

**KALISPELL CITY PLANNING BOARD & ZONING COMMISSION  
MINUTES OF REGULAR MEETING  
JUNE 8, 2021**

<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 Doug Kauffman (acting President), Rory Young, Joshua Borgardt, George Giavasis, Kurt Vomfell and Ronalee Skees. Chad Graham was absent. PJ Sorensen, Jarod Nygren and Rachel Ezell represented the Kalispell Planning Department. Keith Haskins represented the Kalispell Public Works Department.
<b>APPROVAL OF MINUTES</b>	Giavasis moved and Skees seconded a motion to approve the minutes of the April 13, 2021, 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>HEAR THE PUBLIC</b>	None.
<b>KA-21-02 – PONDEROSA VET ANNEXATION</b>	A request from Katherine Gates (Mission Impawsible, LLC) for annexation and initial zoning of B-1 (Neighborhood Business) for property located at 100 Ponderosa Lane (Ponderosa Veterinary Hospital), containing approximately 1.48 acres. The request is based on a desire to connect to city sanitary sewer service.
<b>STAFF REPORT</b>	PJ Sorensen representing the Kalispell Planning Department reviewed Staff Report #KA-21-02. Staff recommends that the Kalispell Planning Board adopt staff report #KA-21-02 as findings of fact and recommend to the Kalispell City Council that the property be annexed and the zoning for the entire property be city B-1 (Neighborhood Business).
<b>BOARD DISCUSSION</b>	None
<b>PUBLIC HEARING</b>	None
<b>MOTION</b>	Vomfell moved and Skees seconded a motion that the Kalispell City Planning Board and Zoning Commission adopt staff report #KA-21-02 as findings of fact and recommend to the Kalispell City Council that the property be annexed and the zoning for the entire property be city B-1 (Neighborhood Business).
<b>BOARD DISCUSSION</b>	None
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.
<b>KCU-21-03 – THE RITZ BAR &amp; SALON CUP</b>	File #KCU-21-03 – A request from Tristelle Vu (The Ritz Bar & Salon) for a conditional use permit to allow an accessory casino within the B-4 (Central Business) zone. The property contains an existing bar and will be adding a nail salon in addition to the proposed accessory casino space. The property is located at 110 & 116 Main Street.

<p><b>STAFF REPORT</b></p>	<p>PJ Sorensen representing the Kalispell Planning Department reviewed Staff Report # KCU-21-03. Staff recommends that the Kalispell City Planning Board and Zoning Commission adopt Staff Report #KCU-21-03 as findings of fact and recommend to the Kalispell City Council that the conditional use permit be approved subject to the conditions listed in the staff report.</p>
<p><b>BOARD DISCUSSION</b></p>	<p>Giavasis asked if the CUP would be tied to the property or just the business. Sorenson explained that any kind of zoning entitlements run with the land as long as what they are doing is consistent with what was approved. Vomfell and Young asked about façade improvements and signage requirements. Sorenson advised both will be required to go through the architectural review process.</p>
<p><b>PUBLIC HEARING</b></p>	<p>Michael Lawlor – PO Box 728, Missoula – attorney for applicant, offered to answer questions about how the liquor license ties in with the accessory casino. Tim Guenzler – 300 Lee Rd. – Owner of Progressive Gaming, is working with the applicants to set up gaming machines. Offered to answer questions. Melissa Quast – 1520 Us Hwy 2 West – concerned with layout of the business and the machines being in the front of the building and operating hours. Dia Sullivan – PO Box 233, Whitefish – architect for the applicant, explained that the layout they designed works best with the existing layout. Darcy Lard – 500 Main St – downtown business owner – is in favor of the bar and salon. Derek Price – 459 Mountain Vista Way – patron of applicants existing business, Nailtopia, and is in favor of the bar and salon.</p>
<p><b>MOTION</b></p>	<p>Vomfell moved and Young seconded a motion that the Kalispell City Planning Board and Zoning Commission adopt Staff Report #KCU-21-03 as findings of fact and recommend to the Kalispell City Council that the conditional use permit be approved subject to the conditions listed in the staff report.</p>
<p><b>BOARD DISCUSSION</b></p>	<p>Givasis is opposed to the CUP being tied to the property and has concerns with the 20% square footage requirement. Vomfell does not feel we need another casino in the city, and it is unfortunate that a liquor license must be tied to gaming to afford it. Young and Borgardt feel it is an appropriate use. Nygren noted that it's a good thing that the liquor license will be staying in the downtown area.</p>
<p><b>ROLL CALL</b></p>	<p>Motion passed 4-2 on a roll call vote. Vomfell and Giavasis are opposed to the conditional use permit.</p>
<p><b>BOARD MEMBER SEATED</b></p>	<p>Kauffman recused himself and asked Young to chair because he is a representative for Layne Massie (Edge, LLC).</p>
<p><b>KCU-21-04 – EDGE APARTMENTS CUP</b></p>	<p>A request from Layne Massie (Edge, LLC) for a conditional use permit to allow a multi-family residential development for property located at</p>

	2015 & 2105 Third Avenue East, containing approximately 2.04 acres. The development (Third Avenue East Apartments) would include 48 residential units, parking, and recreational amenities.
<b>STAFF REPORT</b>	PJ Sorensen representing the Kalispell Planning Department reviewed Staff Report # KCU-21-04. Staff recommends that the Kalispell City Planning Board and Zoning Commission adopt Staff Report #KCU-21-04 and recommend to the Kalispell City Council that the conditional use permit be approved subject to the conditions listed in the staff report.
<b>BOARD DISCUSSION</b>	Vomfell asked about Condition # 16 and the why the number of units may need to be reduced. Sorenson advised that since the B-2 zone does not have density limits changes may need to be made based on design requirements like parking, trash enclosures, storm drainage, etc.
<b>PUBLIC HEARING</b>	Carol Thill – 2141 3 <sup>rd</sup> Ave E – Owner of Lucky Dog Day Camp to the south of the subject property. She has concerns with how close the apartments will be to her business and that it may cause problems, barking, smell, etc. with tenants in the future if there is not enough buffer.
<b>MOTION</b>	Vomfell moved and Giavasis seconded a motion that the Kalispell City Planning Board and Zoning Commission adopt Staff Report #KCU-21-04 and recommend to the Kalispell City Council that the conditional use permit be approved subject to the conditions listed in the staff report.
<b>BOARD DISCUSSION</b>	Board discussed concerns with south property line regarding dog day camp and agreed that the property owner will be responsible and do what they need to do to mitigate future issues.
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.
<b>BOARD MEMBER RE-SEATED</b>	Kauffman re-seated and took over as chair.
<b>KCU-21-05 – J&amp;S AUTOMOTIVE REPAIR CUP</b>	A request from Jason Sharp for a conditional use permit to allow an auto repair business within the B-3 (Core Area Business) zone. The property contains an existing building that was previously used for fleet vehicle maintenance and equipment storage for an internet service company. The property is located at 710 West Montana Street.
<b>STAFF REPORT</b>	PJ Sorensen representing the Kalispell Planning Department reviewed Staff Report # KCU-21-05. Staff recommends that the Kalispell City Planning Board and Zoning Commission adopt Staff Report #KCU-21-05 and recommend to the Kalispell City Council that the conditional use permit be approved subject to the conditions listed in the staff report.
<b>BOARD DISCUSSION</b>	Board discussed proposed screening, how the required sidewalk would fit and asked for clarification from staff as to why they are requiring the sidewalk if the use prior to this requested use was the same. Staff advised because of the zone change from B-5 to B-3 there are design guidelines now whereas the previous tenant was grandfathered in.

<b>PUBLIC HEARING</b>	<p>Butch Clark – 500 Sibley Lane – owner of property – is concerned with the required sidewalk because of cost and losing some existing trees.</p> <p>Jason Sharp – 480 Tronstad Rd – applicant requesting CUP – spoke to type of repair business he runs and that it’s a small slower paced type of repair shop.</p>
<b>MOTION</b>	Vomfell moved and Skees seconded a motion that the Kalispell City Planning Board and Zoning Commission adopt Staff Report #KCU-21-05 and recommend to the Kalispell City Council that the conditional use permit be approved subject to the conditions listed in the staff report.
<b>BOARD DISCUSSION</b>	Board discussed good use for structure but expressed concerns with disproportionate costs of the sidewalk and requiring the applicant to have power poles moved.
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.
<b>KPP-21-03 – WESTVIEW ESTATES PHASES 6 &amp; 7 PRELIMINARY PLAT</b>	File #KPP-21-03 – A request from Owl Corporation for major preliminary plat approval for Westview Estates Phases 6 and 7. The property is located within an R-3 (Residential) zoning district, with a total of 34 single-family lots on approximately 15.98 acres of land including the lots, streets, a park area, and other common area. The property is located to the east of Stillwater Road and to the north of Westview Estates Phase 2.
<b>STAFF REPORT</b>	<p>PJ Sorensen representing the Kalispell Planning Department reviewed Staff Report # KPP-21-03.</p> <p>Staff recommends that the Kalispell City Planning Board and Zoning Commission adopt Staff Report #KPP-21-03 and recommend to the Kalispell City Council that the preliminary plat for Westview Estates Phases 6 &amp; 7 be approved subject to the condition listed in the staff report.</p>
<b>BOARD DISCUSSION</b>	Board discussed number of accesses from new phases and approval from fire department as well as how the block length is calculated in relation to cul-de-sac.
<b>PUBLIC HEARING</b>	<p>Eric Mulcahy – 2 Village Loop – representative for applicant – noted they are happy with the conditions of the staff report and offered to answer any questions.</p> <p>Kit Clark – 147 Taelor Rd – concerned with additional traffic, was hoping for an additional access on Stillwater Rd.</p> <p>Valerie Mitchell – 187 Taelor Rd – concerned with additional traffic.</p> <p>Mark Eney – 191 Taelor Rd – concerned with additional traffic.</p>
<b>MOTION</b>	Vomfell moved and Giavasis seconded a motion that the Kalispell City Planning Board and Zoning Commission adopt Staff Report #KPP-21-03 and recommend to the Kalispell City Council that the preliminary plat for Westview Estates Phases 6 & 7 be approved subject to the condition listed in the staff report.

<b>BOARD DISCUSSION</b>	Giavasis noted he is not a fan of the cul-de-sac and Borgardt asked about doing future phase road improvements now to alleviate traffic concerns. Staff noted that the traffic impact study did not indicate there would be too much additional traffic with the design as is.
<b>ROLL CALL</b>	Motion passed unanimously on a roll call vote.
<b>KPUD-21-01 &amp; KPP-21-02 – MOUNTAIN VIEW PUD AND PRELIMINARY PLAT</b>	Files #KPUD-21-01 and KPP-21-02 – A request from Bison Hill, LLC for the Mountain View Planned Unit Development (“PUD”), which is a Residential PUD overlay on approximately 139 acres of land abutting the north side of Foys Lake Road to the west of the Highway 93 Bypass, along with major preliminary plat approval for Phase 1 of the development. The property was previously annexed with a PUD overlay called Willow Creek, which has since expired. This proposal is for a new PUD by a different applicant. The PUD calls for a total of 407 dwelling units (225 single family lots, 16 cottage lots and 166 townhome lots) along with approximately 49.1 acres of open space and park area. The Phase 1 preliminary plat consists of approximately 21.2 acres with 94 lots (5 single family lots and 89 townhome lots), streets and open space.
<b>STAFF REPORT</b>	<p>PJ Sorensen representing the Kalispell Planning Department reviewed Staff Reports #KPUD-21-01 &amp; #KPP-21-02.</p> <p>Sorenson noted that the applicant has some concerns with some of the conditions and would like to further discuss these conditions with staff and Public Works and therefore would like to have this tabled to a future meeting. He advised the board that we should proceed with discussion and public comment.</p> <p>Staff recommends that the Kalispell City Planning Board and Zoning Commission adopt Staff Reports #KPUD-21-01 &amp; #KPP-21-02 and recommend to the Kalispell City Council that the PUD and the preliminary plat be approved subject to the conditions listed in the staff report.</p>
<b>BOARD DISCUSSION</b>	Board discussed west access, the traffic impact study and if it will trigger access to Hwy 2 and the water pressure issues that need to be addressed with Public Works.
<b>PUBLIC HEARING</b>	<p>Mike Brodie – 431 1<sup>st</sup> Ave W – representative for applicant – confirmed that the applicant does wish to table for further discussion with staff and Public Works.</p> <p>Francis Flanigan – 849 Foys Lake Rd – agrees with the subdivision and likes the existing layout.</p> <p>Melissa Quast – 1520 US Hwy 2 West – concerned that only 2 accesses for 400 homes are not sufficient and how those accesses will be mitigated. She is also concerned with the number of deviations.</p>
<b>MOTION – PUD &amp; PRELIMINARY PLAT (ORIGINAL)</b>	Vomfell moved and Borgardt seconded a motion that the Kalispell City Planning Board and Zoning Commission adopt Staff Reports #KPUD-21-01 and #KPP-21-02 and recommend to the Kalispell City Council that the PUD and preliminary plat for Mountain View be approved

	subject to the conditions listed in the staff report.
<b>BOARD DISCUSSION</b>	Board discussed the fact that both applicant and staff have asked for a table to further discuss the project. They like the project but are concerned with there only being 2 accesses.
<b>MOTION – PRELIMINARY PLAT &amp; PUD (TABLE)</b>	Vomfell moved to table and Skees seconded a motion that the Kalispell City Planning Board and Zoning Commission table Staff Reports #KPUD-21-01 & KPP-21-02 to the July 13, 2021 meeting.
<b>ROLL CALL</b>	Motion tabled unanimously on a roll call vote.
<b>OLD BUSINESS</b>	Nygren updated the board on the Kalispell Parkline.
<b>NEW BUSINESS</b>	Nygren updated the board on the July 13, 2021 planning board meeting.
<b>ADJOURNMENT</b>	The meeting adjourned at approximately 9:05pm.



Chad Graham  
President



Kari Barnhart  
Recording Secretary

APPROVED as submitted/amended: 7/13/21