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City of Columbia Falls  
130 6<sup>th</sup> St. W.  
Columbia Falls, MT 59912

## **RESOLUTION NO. 1855**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT BY TOBY GILCHRIST TO CONSTRUCT 36 UNITS OF APARTMENTS IN TWO BUILDINGS ON PROPERTY DESCRIBED AS ASSESSORS' TRACTS 1 AND 2 OF COS 16142 OF SECTION 7, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA.

WHEREAS, an Application has been filed with the City by Toby Gilchrist to construct 36 units of apartments in two buildings. The property is currently zoned CR-5 Two Family Residential but the applicant has pursued a zone change to CRA-1 Multi-Family Residential which allows the Multi-Family buildings subject to a Conditional Use Permit. The property is described as Assessors' Tracts 1 and 2 of COS 16142 of Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana;

WHEREAS, said requested conditional use permit was considered by the Columbia Falls City-County Planning Board at its regular meeting on July 13, 2021, concurrently with the Zone Change to CRA-1 Multi-Family Residential, and said Board recommended granting the proposed conditional use permit, with certain conditions; and

WHEREAS, said conditional use permit was considered by the City Council of the City of Columbia Falls, Montana, at a public hearing held during the Council's regularly scheduled meeting on Monday, August 2, 2021, pursuant to public notice as required by law, and all comments filed or voiced concerning said requested conditional use permit having been considered by the City Council, along with the recommendation of the Planning Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact. That the City Council specifically finds that the conditions set forth in Section 18.210.080 of the Columbia Falls Municipal Code are accurately evaluated as set forth in Conditional Use Report #CCU-21-02 of the Columbia Falls Planning Office, as amended by the Planning Board, and the City Council hereby adopts said report as findings of fact in support of the requested conditional use permit.

Section Two. Permit Approved. That based upon the findings of Section One of this Resolution, the Application by Toby Gilchrist to construct 36 units of apartments in two buildings, in concert with the Zone Change to CRA-1 Multi-Family Residential, the Conditional Use Permit is hereby approved. The property is described as Assessors' Tracts 1 and 2 of COS 16142 of Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

Section Three. Conditional Use Permit. That the conditional use permit is approved, specifically contingent upon the conditions set forth on Exhibit "A" attached hereto and incorporated herein by reference.

Section Four. Effective Date. That this Resolution shall become effective immediately upon its passage and approval by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 2<sup>nd</sup> of AUGUST, WITH COUNCIL VOTING AS FOLLOWS:

17. The Conditional Use Permit shall terminate 18 months from the date of issuance if commencement of the authorized activity has not begun.
18. Applicants will provide long-term maintenance of the foliage in Meadow Lake Boulevard for sight of distance.
19. The applicants shall request the Montana Department of Transportation to consider signalizations and timing movements at Hwy 2 and Meadow Lake Blvd.
20. At the City's discretion, cash in lieu of installing a sidewalk can be explored along Meadow Lake Blvd.
21. Applicants will work with School District # 6 on appropriately siting a bus stop.



AYES: Piper, Shepard, Fisher, Karper, Lovering and Barnhart

NOES: None

ABSENT: Robinson

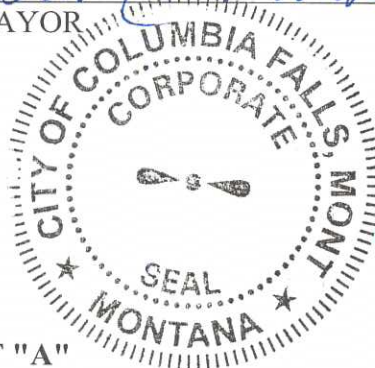
  
CITY CLERK

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 2<sup>nd</sup> DAY OF AUGUST, 2021.

  
MAYOR

ATTEST:

  
CITY CLERK



**EXHIBIT "A"**

1. The applicant shall develop the project as proposed, except as modified by these Conditions.
2. The applicant shall secure approval of the Public Works Director and Flathead County Road Department for the new approach onto Meadow Lake Blvd. The approach shall incorporate the recommendations for sight distance found in the TIS or the applicant shall work with the two Departments on one of the other mitigations.
3. The Applicants shall provide parking lot details showing that the parking lot can meet turning radius requirements for fire trucks or provide suitable turnaround in the parking lots for emergency vehicles such as a fire truck.
4. The applicant shall pave all parking areas and driveways.
5. The applicant shall provide an engineered drainage plan to address on site storm water disposal. In addition, the applicant shall designate a snow storage area on site to accommodate parking lot snow disposal. This plan will need to be accepted by the City Public Works Department prior to issuance of a building permit.
6. The applicants shall work with public works on the water main extension so that it may be finish graded to allow for a primitive path to be completed in the future.
7. The applicant shall fully enclose with a fence or screen with growing materials the garbage collection site as shown on the site plan.
8. All sewer and water hookups shall be built according to plans and specifications approved by the City of Columbia Falls and meeting the City Standards for Public Works Improvements and the Montana Public Works Standard Specifications. If applicable the sewer, water, and stormwater extensions shall also be approved by the MDEQ.
9. The Public Works Director and Fire Chief shall approve the number and placements of proposed fire hydrants.
10. All internal parking lot lighting and exterior building lighting shall comply with the Columbia Falls Zoning Ordinance and be fully shielded. Parking lots lighting shall be a maximum 18 feet tall measured from finish grade to the top of the fixture.
11. A detailed landscape plan compliant with the small building standards ((18.441.070) will be provided to the City for review and approval prior to the issuance of a building permit.
12. All conditions provided above and all improvements necessary for the operation of an apartment complex must be in place prior to the occupancy of the complex. Any elements such as landscaping not finished prior to the issuance of an occupancy permit, may be bonded for with signed improvements agreement approved by the City Manager for an amount not less than 125% of the cost of the remaining improvement.
13. Signage shall comply with Section 18.438.080 of the Columbia Falls Zoning Regulations.
14. The applicant shall provide on-site recreational amenities (fenced tot lot and perimeter walking path) as shown in the application drawings.
15. As proposed in the building perspectives, the applicant shall provide two bike racks per building.
16. The applicants shall provide the City a contract with the applicable solid waste hauler prior to issuance of occupancy permits.