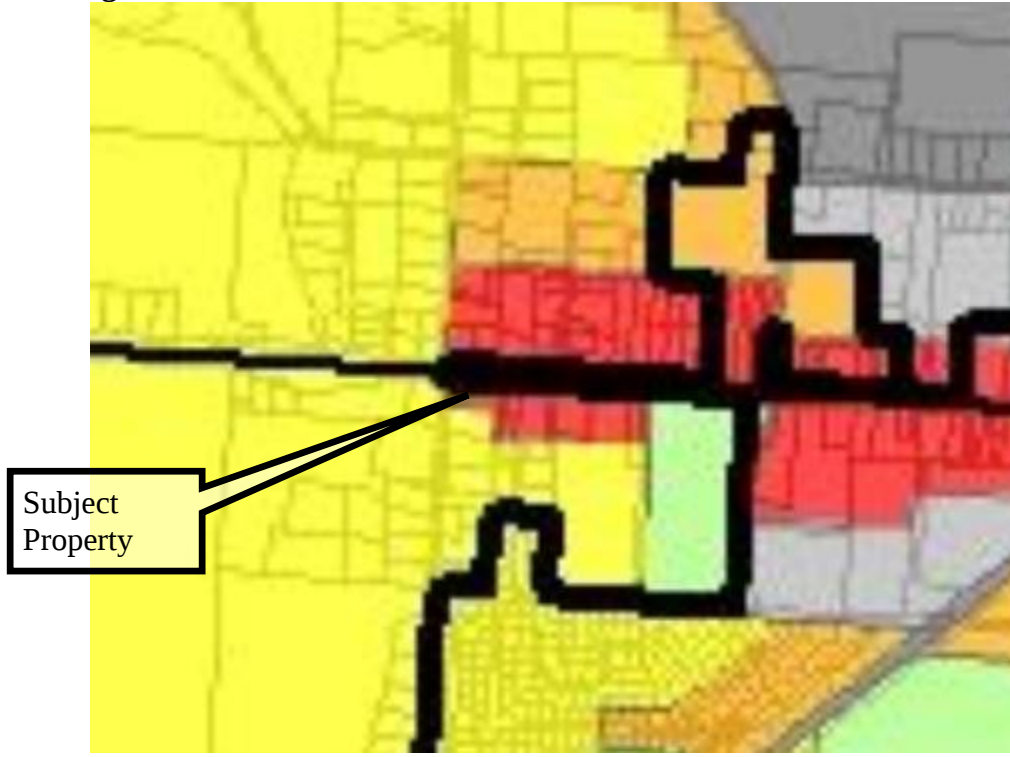


Zoning Map – Flathead County GIS

H. GROWTH POLICY DESIGNATION:

The subject area is designated as commercial as indicated by the red shading on the Columbia Falls Growth Policy Map (Figure 3) indicated below:

Figure 3



Portion of the Columbia Falls Growth Policy Map

EVALUATION BASED ON REQUIRED CRITERIA

18.210.080 Criteria required for consideration of a Conditional Use Permit:

A Conditional Use Permit may be granted only if the proposal, as submitted, conforms to all of the following general Conditional Use Permit criteria, as well as to all other applicable criteria that may be requested.

- a. Site Suitability. (That the site is suitable for the use) This includes:
 - i. Adequate Usable Space: The proposed use will be located on property previously supporting a business. The site is flat and suited for business use. The applicants will set-up their drive-thru that was previously located at the Town Pump property on Highway 2 and 40. There is adequate room and existing driveways.
 - ii. Adequate Access: Currently there are three approaches to the property. Two existing approaches onto Highway 2 and a single approach to South Hilltop. In communications with James Freyholtz, PE of the Montana Department of Transportation (MDOT), the department is comfortable with the change in use and location of driveways.



iii. Absence of Environmental Constraints: The site is flat and void of wetlands, rivers, or streams. There is no floodplain or other environmental factors that would constrain the development of this site.

b. Appropriateness of Design. The site plan for the proposed use will provide convenient and functional use of the lot. Consideration of design should include:

i. Parking Scheme: Parking is currently provided with the old paved Melby's parking areas. The proposed business has no inside seating and therefore client parking is not needed for the use. Parking is only needed for the employees of this business. According to the application, the property was recently purchased by the Columbia Nursery owners and that they plan to expand their business onto the property and will be sharing parking with the drive-thru.

ii. Traffic Circulation: See discussion previous in a.ii) The applicant provided a very rough sketch of the proposed use and circulation. In communications with James Freyholtz, PE of the Montana Department of Transportation (MDOT), the department is comfortable with the change in use and location of driveways.

iii. Open Space: Open space is not required in the commercial districts. Staff will recommend a condition requiring a dimensioned site plan be submitted to staff so that the landscape requirement can be determined.

iv. Fencing/Screening: None is required.

v. Landscaping: The small building standards require that 5% of the total lot area be landscaped (§18.441.070.B). The site plan submitted with the application is not clearly dimensioned so staff is recommending a condition requiring a clearly dimensioned site plan so that we can determine the amount of existing landscape area and determine if additional landscaping will be required.

vi. Signage: A signage plan was not submitted with the application. This is not an issue as the City has an established signage code and application process that functions independently of the CUP. However any future signage will need to meet the signage standard of the Columbia Falls Zoning Code. In addition, the old Melby's sign face needs to be removed from the property as it no longer advertises a business on the property.

c. Availability of Public Services and Facilities. The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:
The services required are provided as shown in the table above.

Sewer	On-site Septic
Water	Shared Well with neighbor to the south
Storm Water Drainage	Owner provided
Fire Protection	Columbia Falls Volunteer Fire
Police Protection	Flathead County Sheriff's Office
Streets	Flathead County and Mont. Dept. Transportation

Immediate Neighborhood Impact. - Typical negative impacts which extend beyond the proposed site include, but are not limited to:

i. Excessive Traffic Generation: The property is zoned CB-2 (General Business) and as such anticipates traffic generated by establishments such as the drive-through espresso business. The traffic generated by the business would not be out of character with the neighboring retail, service, or hospitality businesses.

ii. Noise or Vibration: Staff anticipates no noise or vibration with the proposed use.

iii. Dust, Glare, Or Heat: The proposed drive through espresso use will not generate dust, glare or heat.

iv. Smoke, Fumes, Gas, or Odors: The proposed use will not generate smoke, fumes, gas, or odors that would be out of character with any food/beverage establishment located along Highway 2. The only difference between the drive-through and a coffee shop without a drive-through is that there will be cars idling in line while waiting at the window.

v. Inappropriate Hours of Operation: Owner advises that operating hours will be between 7:00 AM to 3:00 PM. These are completely acceptable hours for a commercial district. Staff is not proposing any limits on the hours of operation.

RECOMMENDATIONS:

Staff recommends that the Planning Board adopt Staff report CCU-20-02 as findings of fact and that the Planning Board recommend approval of the Conditional Use Permit for permitting a drive through espresso stand at 2620 9th Street West, Columbia Falls should be granted with the following conditions:

1. The applicant shall secure a sign permit from the City of Columbia Falls for new signage appropriate to the drive-through espresso stand.
2. The applicant/owner will remove the Melby's sign face from the pole sign.
3. Secure approval from the Flathead City County Health Department for water and wastewater.
4. The applicant shall provide a sketch of the existing landscaping to show if they meet the 5% landscape requirements. If the existing landscaping is less than the 5% requirement, the applicant/owner will install the difference.



1 130 6TH STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391

FAX (406) 892-4413

PAID

JUN 09 2009

CITY OF COLUMBIA FALLS

APPLICATION FOR CONDITIONAL USE PERMIT

FILING FEE ATTACHED \$ _____

PROPOSED USE: Drive-thru coffee shop

(Describe in detail, indicate if continued to attached pages)

OWNER(S) OF RECORD:

Name: Heather Peters

Mailing Address: 1114 8th street West

City/State/Zip: Columbia Falls MT 59912 Phone: 406 270 9247

PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:

Name: Heather Peters

Mailing Address: 1114 8th st West

City/State/Zip: Columbia Falls MT 59912

LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records)

Street Address 2620 9th S.W. Tract 9D Block 10 Lot _____

Subdivision Name _____

Section 18 Township 30 Range 20

18.210.090 Burden of proof.

The burden of proof for satisfying the
aforementioned criteria shall rest with the
applicant and not the planning board. The
granting of a conditional use permit rests
with the planning board to determine
whether or not the proposal conforms to
the criteria and requirements set forth in
Chapter 18.210.080.

Tract 9D in NW 1/4
section 18
Township 30 N, Range 20 W

The Applicant is responsible for providing sufficiently complete information (see 18.210.090). Attached is the *Required Criteria for Conditional Use Application* the Planning Board and Council must use to create a "Finding of Fact" in making a decision. Please review the Criteria carefully before providing the following information and documents.

1. Zoning District and Zoning Classification in which use is proposed: property is zoned CB-2

2. Attach a plan of the affected lot which identifies the following items:

- Surrounding land uses.
- Dimensions and shape of lot.
- Topographic features of lot.
- Size(s) and location(s) of existing buildings.
- Size(s) and location(s) of proposed buildings.
- Existing use(s) of structures and open areas.
- Proposed use(s) of structures and open areas.
- Existing & proposed landscaping and fences.

3. On a separate sheet of paper, discuss the following topics relative to the proposed use:

- Traffic flow and control.
- Access to and circulation within the property.
- Off-street parking and loading.

- d Refuse and service areas.
- e Utilities.
- f Screening and buffering.
- g Signs, yards and other open spaces.
- h Height, bulk and location of structures.
- i Location of proposed open space uses.
- j Hours and manner of operation.
- k Noise, light, dust, odors, fumes and vibration.
- l If the application is for a home occupation conditional use permit provide the following information:
 - 1 Number of employees that will work on the premises.
 - 2 Number of employees that are not family members residing at the premises.
 - 3 Estimated number and frequency of clients/patrons that will visit the on-site business.
 - 4 How much area will be used for the business. Compared to the area used for residential purposes.

4. Attach supplemental information for proposed uses that have additional requirements.

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded, and other appropriate action taken. The signing of this application signifies approval for the planning staff to be present on the property for routine monitoring and inspection during the approval and development process.

Applicant Signature

Date

June 2, 2020

Required Criteria for Conditional Use Application

18.210.080 Criteria required for consideration of a conditional use permit.

A conditional use permit may be granted only if the proposal, as submitted, conforms to all of the following general conditional use permit criteria, as well as to all other applicable criteria that may be requested.

- A. Site Suitability. That the site is suitable for the use. This includes:
 - 1. Adequate usable space,
 - 2. Adequate access, and
 - 3. Absence of environmental constraints.
- B. Appropriateness of Design. The site plan for the proposed use will provide the most convenient and functional use of the lot. Consideration of design should include:
 - 1. Parking scheme,
 - 2. Traffic circulation,
 - 3. Open space,
 - 4. Fencing/screening,
 - 5. Landscaping, and
 - 6. Signage.
- C. Availability of Public Services and Facilities. The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:
 - 1. Sewer,
 - 2. Water,
 - 3. Storm water drainage,
 - 4. Fire protection,
 - 5. Police protection, and
 - 6. Streets.
- D. Use will not be detrimental to abutting properties in particular and the neighborhood in general. Typical negative impacts which extend beyond the proposed site include, but are not limited to:
 - 1. Excessive traffic generation,
 - 2. Noise or vibration,
 - 3. Dust, glare, or heat,
 - 4. Smoke, fumes, gas, or odors, and

City of Columbia Falls

Application for Conditional Use Permit

Proposed for Drive thru Coffee Shop

Owners: Heather Peters

Mailing: 1114 8th Street West – Columbia Falls MT

Legal Description

Property is a corner lot with access from Hwy 2/9th Street West and S. Hilltop rd.

Property is zoned CB-2

Property is described as Tract 9D in NW ¼, NW1/4 section 18.

Township 30 North, Range 20 West.

Street Address – 2620 9th Street West Columbia Falls MT

1. Zoning District – Classification in which use is proposed CB-2
2. Attached a plan of the affected lot. (attached)
 - A. Surrounding land use. Residential behind the property, a residential driveway next to the property, and Columbia Nursery next door. (attached page)
 - B. Attached sheet
 - C. Attached sheet
 - D. Sizes of existing buildings – Only a few storage containers are on location. Columbia Nursery is purchasing this land, they will decide if they are kept or not.
 - E. Sizes and locations of proposed buildings – see attached sheet
 - F. Existing uses of structures – Open lot (use to be a furniture store – burnt down)
 - G. Proposed use – A small drive thru coffee shop (will be using our current shop and then building a bit larger one this fall. Once the new shop is complete the old one will no longer be on this property) Attached sheet will show possible locations.
 - H. Existing and proposed landscaping and fences. (We are renting the lot, I know that Columbia Nursery is proposing to landscape the front green area by the light.
3. On a separate sheet of paper discuss the following topics relative to the proposed use:
 - A. Traffic flow and control. Drive thru on 2 sides of the shop. May enter from S. Hill top (traffic light) or from Highway 9th street W. Enter and exit will be made easy for traffic.
 - B. Access from Highway 9th street West, and from South Hill top. (next to stop light)

- C. Parking for employees only will be provided from Columbia Nursery in a designated area. Customers will be drive thru. Unloading of supplies for the coffee shop will be next to shop in parking lot, not on any streets.
 - D. Refuse and Service area:
 - E. Utilities – Well water, electric, and septic.
 - F. Screening and buffering.
 - G. Signs, yards and open space - 2 Signs are currently on the property, one will be used for Friske Beans, the other Columbia Nursery.
 - H. Height, Bulk, and location of structures (see attached sheet) Friske Beans is only responsible for our building.
 - I. Location of proposed open space use – see attached
 - J. Hours and manner of operation – Drive thru coffee stand. Mon-Fri 6am – 4pm Sat and Sunday 7am – 3 pm
 - K. Noise, light, dust, odors. Only vehicle noise, 2 outdoor lights on each side of window. Only a light yummy aroma of coffee ☺ Dust control, pavement for our shop and vehicles to drive on.
 - L. Application for home – NO
4. Signature – See attached.

49th

S. Hill Top

Entrance
Exit

Proposed
Rec.
Drainfield

100'

60'

Highway /
9th Street Vleed.

110'

Proposed
Rec.
Drain
Field

Storm
water

Proposed
Rec.
Drain
Field

Proposed new
Drainfield

Entrance
Exit

36



130 6TH STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391

FAX (406) 892-4413

May 22, 2020

Re: Notice for an Administrative Conditional Use Permit Request for a Drive-thru Coffee Stand.

Dear Adjacent Property Owner:

This office has received a request for an Administrative Conditional Use Permit (CUP) to temporarily place a drive-up Coffee Stand at 2620 9th St West (formerly Melby's). This request is to allow Ms. Peters to temporarily operate her coffee stand at this location while she completes the process to more permanently operate a drive thru coffee stand at this location. Ms. Peters is submitting an application for a permanent Conditional Use Permit that will go before the Planning Board and City Council for the required public hearings in July. Notice of the hearings will be sent to all adjacent property owners.

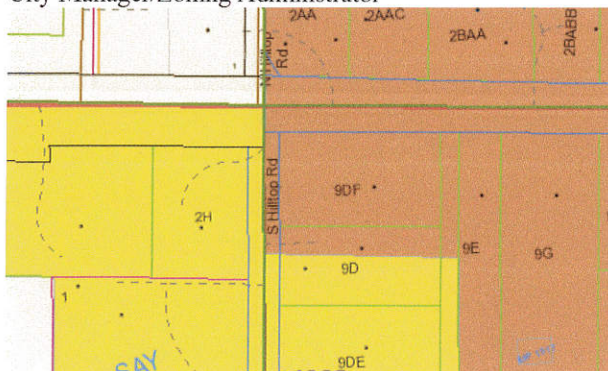
The property is a corner lot with access from Hwy 2/9th St W and S. Hilltop Rd. The property is zoned CB-2 in the Columbia Falls Zoning Jurisdiction and the zoning regulations require a conditional use permit for drive-up restaurants. The property is described as Tract 9D in NW 1/4, NW 1/4 Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

Our records indicate that you are the owner of property within 150-feet of the proposed Administrative Conditional Use Permit Application. You are welcome to provide comment on the application, approval of which would allow the applicant to temporarily operate the drive thru coffee stand while undergoing the full permitting process. The comment period ends June 8, 2020. Please send comments to Susan Nicosia, City Manager/Zoning Administrator to the address above or email: nicosias@cityofcolumbiafalls.com.

Sincerely,


Susan M. Nicosia

Susan M. Nicosia
City Manager/Zoning Administrator





Planning Department

130 6TH STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391

FAX (406) 892-4413

June 24, 2020

Re: Public hearing notice for a CUP for Heather Peters and a Drive-Thru Coffee Stand

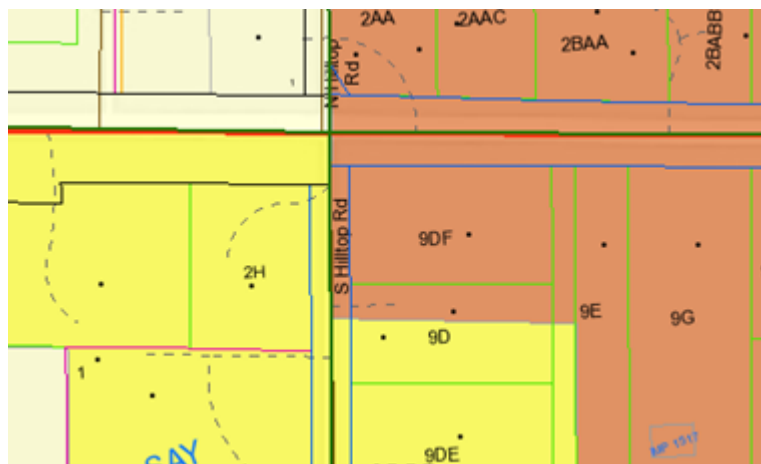
Dear Adjacent Property Owner:

Our records indicate that you are the owner of property within 150-feet of the proposed project. As the Planning Staff for the Columbia Falls Planning Jurisdiction, I am writing to provide you with a notice of a public hearing for a Conditional Use Permit to operate a drive-thru coffee stand at 2620 9th Street West (formerly Melby's). The property is zoned CB-2 Commercial however all drive-thru's require a conditional use permit in this zone. The coffee stand was formerly located at the Town Pump Site at Highway 2 and 40. The property is described as Assessor's Tract 9D in NW1/4 Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County. You previously received a letter for comment on the temporary permit. This hearing process will provide a permanent CUP for this operation.

If you have question or comments concerning this matter, please call, visit or write me at City Hall. For written comment to be included in the Planning Board packet, it needs to be submitted to the City Clerk, 130 6th Street West, Columbia Falls, MT 59912 no later than Thursday July 9, 2020 or by email: staalandb@cityofcolumbiafalls.com. Written or emailed comment may be provided up to 5:00 pm on the day of the hearing; it will just be emailed and/or passed out at the hearing.

Sincerely,

Eric H. Mulcahy, City Planner



CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, July 14, 2020 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on July 20, 2020 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings

Request to establish a Conditional Use Permit in the Columbia Falls Zoning Jurisdiction:

Heather Peters is requesting a Conditional Use Permit to operate a drive-thru coffee stand at 2620 9th Street West (formerly Melby's). The property is zoned CB-2 Commercial however all drive-thru's require a conditional use permit in this zone. The coffee stand was formerly located at the Town Pump Site at Highway 2 and 40. The property is described as Assessor's Tract 9D in NW1/4 Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed conditional use, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING
The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, July 14, 2020 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on July 20, 2020 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings.

Request to establish a Conditional Use Permit in the Columbia Falls Zoning Jurisdiction: Heather Peters is requesting a Conditional Use Permit to operate a drive-thru coffee stand at 2620 9th Street West (formerly Melby's). The property is zoned CB-2 Commercial; however, all drive-thrus require a conditional use permit in this zone. The coffee stand was formerly located at the Town Pump Site at Highway 2 and 40. The property is described as Assessor's Tract 9D in NW1/4 Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County. Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed conditional use, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 24th day of June, 2020

Susan Nicosia
Susan Nicosia
City Manager/Planning & Zoning
Administrator
COLUMBIA FALLS CITY-
COUNTY PLANNING BOARD

June 28, 2020
MNAXLP

STATE OF MONTANA

FLATHEAD COUNTY

AFFIDAVIT OF PUBLICATION

MARY BOOTH BEING DULY

SWORN, DEPOSES AND SAYS: THAT SHE IS THE LEGAL CLERK OF THE **DAILY INTER LAKE** A DAILY NEWSPAPER OF GENERAL CIRCULATION, PRINTED AND PUBLISHED IN THE CITY OF KALISPELL, IN THE COUNTY OF FLATHEAD, STATE OF MONTANA, AND THAT NO. 27119

LEGAL ADVERTISEMENT WAS PRINTED AND PUBLISHED IN THE REGULAR AND ENTIRE ISSUE OF SAID PAPER, AND IN EACH AND EVERY COPY THEREOF ON THE DATES OF JUNE 28, 2020

AND THE RATE CHARGED FOR THE ABOVE PRINTING DOES NOT EXCEED THE MINIMUM GOING RATE CHARGED TO ANY OTHER ADVERTISER FOR THE SAME PUBLICATION, SET IN THE SAME SIZE TYPE AND PUBLISHED FOR THE SAME NUMBER OF INSERTIONS.

Mary Booth

Subscribed and sworn to
Before me this, June 28, 2020

Dorothy I. Glencross

Dorothy I. Glencross

Notary Public for the State of Montana
Residing in Kalispell
My commission expires 9/12/2021

