



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, JUNE 09, 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:

1. Approval of Regular Meeting Minutes - May 12, 2020

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

PUBLIC HEARING AND ACTION:

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, June 9th, 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 6, 2020 starting at 7:00 p.m. in the same location.

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.

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.

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

ADJOURNMENT

Next Regular Planning Board Meeting – July 14, 2020

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 12, 2020**

CALL TO ORDER AND ROLL CALL at 6:33PM

PRESENT:

Russ Vukonich
Claudette Byrd-Rinck via zoom
Steve Hughes
Kurt Nelson via zoom
Patti Singer
Robert Smith
Sam Kavanagh via zoom

ABSENT:

Mike Shepard
Steve Duffy

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

APPROVAL OF MINUTES:

Minutes of the March 10, 2020 Planning Board - Motion made by Singer, seconded by Hughes to approve the minutes as read. Voting Yes: Vukonich, Byrd-Rinck, Hughes, Nelson, Singer, Smith, Kavanagh

VISITOR OR PUBLIC COMMENT: None.

PUBLIC HEARINGS AND ACTION:

Request for a Conditional Use Permit to operate a dog kennel:

Brunz Enterprises LLC (Will & Andrea Brunz) is requesting a Conditional Use Permit to operate a dog kennel on property located at 443 Rogers Road in Columbia Falls. The 11.8-acre property is described as Assessor's Tract 2M (Tract 4 of COS 20092) in SW1/4SE1/4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The property is zoned SAG-5 in the Columbia Falls Zoning Jurisdiction. Commercial Kennels require a Conditional Use Permit in the SAG-5 Zoning District.

Planner Mulcahy presented Staff Report CCU-20-01 to the Board. The property is 11.8 acres with a proposed building being 3,800 sq. ft. Mulcahy reviewed each of the evaluation criteria: site suitability, appropriateness of design, public services, and immediate neighborhood impact. Mulcahy noted that the site provides for adequate parking spaces. Additionally, there is a 100ft buffer to any adjacent property line and the building will be soundproofed. Animal waste is disposed of daily by either an on-site incinerator or contracted waste disposal. Mulcahy reported that there are 9 recommendations for this conditional use permit.

Nelson joined the meeting via zoom at 6:42PM.

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Mulcahy noted that any signage will need a permit per SAG-5 zoning requirements. Traffic will likely be from 7AM to 7PM, originating from Highway 206 to the East. The outdoor kennels will operate from 7AM to 10 PM. The incinerator is industrial grade and requires a permit from the Flathead County Health Department and MT DEQ. There are two written letters of public comment. The first questioned the 60-dog capacity, notice to neighbors if sickness occurs and requested a solid fence on the western property line. The other comment was a letter of support for the project.

Chairman Vukonich asked the Board if they had questions for staff. Kavanagh asked if the 60ft separation between this property and the neighbors was the second access point for the new Benches subdivision. Mulcahy said that was correct. Smith noted that the foundation was already started. Mulcahy answered that since they are out of city limits, no building permit is needed. It is ok for them to build the kennels as long as the operation of them does not start until the conditional use permit is obtained. Smith questioned the 100ft buffer from the property lines. Mulcahy stated only the boarding yards are required to have that buffer. Kennel staff will be with the dogs in the play and training areas, and will control their behavior. Vukonich asked Mulcahy about the bi-weekly waste removal, Mulcahy responded that it was daily removal for animal waste. Singer asked about the location of the incinerator if it was approved and if it emitted odor and smoke. Mulcahy replied it was designed to produce no odor or smoke.

Chairman Vukonich asked for the applicant's presentation. Will Brunz, 531 Windy Acres Dr, is the owner and stated the project is straight forward. He is currently working on the incinerator approval from the county and MT DEQ. He would rather use that since it seemed more environmentally friendly. He said no other shelter, kennel, or hospital in the county is removing their waste daily from their properties. The 100 ft. setback for the boarding yards is met, the yards being 160 ft. from the western boundary and 160 ft. from the southern boundary. The building will be 80ft from the western boundary and 136ft from the southern boundary. He questioned the soundproofing for the building and what standard was used. He stated a single-family residence is 35-40 decibels with R15 insulation. A home theater is proofed to 55-60 decibels. He will have R19 insulation, with 1 in foam and dry wall installed as the final layer. This should be at the 55-58 decibel level. The kennels will not be under the BPH powerlines and will meet their setbacks from those lines.

Chairman Vukonich stated that he has experience with soundproofing. He said baffling is of a specific material and design. He recommended a QuietRock material. Mulcahy stated it was a fully insulated design and it met the requirements. He was conditioning what was proposed in the project. Hughes questioned if the City had a sound decibel level requirement. Mulcahy replied one is not used, because the City has no way of measuring decibels. Brunz stated this was a major concern in kennel design and they want to be good neighbors. Vukonich asked Brunz if he was ok with adding a wood fence to the western property boundary, to which Brunz replied yes. Singer asked Brunz about why this location on the property for the kennel. He responded it was to maximize the future use of the property. Singer was concerned about the outside kennel's noise. Brunz replied that Flathead County allows for 7AM – 10PM for outdoor kennel use. Noise can be managed and maintained at a lower level by very experienced staff. Vukonich asked Brunz that if they subdivide in the future, will all the zoning regulations be met. Brunz assured they would as it is subject to the Columbia Falls jurisdiction for subdivision review and approval.

Chairman Vukonich opened the Public Hearing at 7:17 pm.

Daniel Seliger, 439 Rogers Rd, Columbia Falls, MT 59912. He is the next-door neighbor to the west and has a noise concern. He stated the kennel would excite his dogs and add more noise. He questioned the incinerator

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smelling and producing smoke. Why would the Brunz build their house at the rear of the property if it produced no odor or smoke?

Lorinda Seliger, 439 Rogers Rd, Columbia Falls, MT 59912. She noted that she had provided written testimony to the Board.

Chairman Vukonich closed the Public Hearing at 7:28 p.m. noting the written comments are part of the official record.

Nelson asked if the other kennels have a similar amount of animal waste for disposal. Brunz replied it is unlikely but statute does not state the amount of waste. Vukonich asked if Brunz had used the incinerator yet. Brunz has only researched it.

Hughes motioned to adopt Staff Report CCU-20-01 as findings of fact, Seconded by Singer. Voting Yes: Vukonich, Byrd-Rinck, Hughes, Nelson, Singer, Smith, Kavanagh.

Kavanagh stated the Board should add a recommendation for the western property line fence, as noted in the Seligers' written testimony and by Mulcahy, and as discussed earlier, there should be confirmation of the location of the incinerator, if approved, to confirm needed distance from property lines.

Kavanagh motioned to add Condition 10: To mitigate the impact of kennel operation, there will be a minimum 6 ft. privacy fence installed on the western boundary. Second by Smith. Voting Yes: Vukonich, Byrd-Rinck, Hughes, Nelson, Singer, Smith, Kavanagh.

Planner Mulcahy stated the health department approves the incinerator but the Board can add City approval of its location. Vukonich asked about adding fencing around. Mulcahy suggested the location be east of the building and fenced. Applicant Brunz asked about adding neighbor approval to its location. City Attorney Breck did not recommend codifying that into the permit. There was a short discussion on the wording of the proposed condition 11.

Kavanagh motioned to add Condition 11: The City will approve the location of the outdoor incinerator to mitigate the impacts on neighboring properties. Motion seconded by Smith. Voting Yes: Vukonich, Byrd-Rinck, Hughes, Nelson, Singer, Smith, Kavanagh.

Motion made by Hughes to recommend approval of the Conditional Use Permit with Conditions, as amended, to City Council, seconded by Kavanagh. Voting Yea: Vukonich, Byrd-Rinck, Hughes, Nelson, Singer, Smith, Kavanagh.

ADJOURNMENT: Motion by Singer to adjourn at 7:52 p.m., seconded by Hughes.

Chairman

Alex Vissotzky | Public Works Clerk

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING

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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.

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DATED this 19th day of May, 2020

Susan Nicosia

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

Publish: [Daily Interlake Sunday May 24rd 2020](#)

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
GREENHAVEN TOWNHOMES - PLANNED UNIT DEVELOPMENT
CITY OF COLUMBIA FALLS STAFF REPORT # CPUD-20-02
May 28, 2020**

A report to the Columbia Falls City County Planning Board regarding a request for a Planned Unit Development overlay (PUD) on property zoned CR-5 (Two Family Residential).

BACKGROUND INFORMATION

A. PETITIONERS

Erik Eckert (Greenhaven Builders Inc.)
P.O. Box 222
Peninsula, OH 44264

B. PETITIONER'S TECHNICAL ASSISTANCE

Same

C. LOCATION/DESCRIPTION

The property is located on 7th Street East between 1st and 2nd Avenues East. The property is not developed and is located midway up the steep bank the separates Mosquito Flats from downtown Columbia Falls. 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

D. REQUEST

The proposed PUD takes three existing city lots all zoned CR-5 (Two Family Residential) and reorients them creating four townhouse units. The overall effect is a reduction in potential units from six to four. No other deviations are requested through the PUD. The applicant is using the PUD to cluster the units in the more accessible and buildable section of the property thereby avoiding more sensitive portions of the site. The application shows each unit with a footprint of 20' by 36' which is fairly small. The two story units will be approximately 1440 square feet in size including a single car garage.

Note: The PUD standards require that the City Council determine that a parcel has unique character in order to approval a PUD of less than two acres.

Zoning Deviations requested with the PUD:

The only deviation is clustering the density into the southeast corner of the property. The clustering takes the three existing city lots which could support six units and distills them down to a four unit townhome project. The net result is removal of two units of density and preserving approximately 76% of the property in green space.

E. REASON FOR REQUEST

The applicant is using the PUD to cluster the units in the more accessible and buildable section of the property thereby avoiding more sensitive portions of the site. The application shows each unit with a footprint of 20' by 36' which is fairly small. The two story units will be approximately 1440 square feet in size including a single car garage.

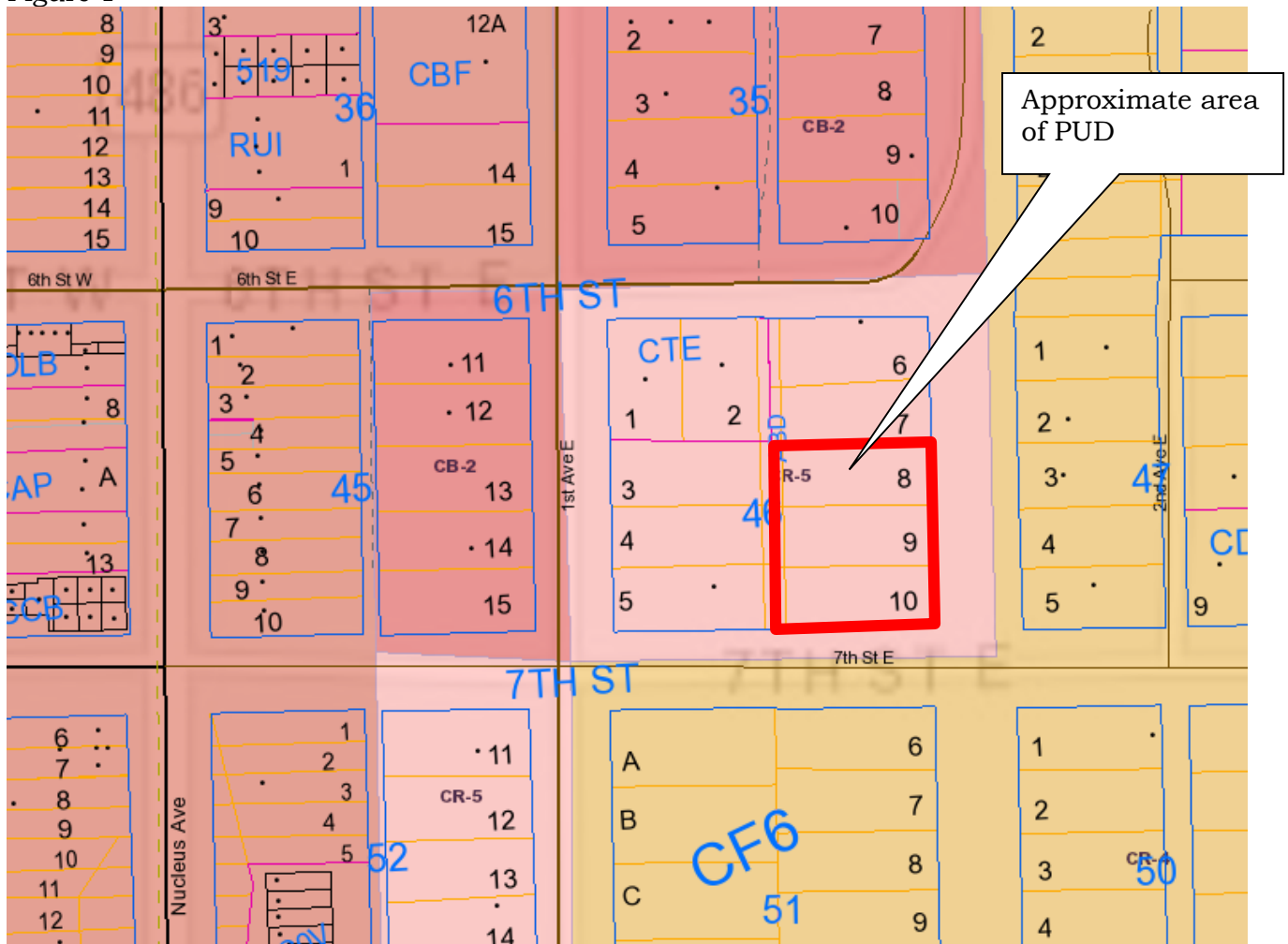
F. EXISTING LAND USE

The subject property is currently vacant.

G. ADJACENT ZONING AND LAND USE:

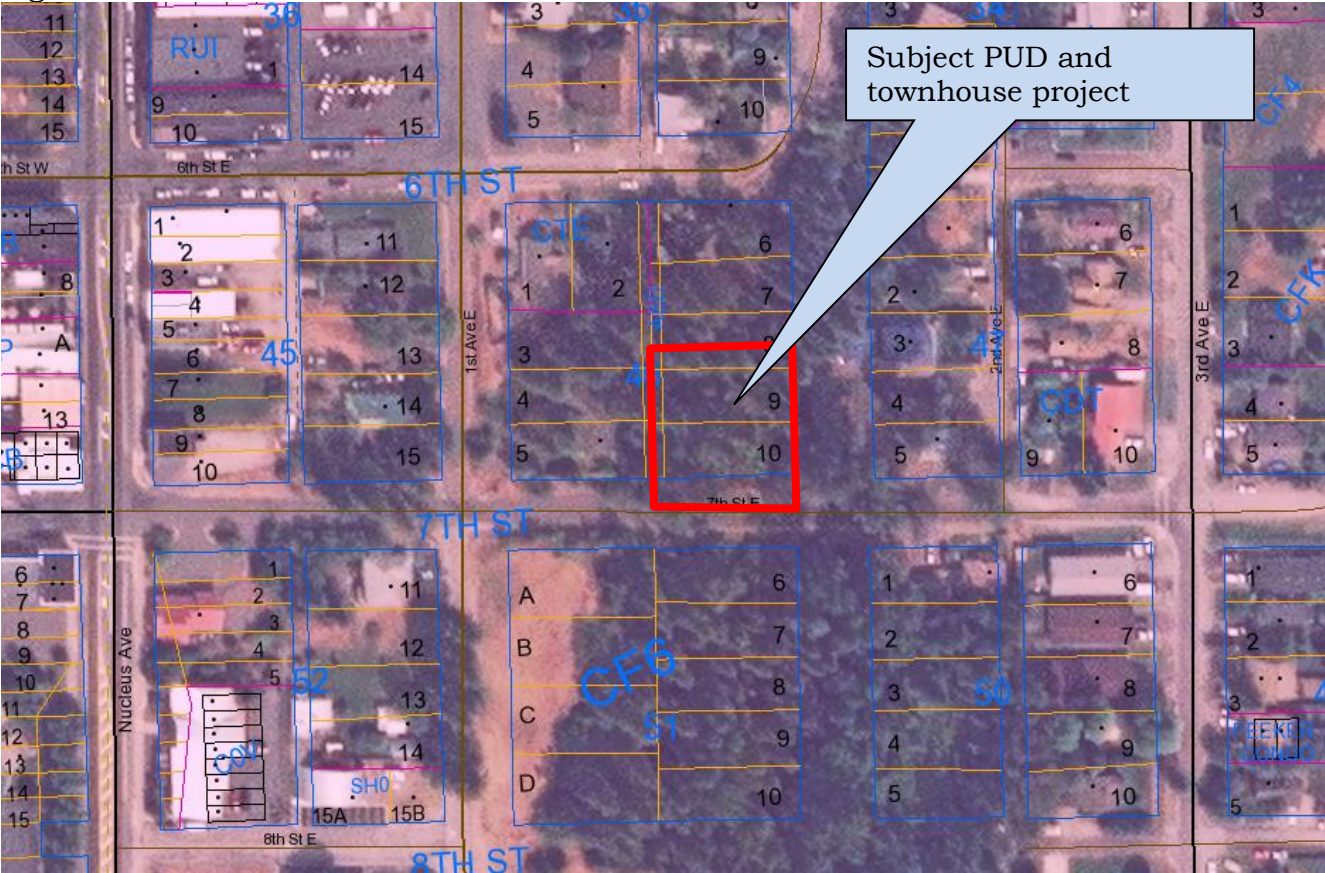
	Zoning	Existing Land Use
North	CR-2	Residential – Single Family Home
South	CR-4	Undeveloped
East	CR-4	Residential – Single Family Home
West	CR-5	Residential - Single Family Home

Figure 1



Source – Flathead County GIS – Zoning Layer

Figure 2

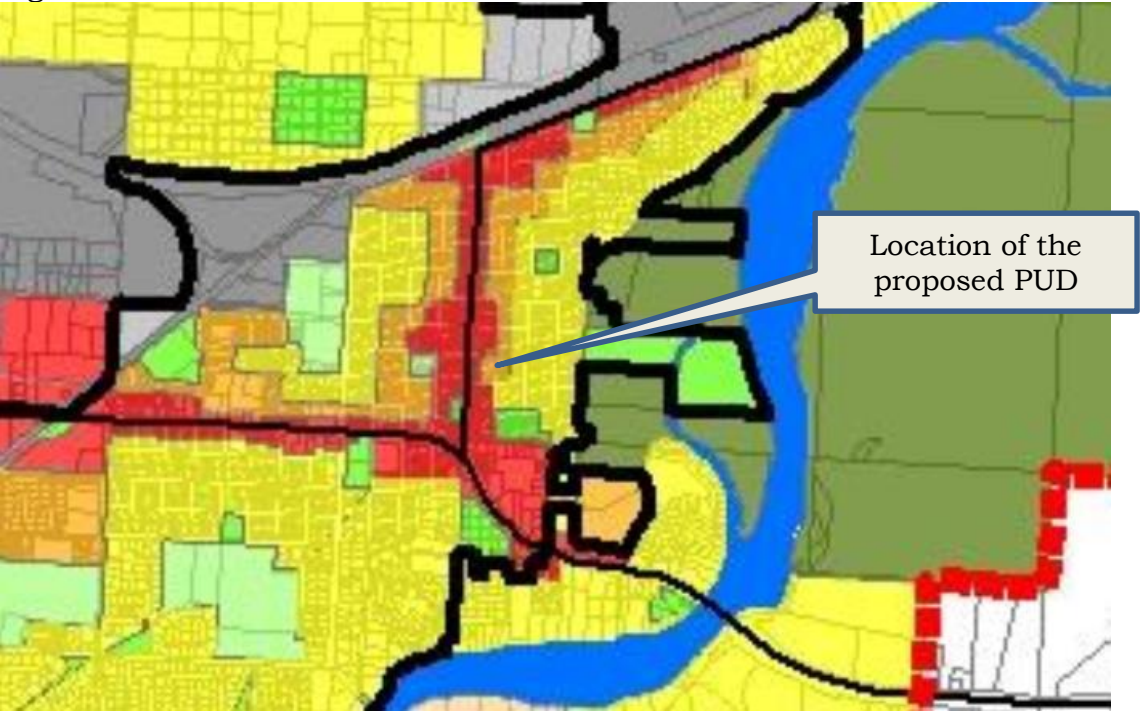


Source: Flathead County GIS – Photo Layer

H. GROWTH POLICY DESIGNATION

The Growth Policy map (Figure 3) shows the property within the Multi-Family Residential designation.

Figure 3



The yellow designation on the Columbia Fall Growth Policy Map is Urban Residential supporting between 2 and 8 units per acre. The range designation is Multi-Family supporting densities of 8 or more units per acre.

The property is approximately ½ acre in size so the proposed density is approximately 8 units per acre and in compliance with the Growth Policy

I. UTILITIES/SERVICES

The property is located inside the City limits of Columbia Falls.

<u>Water</u>	Columbia Falls Municipal Water
<u>Sewer</u>	Columbia Falls Municipal Sewer
<u>Fire Protection</u>	Columbia Falls City Fire Department
<u>Police Protection/</u>	Columbia Falls City Police
<u>Electricity</u>	Flathead Electric

J. LOT SIZE DETAILS

The site is made up of three of the original Columbia Falls Townsite lots and an abandoned alley which when combined measures 131-feet by 150-feet. The total square footage of the property is 19,650. The CR-5 zoning allows a duplex dwelling (two units) per lot of record. Setbacks in CR-5 zone are 20-feet on the front, 5-feet on the side, and 20-feet in the rear. The proposed development will meet the setbacks, height, and density of the CR-5 zoning.

EVALUATION BASED ON STATUTORY CRITERIA

This request is reviewed pursuant to the criteria set forth in Section 76-2-304, M.C.A.; and as stated by the Montana Supreme Court; Chapters 18.348, Planned Unit Development Standards. The following findings are made:

1. Does the requested zone comply with the Growth Policy?

The Growth Policy map (Figure 3) shows the property within the Multi-Family Residential designation. The yellow designation on the Columbia Fall Growth Policy Map is Urban Residential supporting between 2 and 8 units per acre. The range designation is Multi-Family supporting densities of 8 or more units per acre.

The property is approximately ½ acre in size so the proposed density is approximately 8 units per acre and in compliance with the Growth Policy

2. Is the requested zone designed to lessen congestion in the streets?

The parcel is located one block off Nucleus Avenue and within walking distance of grocery, restaurant, and numerous services. The proposed PUD is taking three City lots each of which could have a duplex and reducing the density to four dwellings. Of course the clustering is due to the physical constraints of the property. Given the proximity and the fact that our Growth Policy supports density downtown, and the fact the density could potentially be higher, the proposed PUD is addressing congestion in the streets.

3. Will the requested zone secure safety from fire, panic, and other dangers?

The project is considered an infill project within the City and it will connect to all City Services. Fire hydrants are located nearby and the property is only a couple blocks from the fire station and police station. If the PUD is approved, the applicant will be required to submit building plans to the Building Department for review and approval. As part of that process the Columbia Falls Fire Marshall also reviews the plans for fire code.

Because this subdivision predates any current regulations of stormwater standards, Staff is requesting a condition that requires that the applicants provide an engineered stamped drainage plan to the Columbia Falls Public Works Department for review and approval prior or issuance of a building permit. The base of the hill in this area has always accumulated water and this project should not increase the run-off to the downhill properties. The drainage plan will look to manage post development run-off to pre-development rates and also not direct water to areas where it has not historically gone.

4. Will the requested change promote the health and general welfare?

The site is located outside of any floodplains or wildland urban interface.

The property is located on a steep slope which is the primary reason this property has never been developed. Included with the application is a letter from a Geotechnical Engineer, Slopeside Engineering, stating that the initial investigation indicates that the soils are suitable for construction. However the letter goes on to state that subsurface explorations and analysis is recommended and that this analysis will allow the engineer to provide recommended construction requirements for the foundation, drainage, and site work. Staff will request that the full geotechnical exploration and analysis be provided to the City Public Works Department and Building Department prior to issuance of a building permit. The intent of this condition is to not only protect the future residents of this project but to also protect the neighbors' located up-slope and down-slope of the project.

The applicant also had the site investigated for any wetlands. Core Water Consulting dug a test pit and analyzed the soils, presence of water, and searched for wetland indicator plant. The investigation determined that there are no jurisdictional wetlands on the subject property.

5. Will the requested zone provide for adequate light and air?

The site is zoned CR-5 which is a two-family residential zoning district. The zoning has minimum setback standards, maximum height standards, and maximum lot coverage standards. As the only deviation in the project is to cluster the density, the project actually only covers 24% of the property with impervious surfaces leaving 76% of the property as yard and open area. The proposed PUD will provide adequate light and air.

6. Will the requested zone prevent the overcrowding of land?

The property is zoned CR-5 (two-family residential) which in this case would allow a duplex on each of the three existing lots. The proposed PUD is reducing the density of the site from six units to four units by clustering the development along the 7th Street frontage. The PUD will prevent the overcrowding of the land.

7. Will the requested zone avoid undue concentration of people?

As stated previously the existing zoning anticipates up to six dwelling units on the property. The proposed PUD is only proposing four units.

8. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

The property is located along 7th Street East which is a local, city maintained street. This particular block of 7th Street East is also the location of the steep grade that goes from the upper bench of Columbia Falls down to the lower area known as Mosquito Flats in this part of town. As the street is at a steep grade, care will need to be taken in the grading of the buildings, driveways and guest parking areas.

The section of 7th Street East has no on-street parking or sidewalks. To address parking, the applicant is providing three parking spaces per unit: one garage space, one space in front of the garage, and one space for guests.

To address pedestrian access, rather than have the applicant construct a small segment of sidewalk along his frontage which will not connect to any existing pedestrian walk, staff is requesting that the applicant provide cash-in-lieu of sidewalk for the frontage. The City will hold the funds in a separate account that will be used for a sidewalk or pedestrian trail in this neighborhood.

9. Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?

The proposed PUD does give consideration to the suitability of the property. By cluster a reduced density to the less sensitive area of property the project is considering site suitability. By locating the units along the 7th Street frontage where there is ready access to the City street, sewer, and water infrastructure the applicant is giving consideration to site suitability. A less sensitive approach would be to cut driveways back into stacked duplexes.

10. Does the requested zone give reasonable consideration to the character of the district?

The character of the neighborhood is mostly single family residential detached. However the townhome development is considered single family attached dwelling as each unit is separated by a firewall and each unit can be sold individually. The unique location of this property shields it from most of the adjacent neighbor views. By clustering the project to the southeast corner of the site, the project will preserve the thick stands of trees on the northern and western sides of the property. The project does give consideration to the neighborhood character.

11. Will the new zoning affect property values?

Developing a high quality townhome building should fit in with the neighborhood and protect neighboring property values.

12. Will the requested zone encourage the most appropriate use of the land throughout the municipality?

The property is designated in the Columbia Falls Growth Policy as "Multi-Family Residential" and the zoning of CR-5 (two-family residential) would indicate that this is generally an appropriate location for this development. However, as stated previously this site provides challenges to development. The steep slopes and drainage concerns require the submittal of geotechnical and engineered drainage reports before the applicant can move forward with any earthwork. The conditional approval of the PUD will insure that these items are followed through by the applicant.

SUMMARY

The PUD request conforms to the Columbia Falls City Growth Policy, and complies with the underlying CR-5 zoning designation. The project will be fully served by Municipal services. The site does create challenges to development and requires additional reports from the Geotechnical Engineer and the Civil Engineer providing the drainage report. The requested PUD does cluster the development to the less sensitive area of the site and it preserves approximately 76% of the property in green space.

RECOMMENDATION

Staff recommends that the Columbia Falls City-County Planning Board and Zoning Commission adopt Columbia Falls Planning Office Staff Report #CPUD-20-02 as findings of fact and recommend approval of the requested zones subject to the following conditions:

1. The City Council approves a PUD for a project area less than two acres.
2. The Greenhaven Townhomes PUD will allow the following deviation:
 - Clustering the four units to the southeast corner of the properties.
3. The applicant's surveyor shall produce an amended plat using the townhouse exemption for review by the City Staff and said Amended Plat shall be filed with the Flathead County Clerk and Recorder prior to issuance of Certificates of Occupancy for any of the units.
4. The applicants shall provide an engineered stamped drainage plan to the Columbia Falls Public Works Department for review and approval prior to any dirt work and issuance of a building permit.
5. The applicant shall provide 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.
6. The development of the site shall conform to the plans and footprints submitted in the PUD Application dated April 20, 2020.
7. The applicant shall pay a cash-in-lieu of sidewalk payment to the City of Columbia Falls. The payment will be in-lieu of a five foot wide sidewalk the length of the applicant's 7th Street East frontage at the time of Building Permit. Columbia Falls Public Works will verify the lineal foot cost.
8. All conditions of the PUD shall be complied with prior to the issuance of the occupancy permit or otherwise addressed as provided for in this PUD.



April 29, 2020

Greenhaven Builders Inc.
Kalispell, Montana, 59901

**Subject: Geotechnical Investigation
 Lots 8-10, Block 46
 Columbia Falls, Montana
 Job No. 20-415**

Dear Mr. Erik Eckert,

At your request, Slopeside Engineering, LLC (Slopeside), is providing Geotechnical Engineering consultation for the planned townhomes on Lots 8-10 of Block 46 in Columbia Falls, Montana. At this time, Slopeside has visited the project site and reviewed the current plans for the project. Subsurface explorations and analysis have not been completed at this time; however, in the event the soils encountered at the site are as anticipated, in our opinion, the soils will be suitable for the planned construction.

Slopeside will be conducting subsurface explorations, settlement analysis of the underlying soils, and a slope stability assessment of the nearby slope. Recommendations for construction will be provided in a letter report. The recommendations will include foundation requirements, anticipated settlements, subsurface drainage, Structural Fill requirements, and earthwork requirements. In addition, recommendations will be provided to reduce the risk of adversely affecting the nearby steep slope.

Please contact Slopeside Engineering, LLC, if you have any questions or concerns regarding this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joshua Smith", with a long horizontal flourish extending to the right.

Joshua Smith, P.E.
Principal Geotechnical Engineer



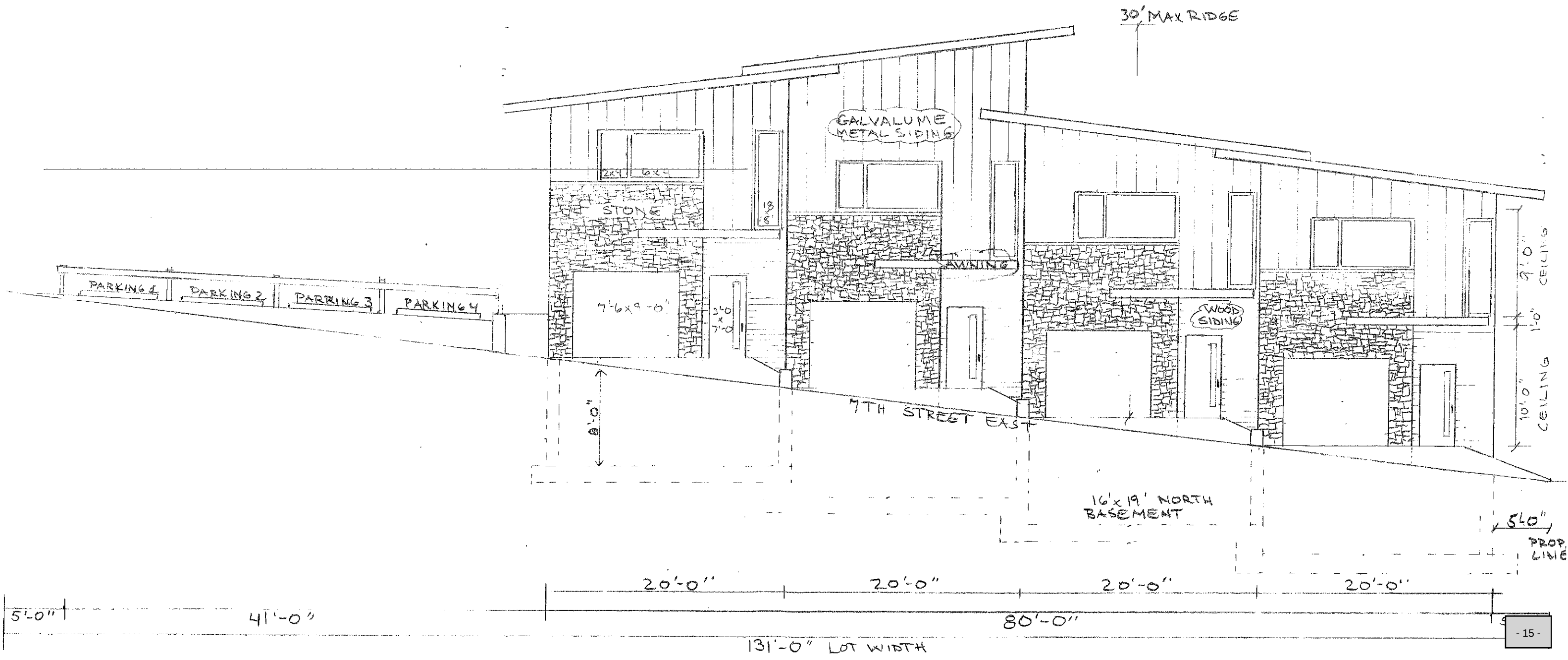
slopesideeng@gmail.com

406-270-3480

*181 Deerfoot Trail
Kalispell, MT, 59901*

LOTS 8-10, BLOCK 46, COLUMBIA FALLS,
GREENHAVEN BUILDERS INC.
ERIK ECKERT
406-270-0157
greenhavenbuilders@yahoo.com
(4) TOWNHOMES

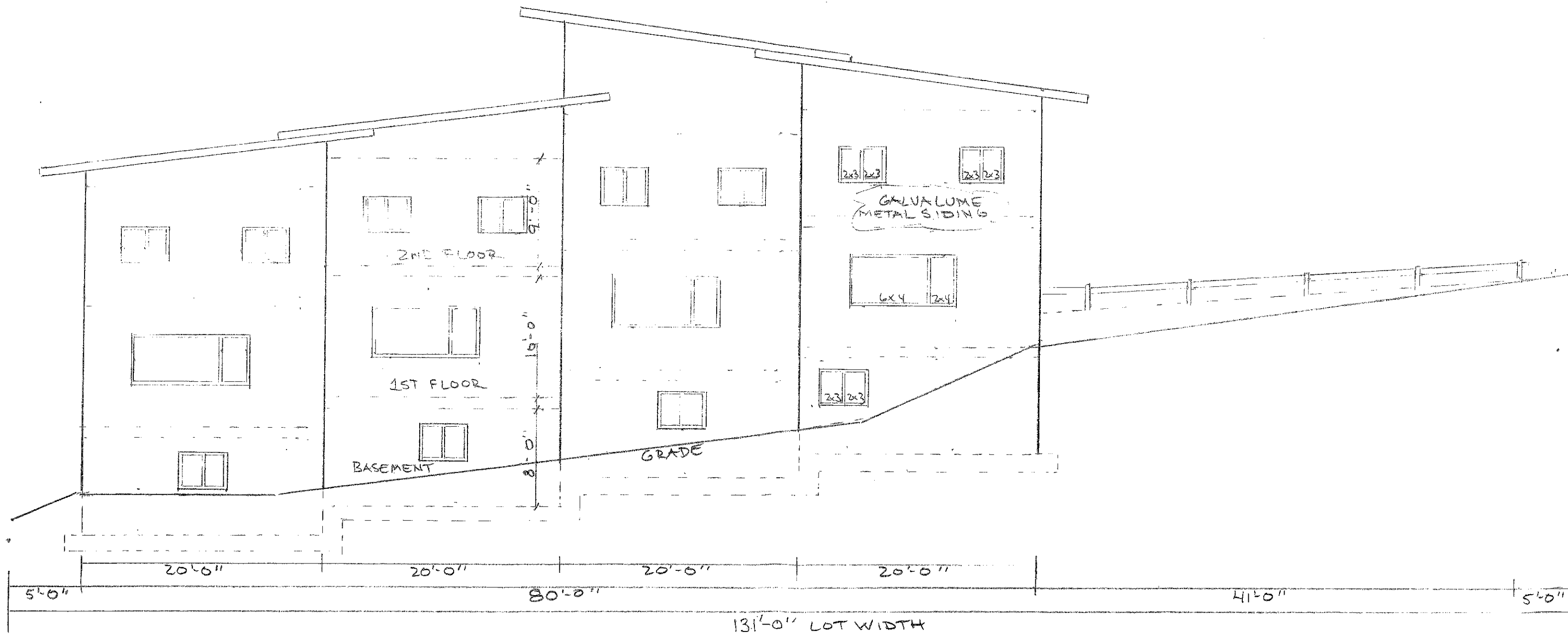
SOUTH ELEVATION
1/8" = 1'-0"



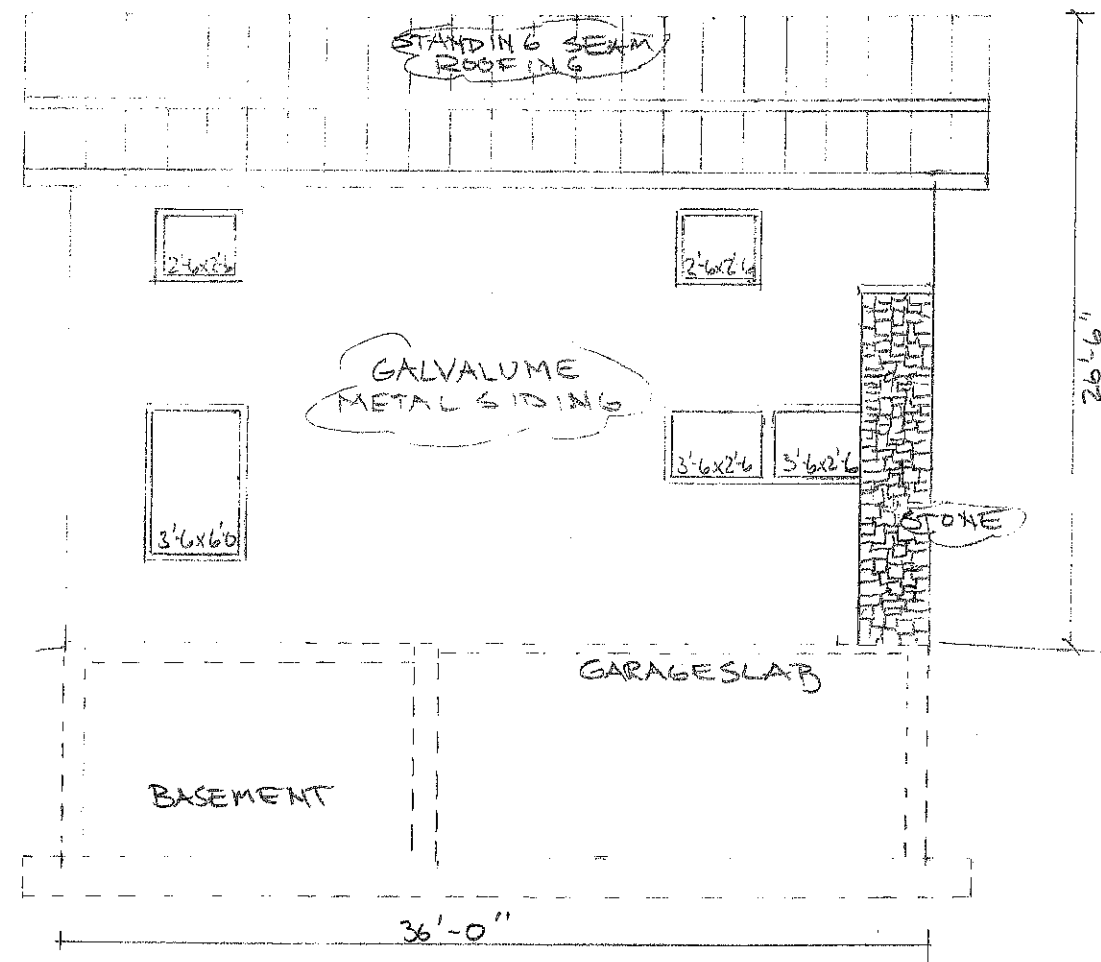
LOTS 8-10, BLOCK 46 COLUMBIA FALLS, MT
GREENHAVEN BUILDERS INC.
ERIK ECKERT
406-270-0157
greenhavenbuilders@yahoo.com
(4) TOWNHOMES

NORTH ELEVATION

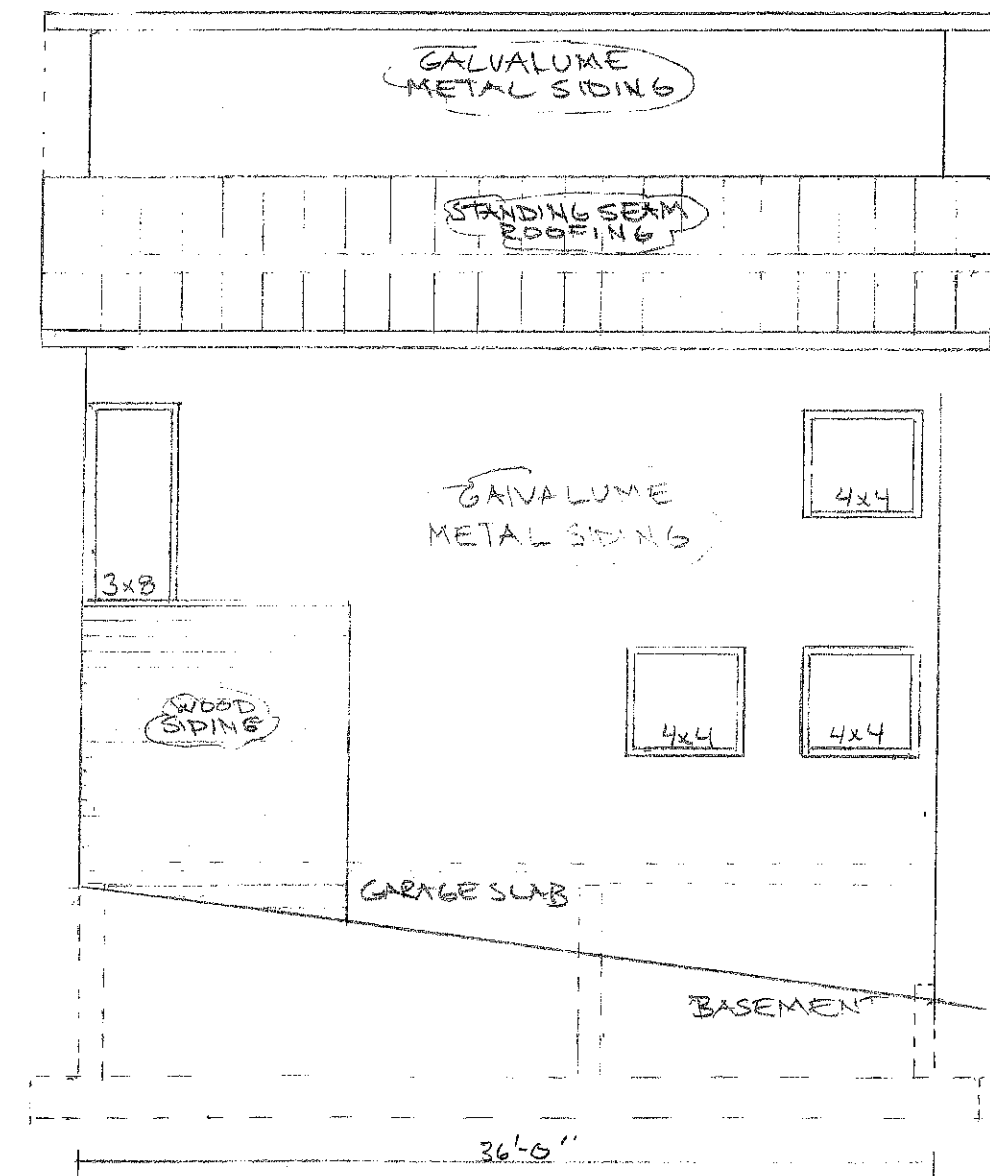
$\frac{1}{8}" = 1'-0"$



LOTS 8-10, BLOCK 46, COLUMBIA FALLS, MT
 GREENHAVEN BUILDERS INC.
 ERIK ECKERT
 406-270-0157
 greenhavenbuilders@yahoo.com
 (4) TOWNHOMES



WEST ELEVATION
 $\frac{1}{8}" = 1'-0"$



EAST ELEVATION
 $\frac{1}{8}" = 1'-0"$

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, June 9th, 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 6, 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 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. 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 19th day of May, 2020

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

May 24, 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. 27050**
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 MAY 24, 2020

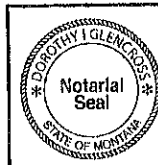
AND THE RATE CHARGED FOR THE ABOVE
 PRINTING DOES NOT EXCEED THE MINIMUM
 GOING RATE CHARGED TO ANY OTHER
 ADVERTISER FOR THE SAME PUBLICATION,
 SET IN THE SAME SIZE TYPE AND PUBLISHED
 FOR THE SAME NUMBER OF INSERTIONS.

Mary Booth

Subscribed and sworn to
 Before me this, May 24, 2020

Dorothy I. Glencross
 Dorothy I. Glencross

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



DOROTHY I. GLENCROSS
 Notary Public for the
 State of Montana
 Residing at KALISPELL, MT
 My Commission Expires
 September 12, 2021

RECEIVED
 MAY 28 2020
 CITY OF COLUMBIA FALLS



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

RECEIVED

APR 29 2020

CITY OF COLUMBIA FALLS

APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)

Project Name: **Greenhaven Townhomes (4)**
Name of Applicant: **Erik Eckert (Greenhaven Builders Inc)**
Mailing Address: **P.O Box 222**
City/State/Zip: **Peninsula, Oh 44264** Phone: **406-270-0157**
Name and address of owner if different than applicant:
Name: _____
Mail Address: _____
City/State/Zip: _____ Phone: _____
Technical Assistance: _____
Mail Address: _____
City/State/Zip: _____ Phone: _____
If there are others who should be notified during the review process, please list those.

Check One:

☒ Initial PUD Proposal

Amendment to an existing PUD

Property Address: **Lots 8,9,10 in Block 46 Columbia Falls, MT 59912**

Total Area of Property: **19,685 SF**

Legal description including section, township, range: **SE1/4SE1/4 SEC.8, T .30N., R.20W., P.M.,M., Flathead County , Montana**

The present zoning of the above property is: **CR-5 Two Family Residential**

Please provide the following information in a narrative format with supporting drawings or other format as needed:

- 1) An overall description of the goals and objectives for the development of the project.
- 2) In cases where the development will be executed in increments, a schedule showing the time within phases will be completed.
- 3) The extent to which the plan departs from zoning and subdivision regulations including but not limited to density, setbacks and use, and the reasons why such departures are or are not deemed to be in the public interest;
- 4) The nature and extent of the common open space in the project and the provisions for maintenance and conservation of the common open space; and the adequacy of the amount and function of the open space in terms of land use, densities and dwelling types proposed in the plan;

- 5) The manner in which services will be provided such as water, sewer, storm water management, schools, roads, traffic management, pedestrian access, recreational facilities and other applicable services and utilities;
- 6) The relationship, beneficial or adverse, of the planned unit development project upon the *neighborhood in which it is proposed to be established*;
- 7) How the plan provides reasonable consideration to the character of the neighborhood and the peculiar suitability of the property for the proposed use;
- 8) Where there are more intensive uses or incompatible uses planned within the project or on the project boundaries, how will the impacts of those uses be mitigated;
- 9) How the development will further the goals, policies and objectives of the Columbia Falls Growth Policy;
- 10) Include site plans, drawings and schematics with supporting narratives where needed that include the following information:
 - a. Total acreage and present zoning classifications;
 - b. Zoning classification of all adjoining properties;
 - c. Density in dwelling units per gross acre;
 - d. Location, size height and number of stories for buildings and uses proposed for buildings;
 - e. Layout and dimensions of streets, parking areas, pedestrian walkways and surfacing;
 - f. Vehicle, emergency and pedestrian access, traffic circulation and control;
 - g. Location, size, height, color and materials of signs;
 - h. Location and height of fencing and/or screening
 - i. Location and type of landscaping
 - j. Location and type of open space and common areas;
 - k. Proposed maintenance of common areas and open space;
 - l. Property boundary locations and setback lines;
 - m. Special design standards, materials and/or colors;
 - n. Proposed schedule of completions and phasing of the development, if applicable;
 - o. Covenants, conditions and restrictions;
 - p. Any other information that may be deemed relevant and appropriate to allow for adequate review.

If the PUD involves the division of land for the purpose of conveyance, a preliminary plat shall be prepared in accordance with the requirements of the subdivision regulations.

Please note that the approved final plan, together with the conditions and restrictions imposed, shall constitute the zoning for the district. No building permit shall be issued for *any structure within the district unless such structure conforms to the provisions of the approved plan.*

The signing of this application signifies that the aforementioned information is true and correct and grants approval for the City of Columbia Falls staff to be present on the property for routine monitoring and inspection during review process.

 _____ Applicant Signature	 _____ Date
 _____ Owner Signature	 _____ Date

4/20/2020

PUD APPLICATION INFORMATION

Lots 8,9,10 Block 46

1. The goal and objective of this project is as follows:
 - The goal of this project is to build four high quality and aesthetically appealing townhomes that complement the neighborhood and current growth of the community.
 - The objective of this project is to develop the four townhomes with individual permanent parcel numbers. This will allow them to augment the communities current rental inventory or be sold individually for private ownership.
2. The project is planned to be completed in a single phase
3. The current layout of the property is three (3) separate duplex lots. The approx. size of each lot is ~ 50'x 131'. I would like to conjoin the three duplex lots into one lot 150'x131'. Instead of building the six (6) units as duplexes, I would like to reduce the density to four (4) conjoined townhomes. This will better suit the contour of the land, maximize green space for the tenants/owners, and allow for a more aesthetic and appropriate design to fit this specific lot.
4. The current zoning of these lots as three (3) separate duplex lots greatly reduces the opportunity to create green space with the required building footprint, driveways, parking and sidewalks.

By reducing the allowable density from Six (6) units to four (4) the opportunity to create significant green space is increased. Almost 70% of the lot will become greenspace as opposed to approximately 10-15% per duplex lot.
5. The lot will be serviced by use of the existing sewer main in front of the lot. The water will be serviced by a water main extension, provided by the owner, from the closest main to the east that is determined to be suitable by the utility department. Power is provided from a pole mounted transformer across the street. The gas will be provided by the line in front of the lot. Storm water will be contained on the lot with a stone drywell in the backyard of the townhomes.

Each unit will enjoy a single car, attached and enclosed garage. Additionally, each unit will have one allocated outside parking space to the west of the buildings. Paved concrete walkways create access for all users to access their units.

An HOA will be established and share equally the costs for the green space maintenance and common parking area. The rear yard will be graded and seeded to accommodate a mow able lawn area to the toe of the slope to the west. This will create a pleasant common area to be utilized the occupants

6&7 The intent for the design of these townhomes is to meld into the current neighborhood that has multifamily and single residences, while also bringing the feel of the new downtown development due to its proximity to Nucleus Ave.

I engaged a Core Water Consulting, a wetland consultant to do a site and test hole analysis to confirm this is not a jurisdictional wetland. It was determined this is a NON-WETLAND location. I have attached the full report and highlighted the two references to verify this is a non wetland location. Please see the attached 13-page report from Core Water Consultants

I have had Josh from Slopeside Geotechnical do a site visit to determine options for engineered fill and stabilization. Josh and I discussed multiple options, and believe the site could most likely be balanced with some imported fill and compacted under an engineers supervision. The engineers design for the fill method and material, will be designed and submitted when the plans are submitted for approval with the City.

8. The contour of the property dictates the building be built to the allowable 5ft side yard setback. The overhangs of the eastern side of the building, will be designed to be less than the required 1/3 encroachment into the side yard setback

9. The project will further benefit the city through an increased modern building inventory, high quality and appealing design to increase neighboring property values and increased property tax income to benefit the schools and services.

10. (Please see attached site plan for inclusions).

Respectfully,
Erik Eckert, (Owner)



Greenhaven Builders Inc.
USGBC LEED AP
406-270-0157
greenhavenbuilders@yahoo.com



February 14, 2020

City of Columbia Falls
130 6th St West
Columbia Falls, Montana 59912

Re: Lot 8 thru 10 of Block 46 in Columbia Falls on COS 18057

To Whom it May Concern:

On February 13, 2020, Mikel Siemens assessed the site characteristics of the property described as Lot 8 thru 10 of Block 46 in Columbia Falls on COS 18057 in the SE1/4 of the SE1/4 Section 8, T30N R20W, P.M.,M. Flathead County, Montana. The purpose of the visit was to characterize the soil conditions in a test pit that was hand dug to 36" below ground surface (bgs). The property was being considered for real estate purchase by Erik Eckert with Greenhaven Builders, Inc. for a multi-family housing project, a site plan was not provided only conceptual idea proposed.

The site has significant elevation changes from the west to the east; 7th Street East extends along the southern border and no culvert was observed under the roadway. Vegetation near the lower elevations on the parcel included cottonwoods, red-dosier dogwood, and equisetum species that can (at times) be associated to a wetland. The property is near a topographic low north of 7th Avenue so water could have been present since the Flathead Valley had days over freezing in the last month which melted and compressed snow. Water was not observed pooling at the property.

To determine the property wetland status during the wintertime conditions, a test pit was hand dug near the elevation that would be proposed as the furthest extent of excavation toward the east. The pit was dug to 36" bgs and the soil characterized to determine if the hydric soil conditions were present. The profile included three layers:

0" – 7": 10YR3/2 – loam
7"-15" 10YR4/3 – loam
15"-36" 10YR4/3 – very fine sand

In the soil profile there was no indications of hydric conditions throughout the profile to the bottom of the test pit, so this is a non-wetland location. Also, the soils below 15-inches were noted as very fine sand and have high infiltration rates that would convey water both vertically and laterally. A photographic journal is attached to show the site conditions of the test pit area.

Trimble GPS surveyed the test pit location, along with two corner pins to locate the properties and test pit relative to the Flathead County 2009 geo-referenced lidar contours. Development at this elevation contour would be non-wetland for this property. The site map identifies the location of the pit relative to the 2-ft contours.

If you have any questions, please feel free to contact me.

Best regards,



Mikel Siemens
Environmental Specialist

Attached: Photographic Journal

COS 18057

Site Map

cc: Erik Eckert, Greenhaven Builders, Inc.





Photo 1. Top pile is the surface soil to 7" bgs; lower pile is transitional zone which has similar color to the lower soil profile, but had a loam consistency instead of very fine sand. The middle loam profile extended about to a depth about 15" bgs.

Page | 3





Photo 2. Soil profiles that are very consistent to one another with no changes in characteristics as the profile got deeper. Each pile was reviewed to see if hydric conditions appeared at depth, but there was no indications.





Photo 3. Deeper samples in the pit, but similar and consistent to prior layer.





Photo 4. Deeper samples in the pit (left to right), but similar and consistent to prior layer.





Photo 5. Profile of test pit focused on the upper 18" to determine wetland status – this is non-wetland based upon soils.





Photo 6. Soil presentation in photo is not as precise as prior photo but the tape measure gives reference to the depths.





Photos 7. Soil profile that attempts to capture the transition between the surface loam and the very fine sand that initiates at 15" bgs.





Photo 8. Test pit location, showing the shovel in the bottom on the pit. No high groundwater was observed, and the soil profile consisted of very fine sand which would readily convey water vertically and horizontally.





Photo 9. View looking south to 7th Avenue from the test pit location. The site was snow covered so reliance upon soil description heavily weighted during the site visit. No water was pooled in the 36" deep test pit, nor did it have hydric characteristics. Upper left of photo has willow (salix sp).





Photo 10 Area adjacent to the test pit.





Photo 11. General property conditions observed on February 12, 2020.



L-8, 9, 10 + Add. Alleg = 09732293

By: SANDS SURVEYING, Inc.
2 Village Loop
Kalispell, MT 59901
(406) 755-6481

JOB NO: 318601 (184607.dwg)
DATE: AUGUST 24, 2007
FOR/OWNER: JAMES D. LAUER

CERTIFICATE OF SURVEY

in SE1/4SE1/4 SEC. 8, T.30N., R.20W., P.M.M., FLATHEAD COUNTY, MONTANA

SCALE: 1" = 50'

DETAIL A
NOT TO SCALE

DETAIL B
NOT TO SCALE

PURPOSE: RETRACEMENT

DESCRIPTION (PERIMETER DESCRIPTION OF THREE TRACTS)
THREE TRACTS OF LAND, SITUATED LYING AND BEING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:
Lots 2, 9 and 10 and the East Half of the abandoned Alley lying west of Lots 2, 9 and 10 of Block 4 of the Flathead County Subdivision and containing 0.452 ACRES. Subject to and together with all appurtenant easements of record.

(Basis of Bearing per C.O.S. 12244)

Find 2" Aluminum Cap Intersection Nucleus Ave. & 6th Street East

Find 5/8" Rebar

EAST

310.12' (M)

309.85' (M)

310.00' (M)

309.85' (M)

310.12' (M)

309.85' (M)

310.00' (M)

309.85' (M)

310.12' (M)

309.85' (M)

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309.85' (M)

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309.85' (M)

310.12' (M)

309.85' (M)

310.00' (M)

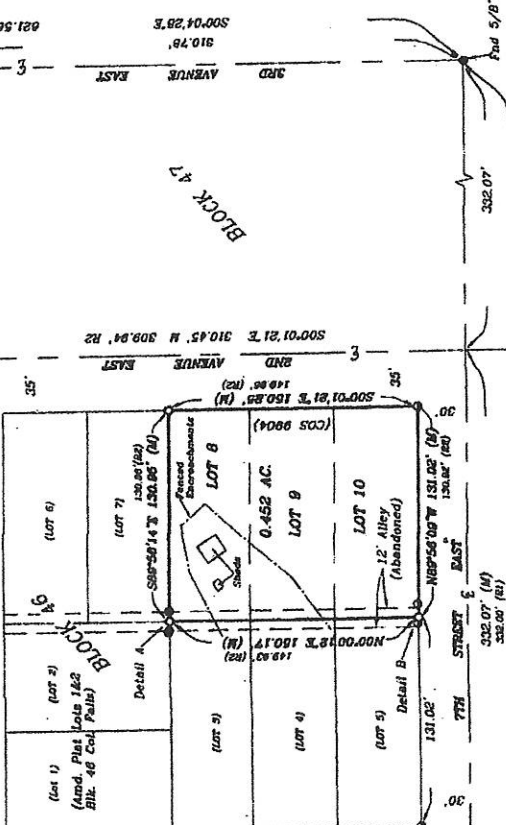
309.85' (M)

310.12' (M)

309.85' (M)

310.00' (M)

309.85' (M)



LEGEND:

- Section corner (as noted)
- Set 1/2" x 24" Rebar & Cap (79755)
- Found 5/8" Rebar & Cap (93443)
- Found 5/8" Rebar & Cap (73285) (unless noted)
- Found 5/8" Rebar & Cap (90955)
- Record Information Per Plat Columbia Falls (R1)
- Record Information Per C.O.S. 9904 (R2)
- Record Information Per C.O.S. 12244 (R3)

CERTIFICATE OF SURVEYOR

THOMAS E. SANDS 79765

APPROVED: 2007

EXAMINING LAND SURVEYOR

STATE OF MONTANA

COUNTY OF FLATHEAD

FILED ON THE 10 DAY OF OCT 2007

CLERK & RECORDER

BY: 2007

INSTRUMENT REC. NO. 20070031208

SHEET 1 OF 1 SHEETS

Read & Approved As to Form & Content.

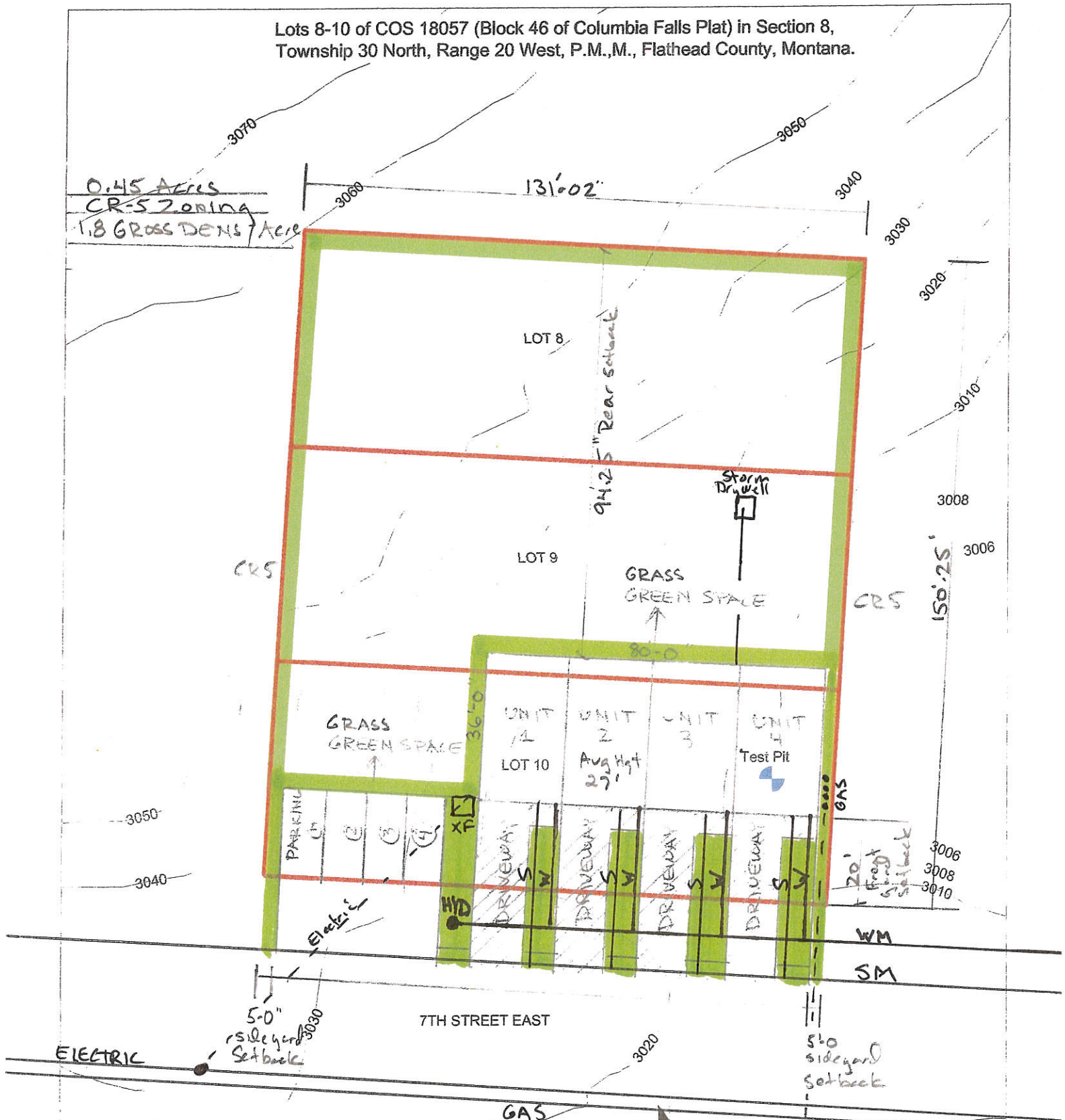
COS# 200700031208 Fees: \$6.50 by: KE
By SANDS SURVY Date: 10/10/2007 Time: 12:43 PM
Flathead County, Flathead County, Montana



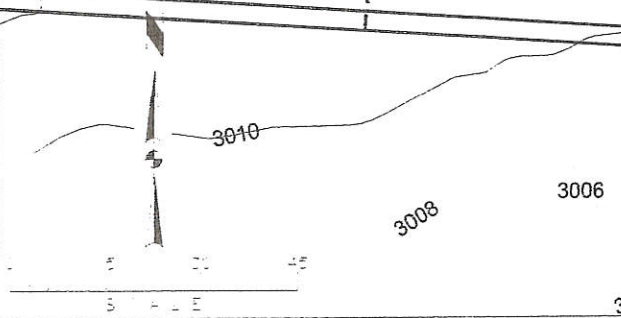
CERTIFICATE OF SURVEY No. 18057

(D&G Sub. Pl. 2)

Lots 8-10 of COS 18057 (Block 46 of Columbia Falls Plat) in Section 8,
Township 30 North, Range 20 West, P.M., M., Flathead County, Montana.



 Core Water Consulting 490 E. Montana St, Ste 2 Kalispell, MT 59901 (406) 890-2073	Sheet Title	Scale
	Lots 8-10, Blk 46, C. Falls	As Noted
	Site Map	Date
	(Sec. 8, T30N, R20W, Flathead Co.)	02/14/2020
	Project Title	Project Manager
Eckert Wetland Assessment Revisions: SiteMap.pdf		Mikel Siemens
		File
		Eckert.dwg
		Figure
		1



- N. Water storage facilities.
(Ord. 523 § 1(part), 1989)

18.328.040 Bulk and dimensional requirements.

The bulk and dimensional requirements for the CR-4 district are as follows:

- A. Minimum lot area: seven thousand two hundred (7,200) square feet;
- B. Minimum lot width: sixty (60) feet;
- C. Minimum yard requirements:
 - 1. Front: twenty (20) feet;
 - 2. Side: five (5) feet each;
 - 3. Side corner: fifteen (15) feet;
 - 4. Rear: twenty (20) feet;
- D. Maximum height: thirty-five (35) feet; licensed amateur radio operators antennae-seventy-five (75) feet;
- E. Permitted lot coverage: thirty-five (35) percent;
- F. Maximum fence height:
 - 1. Front: three (3) feet;
 - 2. Side: six (6) feet;
 - 3. Rear: six (6) feet;
- G. Off-street parking: See Chapters Parking and Loading 18.500.
(Ord. 523 § 1(part), 1989)

Chapter 18.330 CR-5 TWO-FAMILY RESIDENTIAL

18.330.010 Definition.

A residential district with minimum lot areas. Development within the district will require all public utilities, and all community facilities. Two-family dwellings are allowed in this district. (Ord. 523 § 1(part), 1989)

18.330.020 Permitted uses.

The permitted uses in the CR-5 district are as follows:

- A. Accessory building or use;
- B. Automobile parking in conjunction with permitted uses;
- C. Day care home;
- D. Dwelling, single family;
- E. Dwelling, two family;
- F. Parks;
- G. Public transportation shelter stations;
- H. Public utility service installations.

(Ord. 523 § 1(part), 1989)

18.330.030 Conditional uses.

The conditional uses for the CR-5 district are as follows:

- A. Bed and breakfast establishment (see Chapter 18.35);
- B. Boat marinas and sale of boating supplies and fuel;
- C. Churches and other places of worship;

- D. Community center building, gymnasium, swimming pool, beach, and other similar activities operated by a public agency, neighborhood or homeowners association;
- E. Day care center (see Chapter 18.37);
- F. Dwelling, cluster development;
- G. Electrical distribution station;
- H. Golf courses;
- I. Home occupations (see Chapter Special Provisions 18.400);
- J. Mobile home parks;
- K. Orphanage and charitable institutions;
- L. Retirement home;
- M. Schools, public or private elementary, junior high, and senior high;
- N. Swimming pools and beaches, public or semiprivate;
- O. Temporary buildings or structures;
- P. Water storage facilities.

(Ord. 615 § 2(part), 1999; Ord. 523 § 1(part), 1989)

18.330.040 Bulk and dimensional requirements.

The bulk and dimensional requirements for the CR-5 district are as follows:

- A. Minimum lot area: five thousand four hundred (5,400) square feet;
- B. Minimum lot width: forty-five (45) feet;
- C. Minimum yard requirements:
 - 1. Front: twenty (20) feet;
 - 2. Side: five (5) feet each;
 - 3. Side corner: fifteen (15) feet;
 - 4. Rear: twenty (20) feet;
- D. Maximum height: thirty-five (35) feet; licensed amateur radio operators antenna-seventy-five (75) feet;
- E. Permitted lot coverage: forty (40) percent;
- F. Maximum fence height:
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(Ord. 523 § 1(part), 1989)

Chapter 18.332 CRA-1 RESIDENTIAL APARTMENT

18.332.010 Definition.

A district to provide areas for multi-family use and for nonresidential uses which support or are compatible with the primarily residential character. This district is intended as a buffer between residential districts and other denser, noncompatible districts. This district is intended to apply throughout the planning area. (Ord. 523 § 1(part), 1989)

18.332.020 Permitted uses.

The permitted uses in the CRA-1 district are as follows:

- A. Accessory building or use;



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

Planning Department

PHONE (406) 892-4391

FAX (406) 892-4413

May 19, 2020

Re: Public hearing notice for a PUD for Erik Eckert of Greenhaven Townhomes

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 Planned Unit Development overlay 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. The proposed development otherwise conforms to all of the zoning requirements. 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.

If you have questions 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 June 4, 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

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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.

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.

Barb Staaland

From: M.... <mhutch_2000@yahoo.com>
Sent: Sunday, May 31, 2020 5:19 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Letter on PUD on 7th St. East Columbia Falls

Hello Eric H. Mulcahy,

I Matt Hutcheson owner of property 227 7th St. East am emailing my concerns from the letter I received. I understand that such property is already zoned CR-5 which the PUD meets the zoning requirements.

In 1992 or 1993 timeline we the property owners here in the mosquito flats district had a neighborhood concerns meeting with a city council member about the future development of properties, mosquito's, and traffic if this area. The residents @ that time overwhelmingly stated that we did not want any more townhouse units/ two story apartments built like the one on 3rd Ave as that had already been build. We felt that this style of housing would devalue our own property and compromise the single family home atmosphere of our neighborhood. The city council member agreed with our concerns and said that he would present/change the plat record to be residential so that would not happen again. Evidentially that never happened and we as property owners of this area were not told the truth. I see that we have the apartment manor @ the south end of 3rd which I assumed it fell out of the zone agreed to be townhouse unit/ apartment free.

I **appose** this PUD for the record. Because it will only open the door for more townhouse units and or apartments to come in this area, directly effect my property tax, deal with the increased traffic, Security issue, along with more trash ending up in yard. I value my home, as I am sure that my neighbors do also the way it is. The property of the PUD is well known for flooding from springs and snow melt run off most every spring that the city has not ever done anything about when it was considered to be 2nd Ave., the city's property. **BIG CONCERN**; What is going to happen so the water is not altered in the path of our homes?

Enough said as I am sure I as effected property owner do have more concerns not listed. I would like to know what does **CTE and CDT** mean stamped on the lot diagram, as my property is one of them in the letter sent to me?

Matt Hutcheson
227 7th St. East
Columbia Falls
property owner

Public
comment

Att: Eric H. Mulcahy Re: Pubic hearing notice for a PUD for Erik Eckert of Greenhaven Townhomes.

Thank you for allowing me the opportunity to voice my concerns about the above PUD. As the property owner of 611 2nd Street E. these are my concerns. My property is #4 directly across from #8 which is listed as part of the PUD.

As I have not had the opportunity to see exactly how the townhomes layout is to be placed on the property my concerns and questions are fairly basic but I would like to receive assurance that they will be addressed and guaranteed remedies put into place before proceeding with this PUD.

1. The city property to the west of my home is heavily treed and very steep. What will the removal of dirt and trees and general construction to the south and west do to destabilize the city property putting myself, my home and neighbors homes in danger?
2. Removal of trees – Sunday morning's storm was very reassuring when, other than a few minor branches, there was no tree damage behind mine and my neighbors' houses. It is well known that when tree thinning is done it destabilizes the remaining trees as was made very obvious with the amount of damage done to the remainder of the valley especially those areas with slopes such as the Happy Valley area. What will be guaranteed by this developer to mitigate soil loss without the trees and shrubs to stabilize the slope between 1st and 2nd Avenue.
3. Water – this area is well known for the springs that dot the slope – there is actually one spring on the property line that I share with my neighbors to the north. I am spending a small fortune in mitigating any potential future water damage to my home – what will the developer do to ensure a safe passage for water to flow without flooding neighborhood homes? What guarantees will be placed for covering any costs occurred with flooded homes.
4. Because of the water flow I would like to make sure that the developer uses non-contaminated fill if fill is proposed. We certainly don't want contaminated water seeping thru the area.
5. Noise – this is a very quiet neighborhood with mostly single family homes. To add 4 townhomes into this neighborhood will change it completely. I have no doubt that if allowed these townhomes will be sold as investment properties to be used as short term vacation rentals with the usual noise and partying changing this little area from a family, residential part of the city into any other vacation spot. If the project goes thru ensure that the units will only be for 30 day plus rental.

I bought my little house in December and have put a lot of money into improvements and as I am in my late seventies this is the last home I hope have. I love Columbia Falls and the Mosquito Flats area – I can walk to downtown, and to the Rivers Edge Park waving to neighbors as I pass by them. This area is quiet and peaceful as any noise from Nucleus Avenue passes overhead as does the traffic noise.

When I moved to Whitefish in 1973 and watched the changes in that town become overwhelming in the last 15 years and was so glad when the opportunity arose for me to move to back to Columbia Falls which still has the charm of a small town. Please don't rush to change it too much.

Thank you for considering my concerns.



Margaret-Anne (Myni) Ferguson, P.O.Box 3285, Columbia Falls, MT 59912. (406) 862-5443.
mferguson88@centurylink.net

RECEIVED

JUN 03 2020

CITY OF COLUMBIA FALLS

Barb Staalnd

Public
Comment

From: Penny Hansonl <phansonl@live.com>
Sent: Wednesday, June 3, 2020 3:37 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Fw: Cfalls City Planner PUD Erik Eckert Greenhaven Townhouses Adjacent Lot
Attachments: cfalls lot back tree slanting unstable.JPG; cfalls lot middle trees slanting unstable.JPG; cfalls lot slumping area in yard.JPG; cfalls lot standing water w snow draught.JPG; cfalls lot water running down street.JPG

From: Penny Hansonl <phansonl@live.com>
Sent: Wednesday, June 3, 2020 3:33 PM
To: staalandb@cityofcolumbiafa <staalandb@cityofcolumbiafa>
Subject: Fw: Cfalls City Planner PUD Erik Eckert Greenhaven Townhouses Adjacent Lot

From: Penny Hansonl
Sent: Wednesday, June 3, 2020 3:30 PM
To: staalandb@cityofcolumbiafa <staalandb@cityofcolumbiafa>
Subject: Cfalls City Planner PUD Erik Eckert Greenhaven Townhouses Adjacent Lot

June 1, 2020

Eric Mulcahy - City Planner:

RE: To be included with the Planning Board Packet - PUD Erik Eckert Greenhaven Townhouse Units

As an adjacent property owner, I have many concerns over the development of this lot. We are a single-family area, with all the new housing complexes going in; do we need another one in such a nice neighborhood? A townhouse complex will decrease the neighboring property values. It is not clear if it is one townhouse or several being planned.

The lot has gone up for sale several times and has been re-sold due to not being able to be developed. One of the previous owner's is a land developer throughout several states, he abandoned the lot when he wasn't able to develop it, leaving an eyesore of a slash pile.

The previous developer cut a road in along the bottom edge of the slope leaving a large slump-indentation in my yard. The trees are at a slant and unstable threatening to pull the hill down. More destabilization could result in property damage, personal loss, and loss of life. Columbia Falls is close to the fault line that runs from

Yellowstone National Park to Bowman Lake in Glacier National Park. The hill has enough soil volume to bury the house(s) built below in an earthquake or other destabilization.

There is an active spring on the lot that remains wet throughout the summer, with standing water every year. The prior developer abandoned the lot when he ran into a spring and feared flooding the neighbor's homes. There is a rumor of a cease and desist on the prior owner/developer or the threat of one from a lawyer. When I spoke to the City Manager regarding this, she was not able to find one, she also stated that the lot was zoned for a single-family unit. When was the zoning changed?

Is re-orienting the lots is to create smaller lots? With the 15-foot setback on the property boundaries it leaves a very small footprint for parking, most houses need two spaces for parking, plus visitor parking. Backing out, or pulling out, on to the street will be dangerous; as well as parking on the hill, as it is a steep slope.

The full alley easement was given to the local pastor (John) decades ago. The title company originally had the full alley in my name, as the prior owner had all the alley in his name, upon not being able to find the paperwork it was removed. I would ask for it to be given back to my lot/me as my fence, lilacs, cherry tree, wishing well, and shed are all in it.

Pch

Sincerely,
Adjacent Property Owner
Penny Hansonl

cc: File

Attached Pictures: Slope Slumping, Water on lot, Trees leaning, Rain runoff downhill on street









