

**CHRYSALIS GROUP HOME
REQUEST FOR A CONDITIONAL USE PERMIT
KALISPELL PLANNING DEPARTMENT
STAFF REPORT #KCU-20-03
JUNE 3, 2020**

This is a report to the Kalispell City Planning Board and Kalispell City Council regarding a request for a conditional use permit for a youth group home housing eight (8) or fewer girls. A public hearing on this matter has been scheduled before the Planning Board for June 9, 2020, beginning at 6:00 PM, in the Kalispell City Council Chambers. The Planning Board will forward a recommendation to the Kalispell City Council for final action.

A. BACKGROUND INFORMATION:

This application is a request from Chrysalis Group Home for a conditional use permit to operate a youth group home for eight (8) or fewer girls (ages 13-18) as transitional housing while attending local schools and pursuing employment opportunities. It is a part of Chrysalis Schools of Montana, based in Eureka, Montana, and operates under a State of Montana Department of Public Health and Human Services license for a private alternative adolescent residential or outdoor program. The most common diagnosis for a Chrysalis student is anxiety and/or depression.

At the point that the girls are placed in the transitional home, they are well advanced in what is typically a 12-18 month process that they have begun in the main Eureka facility. Depending upon the girl's specific age, they are ready to step back into high school, employment, or go on to college. Their time in the home is highly structured and includes chores, curfews, and off-site weekend activities such as hiking, biking, and skiing. The home will be supervised by trained staff, including overnight supervision by awake staff.

Under federal and state law, group homes of this size have certain protections. The conditional use permit cannot be denied, although reasonable conditions may be placed on the facility consistent with conditions that might be placed on single-family homes.

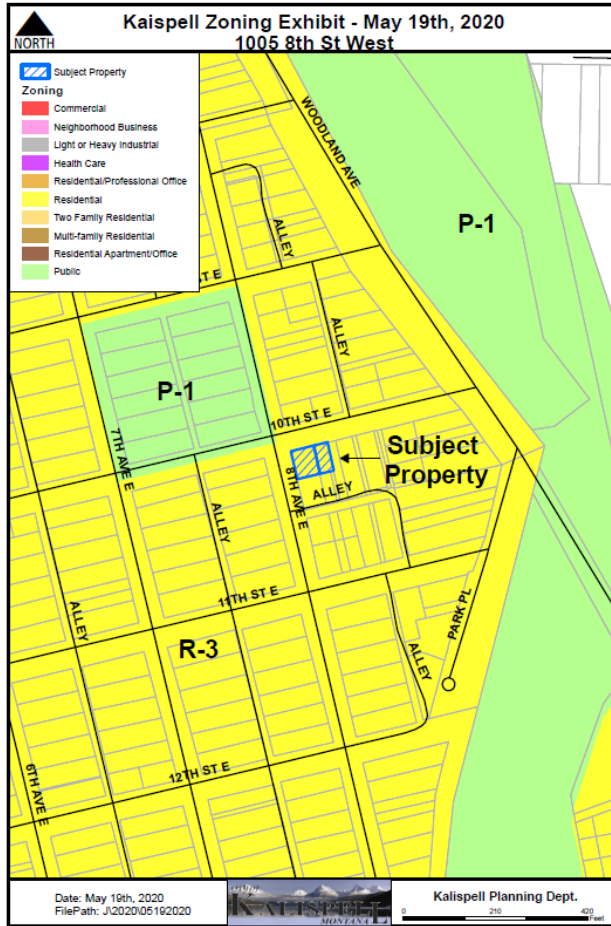
A: Applicant: Chrysalis Schools of Montana
77 Trails End Rd
Eureka, MT 59917

B: Location: The subject property is located at 1005 8th Avenue East. The property can be legally described as the North ½ of Lot 11 and the West 30 feet of the North ½ of Lot 12, Block 256, Kalispell Addition 8, as shown on the map or plat thereof on file and of record in the office of the Clerk and Recorder, Flathead County, Montana.



C: Existing Land Use and Zoning: The subject property is located within an R-3 (Residential) Zoning District and is developed with a single-family residence. The R-3 zone is intended for urban residential development with access to community and neighborhood facilities as well as public utilities.





D. Size:

The subject property is approximately 5600 square feet.

E: Adjacent Zoning:

West: R-3
 North: R-3/P-1
 East: R-3
 South: R-3

F: Adjacent Land Uses:

West: Single-family
North: Single-family/city park
East: Single-family
South: Single-family

G: General Land Use Character:

The surrounding neighborhood is an established single-family area with a public park located across the street from the subject property.

H: Relation to the Growth Policy: The Kalispell Growth Policy Future Land Use Map designates the subject property as Urban Residential. The Urban Residential land use category contemplates areas with primarily residential uses on typical sized city lots, and supports single-family, duplex and multi-family uses. The City of Kalispell Growth Policy Plan-It 2035, Chapter 4A on Housing, encourages a variety of residential development that provides housing for all sectors and income levels within the community. City services including sewer, water and streets are in the vicinity and available to the subject property.

I: Utilities/Services:

- Sewer service: City of Kalispell
- Water service: City of Kalispell
- Solid Waste: City of Kalispell
- Electric: Flathead Electric Cooperative
- Phone: CenturyLink
- Police: City of Kalispell
- Fire: City of Kalispell
- Schools: School District #5 – Hedges/Flathead High School

B. EVALUATION OF THE REQUEST

This application has been reviewed in accordance with the conditional use review criteria in the Kalispell Zoning Ordinance. In general, a conditional use permit is subject to the following criteria, although as a group home with eight (8) or fewer residents, federal and state law, provide certain protections. The conditional use permit cannot be denied, although reasonable conditions may be placed on the facility consistent with conditions that might be placed on single-family homes.

1. Site Suitability:

- a. Adequate Useable Space: The subject property is approximately 5600 square feet and is already developed with a single-family residence.
- b. Height, bulk and location of the building: The existing single-family residence is a single-story structure with a basement (1368 sq ft per floor) and an attached garage.
- c. Adequate Access: The property sits at the corner of 8th Avenue East and 10th Street East and has adequate access to city streets.
- d. Environmental Constraints: There are no known environmental constraints, such as steep slopes, streams, floodplains, or wetlands on the property, which could affect the proposed use.

2. Appropriate Design:

- a. Parking Scheme/Loading Areas: The existing garage and driveway provide sufficient parking to meet the minimum two (2) parking spaces required under zoning.
- b. Lighting: Chapter 27.26 of the Kalispell Zoning Ordinance sets standards for all outdoor lighting on commercial or residential structures. Any exterior lighting which may be installed would be required to meet those standards.
- c. Traffic Circulation: The site is served by a residential driveway off of a city street.
- d. Open Space: The property has a front and back yard with a lawn.
- e. Fencing/Screening/Landscaping: The yard contains a grass lawn. A portion of the back yard is fenced.
- f. Signage: There is no signage proposed at this time, and any signage in the future would need to comply with sign regulations for the R-3 zone.
- g. Interior Layout of Home: There has been recent work done in the basement of the home without a permit. Staff from the Kalispell Building Department inspected the property along with Planning Staff. There are several items that were noted as part of the inspection that the owner and applicant have agreed to correct, primarily the size

of egress windows and electrical work. They will obtain a building permit and need to complete the corrections prior to any occupancy.

3. Availability of Public Services/Facilities:

- a. Police: Police protection will be provided by the Kalispell Police Department. No unusual impacts or needs are anticipated from the project.
- b. Fire Protection: Fire protection will be provided by the Kalispell Fire Department. No unusual impacts or needs beyond a single-family residence are expected. Station 61 is approximately 0.6 miles from the subject property giving good response time.
- c. Water: City water is available and would serve the property with an existing main.
- d. Sewer: Sewer service will be provided by the City with an existing main.
- e. Storm Water Drainage: There are no special storm drainage requirements relating to the site.
- f. Solid Waste: Solid waste pick-up will be provided by the City.
- g. Streets: The property is on the corner of 8th Avenue East and 10th Street East, which provides access to the greater City of Kalispell circulation system.
- h. Sidewalks: There are no sidewalks adjacent to the property or in the general vicinity. New sidewalks are not required in conjunction with a single-family or group home use absent a new subdivision being developed.
- i. Schools: This site is within the boundaries of School District #5. The group home would house girls ages 13-18 that would attend local schools, most likely Flathead High School, unless they are focused on employment or FVCC Running Start.
- j. Parks and Recreation: While there are no parkland requirements associated with this use, the property has a yard with recreational value and is across the street from Thompson Park, which is a city park.

4. Neighborhood impacts:

- a. Traffic: The property accesses existing public streets. Any impacts would be minimal and would be generally consistent with residential patterns in the area. The only vehicle in use would belong to a full-time staff member and the girls would not have cars.
- b. Noise and Vibration: The property is already developed as a single-family residence and the proposed use as a group home for eight or fewer supervised girls would be consistent with that type of use.

- c. Dust, Glare, and Heat: The use of the property as a group home would not generate any unreasonable dust, glare, and heat.
 - d. Smoke, Fumes, Gas, or Odors: The use will not create additional smoke, fumes, gas and odors.
 - e. Hours of Operation: As the property is proposed for residential use, there will be no specific hours of operation outside of typical residential functions. The operation of the group home incorporates supervision of the girls, including overnight.
5. **Consideration of historical use patterns and recent changes**: The area is an established, primarily single-family neighborhood in the east side of Kalispell. There have not been any recent changes and it is expected that the historical use of the neighborhood as residential will continue.
 6. **Effects on property values**: No significant negative impacts on property values are anticipated as a result of the requested conditional use of the property.
 7. **Public comment**: No comments have been received by staff.

RECOMMENDATION

The staff recommends that the Kalispell Planning Board adopt staff report #KCU-20-03 as findings of fact and recommend to the Kalispell City Council that the conditional use permit be approved subject to the following conditions:

CONDITIONS OF APPROVAL

1. That commencement of the approved activity must begin within 18 months from the date of authorization or that a continuous good faith effort is made to bring the project to completion.
2. That the development of the site shall be in substantial conformance with the submitted application.
3. Prior to occupancy, the applicant shall obtain a building permit and pass all required inspections from the City of Kalispell Building Department for the recent remodeling of the home. Items to be addressed include, but are not limited to, egress windows and electrical code requirements.
4. In order to be classified as an allowed use within the R-3 zone, the basement improvements shall be modified and the owner shall sign a stipulated agreement limiting the use to single-family (including a group home for eight or fewer). The agreement shall be recorded with recording costs to be paid by the applicant prior to occupancy.
5. All required licensing, inspections, and approvals shall be obtained/maintained from the appropriate state agency.