AGENDA
REGULAR MEETING
COLUMBIA FALLS CITY-COUNTY
PLANNING BOARD AND ZONING COMMISSION

Tuesday, July 10, 2018 - Beginning at 6:30 PM
CITY HALL
COUNCIL CHAMBERS

A. CALL TO ORDER
   a. Roll Call/Introduction of New Member
   b. Pledge of Allegiance

B. APPROVAL OF MINUTES: Minutes of the April 10, 2018 Regular Board Meeting

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

D. PUBLIC HEARING:
   The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on Tuesday, July 10, 2018 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 August 6, 2018 starting at 7:00 p.m. in the same location.

   Request for a Growth Policy Amendment in the Columbia Falls Planning Jurisdiction:
   Greenway Capital LLC is requesting a Growth Policy amendment in the Columbia Falls Growth Policy. The property is located at 104 and 105 Bills Lane in Columbia Falls and consists of 13.8 acres. The property is described as Lots 3 and 4 of Williams Estates in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The property currently has an Urban Residential Land Use Designation anticipating densities of two to eight dwelling units per acre. The applicants are proposing a Multi-Family Land Use Designation with anticipated eight to twenty dwelling units per acre.

   Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:
   Greenway Capital LLC is requesting a zoning map amendment in the Columbia Falls Zoning Jurisdiction. The property is located at 104 and 105 Bills Lane in Columbia Falls and is described as Lots 3 and 4 of Williams Estates in Section 16, Township 30...
North, Range 20 West, P.M.M., Flathead County. The property is currently zoned CR-3 (One Family Residential) and the applicant is proposing CRA-1 (Residential Apartment).

**Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:**

Greenway Capital LLC is requesting a Planned Unit Development overlay to develop an apartment project. The property is located at 104 and 105 Bills Lane in Columbia Falls and consists of 13.8 acres. The property is described as Lots 3 and 4 of Williams Estates in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The project consists of 207 units in six buildings. The buildings are three stories tall with a proposed maximum height of 43.5-feet. The units will primarily consist of studio and one-bedroom apartments but there will be some two-bedroom units as well. To serve the site there will be 306 parking spaces. The apartment project proposes amenities such as a clubhouse, carwash for tenants, playground, game courts, Frisbee golf, along with on-site management. Approximately 65% of the 13.8 acres will be preserved in green space.

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 or email: staalandb@cityofcolumbiafalls.com. For more information call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

a. Adopt Staff Report GP-18-01 as findings of fact.
c. Adopt Staff Report CZC-18-01 as findings of fact.
d. Recommend approval of the Zone Change to Council.
e. Adopt Staff Report CPUD-18-05 as findings of fact.
f. Recommend approval of PUD with Conditions to Council.

**E. NEW BUSINESS: None**

**F. ADJOURNMENT**
Minutes
REGULAR MEETING
COLUMBIA FALLS CITY-COUNTY
PLANNING BOARD AND ZONING COMMISSION
Tuesday, April 10, 2018 - Beginning at 6:30 PM
CITY HALL
COUNCIL CHAMBERS

A. CALL TO ORDER
Duffy motioned to appoint Shepard as Acting Chair to open the meeting, Steve Hughes seconded, motion carried with all members voting in favor. Acting Chairman Shepard called the meeting to order at 6:32 p.m.

ROLL CALL: PRESENT: Duffy, Shepard, Hughes, Bonitz. Stene arrived at 6:34. ABSENT: Vukonich, Kavanagh.
Also present were City Planner Eric Mulcahy, City Manager Nicosia, City Attorney Justin Breck and Public Works Clerk Vissotzky.

Shepard asked the Board, staff and public to join in the pledge of allegiance.

B. APPROVAL OF MINUTES: Duffy motioned to approve the minutes of the March 13, 2018 regular Board Meeting, second by Bonitz and the motion carried with Duffy, Shepard, Hughes and Bonitz voting.

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

D. PUBLIC HEARINGS:
Shepard read the hearing notice and asked for a staff report presentation:

A. **Conditional Use Permit – Drive-through Coffee Shop:** A request by Three Byrd’s Properties, LLC (O’Brien and Melanie Byrd) to add a small drive through coffee shop to the existing O’Brien Liquor and Wine Shop. The property is zoned CB-2 General Business which allows restaurants as a permitted use but requires a Conditional Use Permit for drive-ups or drive-throughs. The property is described as Lots 4 & 5 and a portion of the abandoned alley, Block 59 of the Columbia Falls Townsite. All located in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.
City Planner Mulcahy presented Staff Report CCU-18-02. O’Brien and Copper Mountain Coffee are looking at putting a drive through coffee shop in the south west corner of O’Brien’s Liquor Store. Mulcahy discussed Kavanagh’s (absent) emailed comments to the Board about approaches and stated that Montana Department of Transportation (MDOT) has the sole authority over approaches on the highway; it is not the City’s or Planning Board’s purview. The conditional use request was published in the newspaper and letters sent to the adjoining neighbors; no verbal or written comments received. Staff recommends Board approval with 5 conditions.

Duffy questioned Mulcahy if a MDOT sight distance study has been done. Board discussed foot traffic, sight distance, and access issues. Shepard noted the access history and how sight distance seems to have not been a problem in the past when used by WBC or Army Navy. Stene asked if conditional use approved, would there be a MDOT survey. Mulcahy said there will be a review of the approach since it is a change in use. O’Brien stated he has a meeting with MDOT on April 11th to review the approach.

Stene opened the Public Hearing at 6:47 PM.

O’Brien introduced Robin Loon, Owner of Copper Mountain Coffee (CMC), and stated the intent and idea of the shop. There are nine CMC locations in the state. Stene asked about the approach and the distance from the road to the building edge. O’Brien said it is about 4 ft from the building to the sidewalk. It is an 8 ft sidewalk.

Stene closed the Public Hearing at 6:50 PM.

Staff Report CCU-18-02 was discussed further. Duffy asked about the interior of the shop and its operations and menu items. Shepard stated point of order, items not related to the conditional use approval. O’Brien said there is a similar operation in Kalispell that can be used as an example. Shepard asked about the access and traffic flow correlations, summer traffic, and stated again that MDOT will have final say on the highway approach and he believes Condition #1 adequately addresses the access issue.

Motion was made by Shepard to adopt Staff Report CCU-18-02 as findings of fact with the five conditions, second by Duffy. Motion carried with voting as follows: AYES: Shepard, Duffy, Stene, Bonitz, Hughes. NOES: None. ABSENT: Vukonich, Kavanagh.

Shepard motioned to recommend approval of the Conditional Use Permit to City Council, Duffy seconded the motion; motion carried with the Board voting as follows. AYES: Shepard, Duffy, Stene, Bonitz, Hughes. NOES: None. ABSENT: Vukonich, Kavanagh.

Shepard discussed snow removal concerns and if planning was involved. Nicosia said snow removal was in the city municipal code but not in planning or zoning; snow storage is addressed in the small and large building standards. Stene brought up parking concerns in downtown and if that was a planning issue. Nicosia said parking requirements are addressed in Title 18 Zoning in the municipal code. Board and staff discussed public parking issues and how they are addressed and funded. Shepard asked about future agenda items. Mulcahy said there is possibly a multifamily item coming forward in June. Duffy asked about the Xanterra phase 2 of development timeline. Nicosia said she would review the PUD and get back to the Board.
E. ADJOURNMENT

Motion to adjourn by Duffy, second by Shepard at 7:13 PM.

Next Meeting – TBD

__________________________________________
Vice Chairman

__________________________________________
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 10, 2018 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 August 6, 2018 starting at 7:00 p.m. in the same location.

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Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

Greenway Capital LLC is requesting a zoning map amendment in the Columbia Falls Zoning Jurisdiction. The property is located at 104 and 105 Bills Lane in Columbia Falls and is described as Lots 3 and 4 of Williams Estates in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The property is currently zoned CR-3 (One Family Residential) and the applicant is proposing CRA-1 (Residential Apartment).

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

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DATED this 15th day of June, 2018

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

Publish: Daily Interlake Sunday June 24th
STATE OF MONTANA
LATHEAD COUNTY

NOTICE OF PUBLICATION

VIT OF PUBLICATION

THOUGHT BEING DULY
DEPOSED AND SAYS: THAT SHE IS THE LEGAL
OWNER OF THE DAILY INTER LAKE A DAILY
PAPER OF GENERAL CIRCULATION, PRINTED AND
PUBLISHED IN THE CITY OF KALISPELL, IN THE
STATE OF LATHEAD, STATE OF MONTANA, AND

D. 25465

ADVERTISEMENT WAS PRINTED AND
PUBLISHED IN THE REGULAR AND ENTIRE ISSUE OF
PAPER, AND IN EACH AND EVERY COPY THEREOF
DATING FROM JUNE 24, 2018

THE RATE CHARGED FOR THE ABOVE
ADVERTISEMENTS DOES NOT EXCEED THE MINIMUM
RATE CHARGED TO ANY OTHER
PUBLISHER FOR THE SAME PUBLICATION,
THE SAME SIZE TYPE AND PUBLISHED
THE SAME NUMBER OF INSERTIONS.

Subscribed and sworn to
Before me this June 24, 2018

Dorothy I. Glencross
Notary Public for the State of Montana
Residing in Kalispell
My commission expires 9/12/2021
This is a report to the Columbia Falls Planning Board regarding a request for a Neighborhood Plan as an amendment to the Columbia Falls Growth Policy. This application is scheduled for July 10, 2018 before the Columbia Falls Planning Board and a subsequent hearing with the Columbia Falls City Council August 6, 2018.

I. BACKGROUND INFORMATION

a. **Owner:**
   John Vallings
   Box 20, Site 5, BR2
   Okotoks, AB T1S1A2 Canada

   **Applicant:**
   Greenway Capital, LLC
   601 National Suite 114
   Springfield, MO 65802

b. **Technical Assistance:**
   Aaron Wallace
   Montana Creative
   158 Railway Street
   Whitefish, MT 59937

c. **Location:** The property is located at 104 and 105 Bills Lane in Columbia Falls. The property is described as Lots 3 and 4 of Williams Estate in Section 16, T30N, R20W, P.M.M., Flathead County, MT.

d. **Background:** The subject property was previously approved in 2007 as a multi-family project with a PUD called Glacier Estates. The PUD allowed 100 multi-family units on the subject property. Shortly after approval of the PUD the Country entered the recession and this project never progressed to construction and the PUD expired.

e. **Project and Scope:** The proposed neighborhood plan consists of 13.831 acres. The applicants propose to develop the property but maintain approximately 65% of the site in open space. The current proposal is to develop multi-family residential apartments consisting of studio, one-bedroom, and two bedroom units for a total of 207 units. Along with this Neighborhood Plan request is a Zone Change application and a Planned Unit Development application. The applicants are proposing to amend the Columbia Falls Growth Policy by replacing the urban residential designation with a multi-family designation. “Urban Residential” typically provides for densities of two to eight dwellings per acre while the proposed “multi-family” designation provides for eight to twenty dwelling units per acre. With a majority of the units being studio or one-bedroom, the applicants are targeting the single or couple that are starting out and need a decent place to live close to work and the retired individual or couple that no longer want the burden of lawn and building maintenance.
f. **Zoning:** The subject property is zoned CR-3 which allows a minimum lot size of 9,600 square feet.

![Map of Zoning Layer - Flathead County GIS](image)

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Zoning</th>
<th>Growth Policy Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Agricultural/Residential</td>
<td>SAG-10</td>
</tr>
<tr>
<td>South</td>
<td>Commercial</td>
<td>CB-2 and CR-3</td>
</tr>
<tr>
<td>East</td>
<td>Single Family Residential</td>
<td>CR-3</td>
</tr>
<tr>
<td>West</td>
<td>RV park, cabinet shop, butcher shop, workout facility, two unit residential and single family residential</td>
<td>CB-2, CR-3, and CR-5</td>
</tr>
</tbody>
</table>

Figure 2: Zoning Layer – Flathead County GIS
h. **Current Growth Policy Designation:** The Columbia Falls City-County Growth Policy designates this urban residential (Shown in yellow, Figure 1). Urban Residential areas are encouraged to be developed where adequate services and facilities are available with densities of two to eight units per acre.

![Figure 1: Columbia Falls Growth Policy Map](image)

i. **Proposed Growth Policy Designation:**
The Columbia Falls Growth Policy states the following when considering Multi-Family Land Use designations:

**Multi-family Residential:**
- Multifamily residential areas, as shown on the growth policy map, have typical densities of eight to twenty dwellings per gross acre, as may be appropriate to the site.
- Small high-density residential districts are encouraged to be dispersed throughout the urban area. These districts should be located predominantly near schools, buffering retail and business areas and adjacent to major streets.
- Multi-family housing developments should be designed to fit compatibly within larger single-family neighborhoods.
- Townhouses are encouraged to be a primary housing type in these areas. Additional common housing types include low-rise apartments, duplexes, manufactured home parks, and upper floors of mixed-use buildings.
- In transitional areas zoned for multi-family residential use but developed primarily as single-family houses, conversion of existing houses to offices is encouraged, in order to maintain investment in the existing building stock and ease the land-use transition.
Multifamily Residential areas should be within close proximity to small parks or common open spaces. When parks are not immediately available or are undersized, projects should contribute to the development of neighborhood parks and open space.

High density areas should be fully served by urban infrastructure and services. This includes paved streets, curbs, sidewalks abutting all residential lots, boulevards and public sewer and water.

Centralized refuse collection should be screened and protected from wildlife.

As density increases to 4-plex or larger buildings, increased design standards should be required including:

i. The use of street trees along the R/W and live landscaping around the building and parking lots,

ii. Façade treatment to break up building mass including such techniques as adding entrance porches, bay windows, wall off-sets, balconies, decks, window treatments, etc.,

iii. Pitched roofs and dormer windows to break up long expanses of uninterrupted roof lines.

Regarding the above criteria, the proposed application is looking at a density of approximately 15 dwelling units per acre.

The 3rd Avenue East area would provide a dispersed multi-family area and this proposal does provide a buffer between the highway and neighboring commercial and single family residential uses north on 3rd Ave E and in the Riverview neighborhood. The proposed development provides approximately 65% of the site as greenbelt as a way of buffer neighboring uses from the development and the development from neighboring use.

Although these are not townhomes or low rise buildings, the significant open space will preserve the natural tree buffers around the property to screen the project from adjacent single family neighborhoods.

This is not a property already developed with single family homes that must be demolished to redevelop. This is a transition area that is undeveloped which makes it a good candidate for multi-family development.

The subject parcel is within walking distance of many City Parks including: Fenholt Park, Marantette Park and River’s Edge Park. The development contains 13 acres of which 65% will be devoted to green space. The applicants are proposing recreation courts, playground area, and Frisbee golf course.

Any development of multi-family residential use is required to provide centralized refuse and screen these facilities through the architectural standards.

The proposed use will be reviewed through the Large Building Standards of the Columbia Falls Zoning Ordinance.
This photo was taken from the entrance at Bills lane and looks towards the southeast. The Riverview neighborhood is beyond the trees most of which will be preserved.

Looking northeast from about the location of Building E
II. REVIEW AND FINDINGS OF FACT

This application is reviewed through the Columbia Falls Growth Policy, Chapter 12.B.Neighborhood Plans.

1. **Adoption of a Developers Neighborhood Plan must be in accordance with 76-1-601 through 76-1-604 M.C.A. Application materials for a developers neighborhood plan amendment should include the following:**

   The Columbia Falls Growth Policy, 2013, is in compliance with 76-1-601, MCA. This chapter of the state law sets the minimum elements required for a compliant Growth Policy in Montana. The proposed Neighborhood Plan is an addendum to the existing Growth Policy and only amends the Land Use Map. The result is that there is no change to the text of the Growth Policy or the elements

   Chapter 76-1-602 requires at least a 10-day notice in the newspaper. Columbia Falls provided a 15 day notice in the Daily Interlake. The required notice was published June 24th.

   Chapter 76-1-603 requires that the Planning Board hold the public hearing on the Growth Policy or Growth Policy Amendment. The Planning Board is to make a recommendation to the City Council to adopt the proposed change/addendum or take some other action such as amending the request or denying the request. The Columbia Falls Planning Board is scheduled to hold the Public Hearing on July 10, 2018.

   Chapter 76-1-604 requires that the Governing Body (City Council) Adopt, revise or Reject the Growth Policy Amendment. The City Council is set to hold a public hearing on this matter on August 6, 2018. The second public hearing is not required by State Statute but is a policy that the City has followed over the years.
2. A draft plan stating significant issues, goals, and policies associated with proposed development.

The Neighborhood Plan application provided a detailed narrative of what the developer intends to accomplish with the Highline project. Planning Staff has extrapolated the narrative to provide the following goals:

Goal 1: Provide much needed rental units for temporary and permanent residents of the Community.

Goal 2: Provide a walkable community within close proximity of the downtown and area parks.
Policy: Connect the multi-family development through a new bike and pedestrian path to the 3rd Ave E pedestrian path which will allow residents to walk or bike to downtown businesses and work.

Goal 3: Provide a quality residential product with quality finishes, common areas, green spaces, and amenities.
Policy: On-site management will oversee the property to insure that the residents respect the facilities and the neighborhood.

3. The plan should clearly describe the proposed development, address feasibility of the development; phasing; a convincing showing of need; neighborhood compatibility; transportation impacts; environmental impacts; site hazards; adequate provision of local services; demonstrate the encouragement of the most appropriate use of land throughout the jurisdiction and conclude by demonstrating overall conformance with the Growth Policy.

The application for the neighborhood plan is accompanied by a zone change application and a Planned Unit Development (PUD). The PUD application requires detail and review of all these items. That said the applicants also address these items within the Neighborhood Plan Application.

Neighborhood Compatibility – The subject property is located 150-feet from Highway 2 and there is a commercial property between it and the highway. It is general land use practice to buffer highways and potentially intense commercial uses from single family uses with multi-family land use designations. This practice can be seen throughout Columbia Falls with multi-family designations bordering commercial districts along Nucleus Avenue, north of Highway 2, and along Railroad Street. The proposed Neighborhood Plan buffers the highway commercial area from single family residential development further up 3rd Avenue E and up in the Riverview neighborhood to the east.

Phasing - The applicants are proposing to develop the project in three phases and each phase can stand independently of the subsequent phase.

Convincing need - There are multiple housing studies in the Flathead detailing the need for workforce housing and providing statistics of housing prices on the rise. The applicants referenced these studies in their application. In Columbia Falls, subdivisions that had numerous vacant lots five years ago are quickly filling up. Most of the currently zoned multi-family land in Columbia Falls requires one to
assemble a number of properties and remove existing housing to accommodate a new structure. This specific property does not require assemblage and is vacant of structures making it a good choice for development of workforce housing.

Transportation – Between the proposed multi-family site and Highway 2, there are only ten residential units most of which are rental properties similar to the being proposed with this application set. As a result traffic generated by this project does not impact a significant number of houses or any neighborhoods. In the 1000 feet between the property entrance and Highway 2 most of the land use is commercial which is tolerant of traffic and in the case of the butcher shop or the workout facility actually thrive on the traffic. The applicants have provided a Traffic Impact Study with the application.

The applicants provided a Phase 1 Environmental Report with the application set. The Phase 1 found no hazards that would be detrimental to the project or future residents.

Preliminary utilities were shown with the PUD application.

4. A site plan showing land uses and densities assigned to specific locations; general circulation and parking plan; general utilities plan; general landscaping plan; lands and facilities committed for recreation or public services; water bodies and wetlands; 100-year floodplain; topographical contours; significant physical features; prime agricultural soils; significant habitat; and significant cultural or historical resources.

This was provided with the PUD set. A detailed analysis of these factors will be discussed in the PUD staff report.

5. A vicinity map showing surrounding land use patterns; streets (arterial, collector, and local); water bodies; and other significant physical features.

This was provided with the application set.

6. A letter of application signed by the property owner(s), a legal description of the site, a list of the names and addresses of all property owners within 150 feet of the site, and any application review fees.

The application was signed by the landowner. The City acquired the list of property owners and all required application fees.

III. SUMMARY COMMENTS

The Neighborhood Plan application complies with the provisions of the Columbia Falls Growth Policy for amendment/addendum to the Plan. The location of the proposed change appears suitable for multi-family use as it is a transitional area between Highway commercial and low intensity uses such as single family residential. The abundant open space proposed in this plan should provide internal buffers of the future residents from commercial activities and the single family residential neighbors.
VI. RECOMMENDATION

After reviewing the findings of fact, staff recommends that the Columbia Falls City-County Planning Board adopt Staff Report #GP-18-01 as findings-of-fact for the Neighborhood Plan, the Highlands, and recommend approval of said plan to the Columbia Falls City Council with the following recommended goals as follows:

1. Any multi-family development of the plan area will be through the Planned Unit Development standards.
2. Approximately 65% of the property will remain in green/space void of building, parking, or street.
3. Amend the Columbia Falls Growth Policy 2013 Land Use Map to show “multi-family Residential for the subject parcels.”
A report to the Columbia Falls City County Planning Board regarding a request for a Zoning Map Amendment from the existing CR-3 to the proposed CRA-1.

BACKGROUND INFORMATION

A. PETITIONERS
Owner: John Vallings
Box 20, Site 5, BR2
Okotoks, AB T1S1A2 Canada

Applicant: Greenway Capital, LLC
601 National Suite 114
Springfield, MO 65802

B. PETITIONER’S TECHNICAL ASSISTANCE
Aaron Wallace
Montana Creative
158 Railway Street
Whitefish, MT 59937
(496)862-8152

C. LOCATION/DESCRIPTION
The property is located at 104 and 105 Bills Lane in Columbia Falls. The property is described as Lots 3 and 4 of Williams Estate in Section 16, T30N, R20W, P.M.M., Flathead County, MT.

D. REQUEST
The applicant is requesting a Growth Policy Amendment, Zone Change and PUD to develop a multi-family apartment complex on 13.831 acres. The applicant proposes 207 units in six buildings. Each building is three stories in height and will consist of 12 studio units, 18 one bedroom units and 6 two-bedroom units per building. The applicants are showing approximately 65% of the property in greenbelt/open space which includes recreation courts, playground and a frisbee golf course. The subject of this report is to change the current zoning of CR-3 to a new designation of CRA-1 which allows multi-family development.

E. REASON FOR REQUEST
The applicants develop multi-family residential projects in various parts of the country. They have identified a need for rental housing in the Flathead Valley. The cities of Kalispell and Whitefish have seen an upswing in the development of multi-family housing in the last few years. Columbia Falls has lagged behind in this trend with the exception of some small condominium projects in the South Hilltop Homes area and the Nucleus Avenue downtown area. With these few exceptions, much of the multi-family developments in Columbia Falls are older. Having a diverse range of building ages, amenities, and rental rates creates a healthy housing market for the community as a whole.
F. EXISTING LAND USE
The subject property is currently vacant. The project is located in a transitional neighborhood with highway commercial to the south, commercial and residential uses to the west, residential and pasture located to the north, and single family residential to the east.

G. ADJACENT ZONING AND LAND USE:
North  SAG-10  House and pasture located primarily in the 100-year floodplain
South  CB-2  Commercial and Highway 2
East  CB-2  Riverview Subdivision – single family residential
West  CB-2  commercial, two-family residential, and single family residential.

Source – Flathead County GIS
H. GROWTH POLICY DESIGNATION
As part of this application set, the applicants submitted a Neighborhood Plan application which amends the Growth Policy. If that is approved and the designation is Multi-Family, than the proposed plan will now be in conformance with the Growth Policy.

I. UTILITIES/SERVICES
The property is located inside the City limits of Columbia Falls.

- Water: Columbia Falls Municipal Water
- Sewer: Columbia Falls Municipal Sewer
- Fire Protection: Columbia Falls City Fire Department
- Police Protection: Columbia Falls City Police
- Electricity: Flathead Electric

J. LOT SIZE DETAILS
The site proposed for The Highline development is 13.831 acres in size. The property is currently made up of two platted lots. The applicant will be going through an amended...
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 and Columbia Falls Zoning Code Chapter 18.212, amendments to text or the official map. The following findings are made:

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

   As part of this application set, the applicants submitted a Neighborhood Plan application which amends the Growth Policy. If that is approved and the designation is Multi-Family, than the proposed plan will now be in conformance with the Growth Policy.

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

   The entrance to the property is less than 1,000 feet from Highway 2. As indicated in the traffic report prepared by Abelin Traffic Services June 2018, most of the traffic will take 3rd Ave E south out of the development and either turn left or right at Highway 2. Approximately 24 percent of the traffic generated by the project will head north to 9th ST E and up to Nucleus Avenue. The Traffic Impact Study provides Level of Service (LOS) analysis for all major intersections preconstruction and at buildout. What this study shows is at peak hours all intersections function at a LOS B. Post construction all of the intersections still function at an LOS B except the intersection at 3rd Ave E and Highway 2 drops to a LOS C in the peak PM hour but this is still a functioning intersection. As noted in the report, a LOS of C or better is considered acceptable for peak-hour conditions. The Traffic Impact Study recommends with the construction of Phase 2 of the project that separate left and right turn lanes be developed on 3rd Ave E southbound at the intersection with Highway 2. With this mitigation, the project should help the development function at acceptable levels.

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

   The project was reviewed by the Columbia Falls Fire Chief at site review and he is satisfied with the basic site plan. Items such as sprinkling and hose connections will be reviewed at the time of building plan review. The property has good access to City streets and the interior parking/driving lanes provides good access for emergency vehicles.
4. **Will the requested change promote the health and general welfare?**

The site is located outside of the 100-year floodplain, wildland urban interface or other hazards. The subject property is located within the City limits, connects to a City Streets and has access to municipal sewer and water services.

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

The application for this project provides a site plan which with the PUD ties this plan to any approval granted by the governing body. The applicants are proposing approximately 65% of the property as greenbelt/open space. The proposed open space exceeds any standard in the Subdivision regulations and that of the PUD standards.

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

With CRA-1 (Multi-Family) zoning, the development is subject to either CUP or PUD for approval of anything greater than a duplex. Buildings over 10,000 square feet are also subject to the Large Building Standards provided in Chapter 18.428 in the zoning code. Both the PUD and the Large Building Standards establish maximum requirements for lot coverage and minimum requirements for open space. This applicant is well below the lot coverage and greatly exceeds the open space requirements.

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

If the growth policy amendment is approved by the Board, then the City will have amended its long range plan to anticipate concentrations of 8 to 15 dwellings per acre on this property. The proposed zone change request for CRA-1 (Multi-Family) would be in agreement with the growth policy.

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

The property is located within 1,000-feet of a major arterial street (Highway 2). Bills Lane and 3rd Ave East provide the links to the Highway. According to the Traffic Impact Study (TIS) completed by Abelin Traffic Services June 2018, the City streets will function within acceptable levels. The TIS recommends an improvement at 3rd and Highway 2 with the construction of the second phase.

Sewer and water mains are located in Bills Lane and are available to the property. A condition of any development is that the City Public Works Department and DEQ approve the sewer, water and stormwater infrastructure prior to construction of the first phase.

The property will generate school aged children but as the project consists mostly of studio and one-bedroom units, the project will not generate as many school aged children as a project with mostly two and three bedroom units. The Columbia Falls School Superintendent was consulted by City Staff and he indicated that there should not be any significant impacts to the school district.

The project is within easy walking distance of three City Parks.
9. **Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?**

The subject property is relatively flat. The immediate neighbor to the south are commercial use, to the west are commercial and two family residential uses, to the north is agricultural, and to the east is single family residential. The single family residential use is screened from view of the subject property by a dense forested slope area and the Riverview neighborhood sit approximately forty feet above the multi-family site. According to the Phase 1 Environmental review of the property there were no known environmental hazards associated with the property.

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

The subject property is a transitional property between commercial uses and single family residential uses. The Growth Policy recommends that multi-family residential uses be used as the transitional land use between intensive commercial and the more sensitive single family residential. The proposed application set does give consideration to the suitability of the district

11. **Will the new zoning affect property values?**

As the property is isolated from the neighboring single family residential to the east and the other neighboring uses are commercial and two-unit residential, the proposed development should have no negative impact on the neighboring property values. To the contrary, the significant investment in this property should actually increase the value of neighboring properties.

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

As stated previously, the multi-family designation is proposed on lands that are transitional in nature. The growth policy and standard land use practice encourage and support multi-family uses as buffers between incompatible uses such as “general commercial” and “single family residential.” This is a land use pattern found around the City and other parts of the county.

**SUMMARY**

The map amendment request conforms to the Columbia Falls City Growth Policy and the findings as discussed above. The project will be fully served by Municipal services. The requested zoning designation is a buffer between neighboring uses.

**RECOMMENDATION**

Staff recommends that the Columbia Falls City-County Planning Board and Zoning Commission adopt Columbia Falls Planning Office Staff Report #CZC-18-01 as findings of fact and recommend approval of the requested zone change to the City Council.
Exhibit A

Legal Description
Lots 3 and 4 of Williams Estates, Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, MT
A report to the Columbia Falls City County Planning Board regarding a request for a Planned Unit Development overlay (PUD) on property zoned CRA-1.

BACKGROUND INFORMATION

A. PETITIONERS
Owner: John Vallings
Box 20, Site 5, BR2
Okotoks, AB T1S1A2 Canada

Applicant: Greenway Capital, LLC
601 National Suite 114
Springfield, MO 65802

B. PETITIONER’S TECHNICAL ASSISTANCE
Aaron Wallace
Montana Creative
158 Railway Street
Whitefish, MT 59937
(496)862-8152

C. LOCATION/DESCRIPTION
The property is located at 104 and 105 Bills Lane in Columbia Falls. The property is described as Lots 3 and 4 of Williams Estate in Section 16, T30N, R20W, P.M.M., Flathead County, MT.

D. REQUEST
The applicant is requesting a PUD to develop a multi-family apartment complex on 13.831 acres. The applicant proposes 207 units in six buildings. Each building is three stories in height and will consist of 12 studio units, 18 one bedroom units and 6 two-bedroom units per building. The applicants are showing approximately 65% of the property in greenbelt/open space which include recreation courts, playground and a frisbee golf course. Along with the PUD application, proceeding in order are a Growth Policy/Neighborhood Plan Amendment Application and Zone Change Application.

The Columbia Falls Zoning Ordinance requires Conditional Use Permits for multi-family development of three units or greater. As the PUD accomplishes the same review as a CUP with public notice, public hearings, and the review of the zoning criteria, and the PUD allows the applicant to request certain deviations in zoning standards, staff has determined the PUD as the best mechanism for the review of this particular project.

The proposed buildings are over 10,000 square feet in size and are therefore subject to the “Large Building” standards of the Zoning Code (Chapter 18.428). A portion of this staff report will provide an evaluation of the project for compliance with these standards. Should the project be approved by the governing body, all PUD and Large
Building standards will be reviewed again for compliance at the time of building permit submittal.

Zoning Deviations requested with the PUD:

**Height** – The CRA-1 zoning district has a maximum height requirement of 35-feet (Chapter 18.332.040.D). The requested deviation would allow the building to be 43-feet in height measured from the lowest adjacent grade to the peak of the roof.

**Parking** - The Columbia Falls Zoning Ordinance determines the amount of parking required for individual uses (Chapter 18.500). For multi-family residential the Code requires two parking spaces per unit regardless of the number of bedrooms. The applicants are requesting that because the majority of their development consists of studio and one bedroom units they propose the following:

<table>
<thead>
<tr>
<th>Type of Apartment</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio Apartment</td>
<td>1 space per</td>
</tr>
<tr>
<td>One-bedroom Apartment</td>
<td>1.5 spaces per</td>
</tr>
<tr>
<td>Two-bedroom Apartment</td>
<td>2 spaces per</td>
</tr>
</tbody>
</table>

Both deviations will be discussed further in this report.

The PUD overlay\(^1\) is intended to be a flexible tool that can be applied to an existing zone in order to encourage a more efficient use of land and public services by allowing, under certain circumstances, a more flexible means of land development than is otherwise generally allowed by the underlying zone. In order for a tract to be eligible for a PUD designation, it must contain a minimum of 2 acres. The PUD overlay allows deviations from the underlying standards of the zone (height, setback, density, parking, etc.) when it can be shown by the applicant that negative impacts have been addressed and the resulting design is equal to or superior to what would have been allowed under the existing zone.

**Phasing:**

The applicant proposes to develop the project in three phases. Phase 1 includes building 1 and 2, the clubhouse, and all associated infrastructure and amenities. Phase 2 includes buildings 3 and 4, all associated infrastructure, and associated amenities. Phase 3 includes Buildings 5 and 6, the remaining infrastructure, the remaining amenities.

Staff has reviewed the phasing plan and recommends approval of it with the following that will be included with the conditions of approval: 1. The improvements to Bills Lane will be completed with Phase 1. 2. The improvements recommended in the TIS, dedicated left hand turn lane at the intersection of 3rd Ave East and Highway 2, southbound, will occur with the construction of Phase 2.

**E. REASON FOR REQUEST**

The applicants develop multi-family residential projects in various parts of the country. They have identified a need for rental housing in the Flathead Valley. The cities of Kalispell and Whitefish have seen an upswing in the development of multi-
family housing in the last few years. Columbia Falls has lagged behind in this trend with the exception of some small condominium projects in the South Hilltop Homes area and the Nucleus Avenue downtown area. With these few exceptions, much of the multi-family developments in Columbia Falls are older. Having a diverse range of building ages, amenities, and rental rates creates a healthy housing market for the community as a whole.

F. EXISTING LAND USE
The subject property is currently vacant. The project is located in a transitional neighborhood with highway commercial to the south, commercial and residential uses to the west, residential and pasture located to the north, and single family residential to the east.

G. ADJACENT ZONING AND LAND USE:
North  SAG-10   House and pasture located primarily in the 100-year floodplain
South  CB-2    Commercial and Highway 2
East   CB-2    Riverview Subdivision – single family residential
West   CB-2    commercial, two-family residential, and single family residential.
H. GROWTH POLICY DESIGNATION
As part of this application set, the applicants submitted a Neighborhood Plan application which amends the Growth Policy. If that is approved and the designation is Multi-Family, than the proposed plan will now be in conformance with the Growth Policy.

I. UTILITIES/SERVICES
The property is located inside the City limits of Columbia Falls.

- Water: Columbia Falls Municipal Water
- Sewer: Columbia Falls Municipal Sewer
- Fire Protection: Columbia Falls City Fire Department
- Police Protection: Columbia Falls City Police
- Electricity: Flathead Electric
J. LOT SIZE DETAILS

The site proposed for The Highline development is 13.831 acres in size. The property is currently made up of two platted lots. The applicant will be going through an amended plat process to consolidate the lots. The CRA-1 zoning district has a minimum lot size of 7,500 square feet.

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, and Chapter 18.428, Large Building Standards of the Columbia Falls Area Zoning Ordinance. The following findings are made:

1. Conformity to the Large Building Criteria as required in Columbia Falls Zoning Code Section 18.428.

   1. Facades and Exterior Walls:
      A. The building is greater than 60-feet in length and the applicants have incorporated numerous recess and projections along the facade of the building in the front, rear and side to comply with these standards. The exception is the carport structure which could use a break in the rear wall plane.
      B. All four sides of the building have windows and architectural elements such as corbels, awnings, decks, doors, textural changes in siding materials, and multiple gables.
      C. The proposed building uses stone wainscot on the first floor, horizontal lap siding on the second and third floors and a vertical siding or shingled siding on the gable story building.

   2. Roofs and Parapets:
      A. The applicant chose “lodge” architectural motif with the gabled roof rather than a flat roof for the architectural interest it provides as opposed to a flat roofed structure that can have a more modern appearance. There will be no roof top units (RTU) on the gabled part of the building. Most of the mechanical will be housed inside the building and/or in the ceilings.
      B. There are no parapets.
      C. N/A - No parapets.
      D. The applicants are showing a two-foot overhang on the gabled roof, the minimum is three foot so this will have to be amended at the time a building permit application is submitted.
      E. The roof does not exceed the height of the supporting structure.
      F. The roof has two main gable planes as well as smaller gables at the ends of the building to help break up the roof line. The exception is the carport structure which could possibly elevate the roof or the pitch in one or two places along the 115 feet length.
      G. The applicant is requesting a deviation from the CRA-1 height standards of 35-feet. The applicant is requesting the maximum height of the apartment buildings be 43-feet as measured at the peak of the gable to the lowest adjacent grade. The applicant could lower the pitch of the roof but has requested the deviation for the architectural and visual benefit. The apartment project went through the Columbia Falls Site Review process with the City departments and Rick Hagen, Columbia Falls Fire Chief, reviewed the height deviation from a health and safety standpoint. As the apartments will be fully sprinkled, and the fire department has access to
the roof at the eaves, the Fire Department agreed with the eight foot height deviation. **Staff is recommending approval of the height deviation.**

3. **Entrance:**
   The buildings have a main entrance at each end of the building which accesses the stair well to get to the second and third floors. The main entrance is supposed to have a minimum of three elements (18.428.050.A§) but at present lacks any detail. The applicant will need to show compliance with this section prior to building permit approval.

4. **Materials and Color:**
   A. The exterior materials will consist of “hardi” plank (concrete based materials) simulating wood and shingle sides. The applicant is selecting the “hardi” products for the long term maintenance and factory finish. Cultured Stone is proposed for the wainscot. Roof materials have not yet been selected. (See color rendering in the application materials.)
   B. Origin of construction materials has not yet been selected but the applicant is encouraged to purchase locally sourced lumber.
   C. The color of the structure is earth tone browns reflecting that of the wood materials.
   D. The trim compliments the wall colors and is not bright.
   E. The applicant is not proposing any concrete block, tilt-up concrete, or smooth faced steel.

5. **Landscaping:**
   A. The site is 13.831 acres in size. Approximately 65% of the site is to be devoted to greenbelt/open space and recreation areas. The applicants are concentrating the development to the center of the 13 acres so that the forested areas around the perimeter of the development can be preserved and provide screen for the neighbor property owners as well as the future renters.
B. The applicant proposes 65% of the site as landscape area (native and cultivated) which exceeds the 15% requirement. The 65% also exceeds the 30% requirement of the PUD standards.

C. The site plan incorporates the existing features of the site and preserves all of the trees along the bank bordering the Riverview neighborhood as well as the trees along the northern border. The buildings are designed to have the same elevation in the back as in the front. There are small BBQ spaces to the rear of each building so that this space functions like a back yard. Presently we have a schematic landscaping plan that does not indicate the plant mix or irrigation system. Staff will recommend a condition of approval that requires City Manager approval of the detailed landscape plan prior to issuance of the occupancy permit. Staff can work with the applicant and the time of year to insure that the approved landscaping plan is implemented through a developer’s agreement.

D. The regulations require that large buildings on sites of less than 30 acres provide a 10-foot landscape buffer around the perimeter of the site. The intent of this standard is to provide some buffering and mitigate some of the shadowing effect on adjacent uses. Building C is the closest to a property line and it is 40-feet from the north property line. Buildings C and F are 50 feet from the closest boundary while building A is 90 feet, Building E is 120 feet and Building D is more than 130-feet from the closest boundary.

E. The conceptual parking layout appears to comply with the landscaping and spacing requirements of the code.

6. Parking Lot:
   A. The conceptual plan shows curbed planting beds and no row of parking in excess of 30 spaces.
   B. Details of the landscaping and planting beds will be reviewed through a detailed landscape plan that will be conditioned as part of this PUD.
   C. This appears to be met and will be reviewed in detail with the formal landscape plan.
   D. The applicant does not propose any parking isles greater than 30 spaces in length as required by code.
   E. The applicant has segmented the parking area so that the parking lot is separated by landscape islands, common areas, and roads.
   F. No traffic calming (such as speed bumps or round-about) is proposed within the project. See discussion later in the report for an off-site improvement to help with traffic mitigation.
   G. As noted at the beginning of this report, the applicant is requesting a deviation from the parking standards. The Columbia Falls Zoning Ordinance determines the amount of parking required for individual uses.

Forest of the southeast side of the property most of which will be preserved.
(Chapter 18.500). For multi-family building such as apartments the code requires two spaces per unit regardless of the number of rooms. The applicant is proposing the followings:

<table>
<thead>
<tr>
<th>Type of Apartment</th>
<th>Spaces per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio Apartment</td>
<td>1 space per</td>
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<td>1.5 spaces per</td>
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</tr>
</tbody>
</table>

The applicants make the argument that the development is made up mostly of studio and one-bedroom units. They conclude that studio’s will almost always have just one person occupancy. The one bedroom units will also cater to singles or a single parent of one but there is also the likelihood of a couple renting the one bedroom units which is why they propose 1.5 spaces for the one-bedroom units. The two bedroom units comply with the existing code.

The applicants are proposing 306 parking spaces (72 spaces for 72 studios + 162 spaces for the 108 one-bedroom units + 72 spaces for the 36 two-bedroom units).

The deviation requested by the applicant is not out of line with what we have seen of late around the country. The cities of Kalispell and Whitefish have both recently reduced parking for studio and one-bedroom apartments to reduce impervious surfaces and encourage carpool, buses, or walk/bike.

Staff supports the parking deviation.

7. **Snow Storage.**
   A snow storage plan will be required for review prior to building permit approval. With 65% of the site in open space, there should be more than enough room for snow storage on the site.

8. **Lighting**
   A. At this point in time we do not have a sign package or lighting information for the apartments which is typical for projects at this stage. Not many developers would go to the expense to design all of the building details when they don't know if they have an approval to construct the building. The City of Columbia Falls requires all applicants to fill out a sign application and receive a sign permit from the City prior to erecting any signage. The City staff will review the sign permit application for compliance with the standards of the Columbia Falls Zoning Regulations prior to issuing a sign permit.
   B. The sign package will be reviewed with the building plans for compliance with full shields and/or opaque shields for direct lights to walks, entrances and parking areas.
   C. As the lighting is close to the residentially zoned property to the south, maximum height of the parking lot lights will be 18 feet.

9. **Pedestrian Circulation**
   A. The applicant is proposing a concrete walkway around the parking lots and to the building entrances. This walkway system needs to connect with the new eight foot bike and pedestrian path that will be constructed on the south side of Bill’s Lane out to 3rd Street E as required by the City.
10. **Community Space**  
   A. The applicant is providing ample community space in the form of ball courts, Frisbee golf course, playground, and club house. In addition there are BBQ areas for each building and a fire pit in the central common space.

11. **Trash and receiving**  
   A. The applicant’s site plan is showing a trash enclosure at the end of each covered parking lot area. At this conceptual stage there is no detail to review the enclosure and whether or not it complies with the City Standards. As with the landscaping and lighting, the details of the enclosures will be reviewed at the building permit level.  
   B. The developer is not proposing a loading dock.  
   C. No outdoor storage is proposed for the apartment use.

2. **Does the requested zone comply with the Growth Policy?**

   As part of this application set, the applicants submitted a Neighborhood Plan application which amends the Growth Policy. If that is approved and the designation is Multi-Family, than the proposed plan will now be in conformance with the Growth Policy

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

   The entrance to the property is less than 1,000 feet from Highway 2. As indicated in the traffic report prepared by Abelin Traffic Services June 2018, most of the traffic takes 3rd Ave E south out of the development and either turns left or right at Highway 2. Approximately 24 percent of the traffic generated by the project will head north to 9th St E and up to Nucleus Avenue. The Traffic Impact Study (TIS) provides Level of Service (LOS) analysis for all major intersections for preconstruction and at buildout. This study shows that all intersections function at a LOS B. The intersection at 3rd Ave E and Highway 2 drops to a LOS C in the peak PM hour post construction but is still a functioning intersection. A LOS C or better is considered acceptable for peak-hour conditions. The TIS recommends that with the construction of Phase 2 of the project, separate left and right turn lanes be developed on 3rd Ave E southbound at the intersection with Highway 2. With that mitigation, the project should help the development function at acceptable levels.

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

   The project was reviewed by the Columbia Falls Fire Chief at site review and he is satisfied with the basic site plan. Items such as sprinkling and hose connections will be reviewed at the time of building plan review. The property has good access to City streets and the interior parking/driving lanes provides good access for emergency vehicles.
5. **Will the requested change promote the health and general welfare?**

The site is located outside of the 100-year floodplain, wildland urban interface or other hazards. The subject property is located within the City limits, connects to a City Streets and has access to municipal sewer and water services.

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

The application for this project provides a site plan which with the PUD ties this plan to any approval granted by the governing body. The applicants are proposing approximately 65% of the property as greenbelt/open space. As this is a PUD the open space is set and can't be reduced.

7. **Will the requested zone prevent the overcrowding of land?**

The property is zoned CRA-1 (Multi-Family) and as such is subject to either CUP or PUD for approval of anything greater than a duplex. Buildings over 10,000 square feet are also subject to the Large Building standards provided in the zoning ordinance. Both the PUD and the Large Building standards establish maximum requirements for lot coverage and minimum requirements for open space. This application is well below the lot coverage and greatly exceeds the open space requirements.

8. **Will the requested zone avoid undue concentration of people?**

If the growth policy amendment is approved by the Board, then the City will have amended its long range plan to anticipate concentrations of 8 to 15 dwellings per acre on this property. The proposed PUD requests a density of 15 units per acre which is within the parameters of the Growth Policy.

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

The property is located within 1,000 feet of a major arterial street (Highway 2). Bills Lane and 3rd Ave East provide the links to the Highway. According to the TIS the City streets will function within acceptable levels. The TIS recommends an improvement at 3rd and Highway 2 with the construction of the second phase.

Sewer and water mains are located in Bills Lane and are available to the property. A condition of the PUD is that Public Works and DEQ approve the sewer, water and stormwater infrastructure prior to construction of the first phase.

The property will generate school aged children but as the project consists mostly of studio and one-bedroom units, the project will not generate as many school aged children as a project with mostly two and three bedroom units. The Columbia Falls School Superintendent was consulted by City Staff and he indicated that there should not be any significant impacts to the school district.

The project is within easy walking distance of three City Parks.
10. **Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?**

The subject property is relatively flat. The immediate neighbors to the south are commercial use, to the west are commercial and two family residential uses, to the north is agricultural, and to the east is single family residential. The single family residential use is screened from view of the subject property by a dense forested slope area and the Riverview neighborhood sits approximately forty feet above the multi-family site. According to the Phase 1 Environmental review of the property there were no known environmental hazards associated with the property.

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

The subject property is a transitional property between commercial uses and single family residential uses. The Growth Policy recommends that multi-family residential uses be used as the transitional land use between intensive commercial and the more sensitive single family residential. The proposed application set does give consideration to the suitability of the district.

12. **Will the new zoning affect property values?**

As the property is isolated from the neighboring single family residential to the east and the other neighboring uses are commercial and two-unit residential, the proposed development should have no negative impact on the neighboring property values. To the contrary, the significant investment in this property should actually increase the value of neighboring properties.

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

As stated previously, the multi-family designation is proposed on lands that are transitional in nature. The growth policy and standard land use practice encourage and support multi-family uses as buffers between incompatible uses such as “general commercial” and “single family residential”. This is a land use pattern found around the City and other parts of the county.

**SUMMARY**

The PUD request conforms to the Columbia Falls City Growth Policy, and complies with “Large Building” standards, and the findings as discussed above. The project will be fully served by Municipal services. The requested PUD is a buffer between neighboring uses.
RECOMMENDATION

Staff recommends that the Columbia Falls City-County Planning Board and Zoning Commission adopt Columbia Falls Planning Office Staff Report #CPUD-18-05 as findings of fact and recommend approval of the requested zones subject to the following conditions:

1. The Highline PUD will allow the following deviations:
   a. Building Height – The maximum building height is 43-feet at the top of the gable.
   b. Parking – The applicant will provide 1 off-street parking space per studio unit; 1.5 off-street parking spaces per one-bedroom unit; and 2 off street parking spaces per two-bedroom unit.

2. The project shall be built in substantial compliance with the submitted “The Highline” application and all accompanying drawings, as prepared by Montana Creative and TD&H Engineering. This includes the recreational amenities and club house.

3. Landscaping and landscaping features will generally follow the PUD plan with the understanding that the PUD plan is not a detailed Landscaping Plan. The applicants shall provide the City Manager a detailed Landscape plan, in compliance with the landscape provisions of the “Large Building Standards.” The landscape plan shall be approved and the landscaping installed prior to the issuance of an occupancy permit. If, due to weather, the landscaping cannot be completed prior to occupancy, the applicant may enter into a developer’s agreement with the City of Columbia Falls and provide a security (bond or letter of credit) in the amount of 125% of the landscape improvements. The security amount will be determined by actual bid or licensed engineer. The developer's agreement will not be for longer than six months.

4. The developer shall provide plans for the building entrances compliant with 18.428.050.A of the Columbia Falls zoning regulations.

5. The proposed carports shall comply with the large building design standards as they are part of a larger project subject to said standards.

6. Refuse enclosures shall comply with the Columbia Falls Large Building Standards.

7. The developer of the multi-family development shall install an eight foot bike/pedestrian path on the south side of Bills Lane. The developer shall connect the interior pedestrian sidewalks with the new pedestrian path on Bills Lane. Improvements within the City Right-of-Way shall be approved by the Public Works Director. This work shall be done in Phase 1.

8. The applicant shall secure approval from the City of Columbia Falls Public Works Department and the Montana Department of Transportation for adding a turn lane on 3rd Avenue East, southbound, and the intersection of Highway 2. This improvement shall be installed with Phase 2

9. The City staff will review the sign permit application for compliance with the standards of the Columbia Falls Zoning Regulations prior to issuing a sign permit.

10. As specified in the PUD application, the project shall have on-site management to insure compliance with rental rules.

11. No individual BBQ’s are allowed in the development. This shall be part of the rental rules.
12. The light details will be reviewed at the building permit stage to insure that they comply with the 18-foot height standards and that all lighting has full cut off and/or opaque shields.

13. The applicants shall install a minimum four foot fence along the north boundary of the property to keep future residents from harassing any stock being raised on the property to the north.

14. The applicant shall secure approval of water, sewer, and stormwater extension from the City of Columbia Falls and the Montana Department of Environmental Quality. All private drives/driveways shall be constructed to City of Columbia Falls Standards.

15. Approximately 65% of the subject property shall be kept in greenbelt/common recreational area. The trees along the southern and eastern bank shall be preserved in open space. Trees and brush along the north property line shall be preserved common area.

16. The phase plan as proposed with the PUD application is acceptable.

17. 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. The PUD is valid for a period of three years for completion of the first phase. The applicant will have up to two years for each successive phase. Extensions of additional time are at the discretion of the City Council.
Exhibit A

**Legal Description**
Lots 3 and 4 of Williams Estates, Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, MT