

**KALISPELL CITY PLANNING BOARD & ZONING COMMISSION  
MINUTES OF REGULAR MEETING  
January 14, 2020**

<b>CALL TO ORDER AND ROLL CALL</b>	The regular meeting of the Kalispell City Planning Board and Zoning Commission was called to order at 6:00 p.m. Board members present were Chad Graham, Kurt Vomfell, Joshua Borgardt, Rory Young, Doug Kauffman, Ronalee Skees and George Giavasis. Jarod Nygren represented the Kalispell Planning Department.
<b>APPROVAL OF MINUTES</b>	Skees moved and Vomfell seconded a motion to approve the minutes of the December 10, 2019 meeting of the Kalispell City Planning Board and Zoning Commission.
<b>VOTE BY ACCLAMATION</b>	The motion passed unanimously on a vote of acclamation.
<b>PUBLIC COMMENT – ITEMS NOT ON THE AGENDA</b>	None.
<b>BOARD MEMBER SEATED</b>	Rory Young recused himself; he is the representative for Spartan Holdings, LLC.
<b>KPUD-19-01 &amp; KPP-19-02 STILLWATER BEND PHASE 1</b>	File #KPUD-19-01 & #KPP-19-02 – Spartan Holdings, LLC has submitted PUD and major preliminary plat applications on 56 acres of land within the B-2/PUD and RA-2/PUD Zones. Phase 1 will consist of 15 commercial lots along with the necessary right-of-way (including Rose Crossing extension) needed to access each lot, sewer and water extensions and open space buffers adjacent the highway and river. The subject property is located at 2890 Highway 93 North, generally bound by the Stillwater River on the west and south, U.S. 93 North on the east and Northern Pines Golf Course and Falkor Defense on the north.
<b>STAFF REPORT</b>	<p>Jarod Nygren representing the Kalispell Planning Department reviewed Staff Report # KPUD-19-01 &amp; #KPP-19-02.</p> <p>Nygren presented the project location, surrounding land uses, existing zoning, proposed zoning, City services and Growth Policy. Nygren pointed out the deviation requests including the river setback and highway buffer in detail. Staff noted that an applicant could request a deviation of the river setback provided scientific evidence warrants. In this case the applicant has submitted a Geotech report and there is a condition requiring riparian area restoration. Regarding the highway buffer they are requesting in order to provide a new local street within their development that mirrors the east side of the highway. It is not possible to construct a road with the 100-foot setback and river setback. In order to mitigate the reduction, staff has proposed conditions for limited signage, limited height, and architectural design parameters. Staff noted that the applicant had presented comments regarding a number of the proposed conditions. Staff noted that the applicants request to strike condition #13 would be a good decision because the subdivision regulations do not require what the condition is asking for because the right-of-way did not connect to an existing street or primary access to any lots. The right-of-way would be improved with Phase 2 of</p>

	<p>the development.</p> <p>Staff recommends that the Kalispell City Planning Board and Zoning Commission adopt Staff Report #KPUD-19-01 as findings of fact and recommend to the Kalispell City Council that the PUD for Stillwater Bend Phase be approved subject to the conditions listed in the staff report.</p> <p>Staff recommends that the Kalispell City Planning Board and Zoning Commission adopt staff report #KPP-19-02 as findings of fact and recommend to the Kalispell City Council that the preliminary plat for Stillwater Bend Phase 1 be approved subject to the conditions listed in the staff report.</p>
<p><b>BOARD DISCUSSION</b></p>	<p>Kauffman asked why the applicant did not include the extension of the roadway that is going to be platted as a right of way into Phase 2. Nygren advised staff would like this right of way to be platted in this first phase, because, for example, if the property in the north west corner behind the golf course were to sell, the owners would need to have a way to get to their property.</p> <p>Giavasis inquired as to why only 27 acres was used to calculate the buffer instead of 56 acres and the reason for the reduction from 100-foot to 50-foot. Giavasis also expressed concerns with reducing the highway buffer which had just recently been passed by the Planning Board and Council. Nygren explained that this is a unique piece of property and he used regulations which state that you can only provide the set back to the tract in which it is located, in this case, there are 2 tracts of land, Phase 1 is located within a tract of land that is 27 acres, not the entire 56 acres. The reason for the reduction is that the developer is trying to get a required 60-foot right of way into the development and with the 100-foot highway setback and river setback that would be virtually impossible. Staff pointed out that the entrance corridor regulations do allow for frontage roads within the setback, which this road acts as. Due to the requested reduction staff is recommending more stringent regulations in regard to height and signage to mitigate the impacts of the development and meet the intent of the corridor standards.</p> <p>Graham inquired about some of the changes in conditions that the applicant is requesting such as using impervious surfaces (condition No. 10) rather than concrete and adjusting the maximum building height from 35-foot to 45-foot along the west side of US 93 (Condition No. 8). Nygren explained that he didn't have an issue with changing the language to impervious, as it gives the ability for the developer to provide additional surfaces (brink, pavers, etc.). Common area along highway would still need to be concrete. As for the building height increase to 45-feet, the west side of US 93 is 10 feet below the highway so the height restriction would keep the buildings more in line with surrounding buildings heights along the highway corridor.</p>
<p><b>PUBLIC HEARING</b></p>	<p>Rory Young – Jackola Engineering – representative for Spartan Holdings, LLC – offered to answer any questions and briefly mentioned the changes in conditions that the board and staff had just discussed.</p>

<b>MOTION - KPUD-19-01</b>	Vomfell moved and Skees seconded a motion that the Kalispell City Planning Board and Zoning Commission adopt staff report #KPUD-19-01 as findings of fact and recommend to the Kalispell City Council that the PUD for Stillwater Bend Phase be approved subject to the conditions listed in the staff report.
<b>BOARD DISCUSSION</b>	None.
<b>MOTION – AMEND CONDITION #4</b>	Kauffman moved and Giavasis seconded a motion to amend condition #4 to state: As part of the engineering review process, the City of Kalispell shall have the option to submit the geotechnical analysis to a third party for review.
<b>BOARD DISCUSSION</b>	None.
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.
<b>MOTION – STRIKE CONDITION #13</b>	Graham moved and Skees seconded a motion to strike condition #13 from the staff report.
<b>BOARD DISCUSSION</b>	None.
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.
<b>MOTION – AMEND CONDITION #10</b>	Kauffman moved and Giavasis seconded a motion to amend condition #10 to state: An 8-foot impervious path shall be constructed within the common area connecting the unnamed north/south City street to Phase 2 to the west.
<b>BOARD DISCUSSION</b>	None.
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.
<b>MOTION – AMEND CONDITION #8</b>	Skees moved and Vomfell seconded a motion to amend condition #8 to state: Buildings on lot 1,5,9,12,14 and 15 shall be limited to 45-feet in height.
<b>BOARD DISCUSSION</b>	None.
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.
<b>MOTION AMEND CONDITION #6</b>	Vomfell moved and Kauffman seconded a motion to amend condition #6 to state: Free standing signage within the common area adjacent to the highway shall be limited to one monument sign as defined in Section 27.20.29(1)(b). The sign shall be limited to 22-feet in height and 90 square feet per face. The sign shall also function as a common monument sign for the development.
<b>BOARD DISCUSSION</b>	None.
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.

<b>ORIGINAL MOTION-KPUD-19-01</b>	Motion passed unanimously on a roll call vote.
<b>MOTION – KPP-19-02 PRELIMINARY PLAT</b>	Vomfell moved and Skees seconded a motion that the Kalispell City Planning Board and Zoning Commission adopt staff report #KPP-19-02 as findings of fact and recommend to the Kalispell City Council that the preliminary plat for Stillwater Bend Phase 1 be approved subject to the conditions, as amended.
<b>BOARD DISCUSSION</b>	None.
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.
<b>OLD BUSINESS</b>	Nygren updated the board on the Pedestrian Plan, will probably come back to the board for a work session in March.
<b>NEW BUSINESS</b>	There will be a February Planning Board meeting and the position for Senior Planner is currently open.
<b>ADJOURNMENT</b>	The meeting adjourned at approximately 7:04pm.
<b>NEXT MEETING</b>	The next meeting of the Kalispell Planning Board will be on Tuesday, February 11, 2020 at 6:00 p.m. and is located in the Kalispell City Council Chambers, 201 1 <sup>st</sup> Ave East.

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Chad Graham  
President

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Kari Hernandez  
Recording Secretary

APPROVED as submitted/amended: