

**KALISPELL BOARD OF ADJUSTMENT  
MEETING MINUTES  
MAY 2, 2012**

<b>ORDER AND ROLL CALL</b>	The meeting of the Kalispell Board of Adjustment was called to order at 7:00 p.m. Board members present were: Clint Cathcart, Rob Heinecke, Robert Vine, and Bryan Schutt. P.J. Sorensen represented the City of Kalispell Planning Department. There were 3 people in the audience.
<b>COMMENTS FROM THE PUBLIC</b>	None.
<b>APPROVAL OF MINUTES</b>	Vine moved and Schutt seconded a motion to approve the minutes of the October 4, 2011 meeting.
<b>VOTE BY ACCLAMATION</b>	The motion passed unanimously on a vote by acclamation.
<b>ELECTION OF OFFICERS - PRESIDENT</b>	Vine moved and Heinecke seconded a motion to elect Clint Cathcart as President of the Kalispell Board of Adjustment.
<b>VOTE BY ACCLAMATION</b>	The motion passed unanimously on a vote by acclamation.
<b>ELECTION OF OFFICERS - VICE PRESIDENT</b>	Heinecke moved and Vine seconded a motion to elect Bryan Schutt as Vice President of the Kalispell Board of Adjustment.
<b>VOTE BY ACCLAMATION</b>	The motion passed unanimously on a vote by acclamation.
<b>AGENCY EXEMPTION – FLATHEAD VALLEY COMMUNITY COLLEGE</b>	Flathead Valley Community College has served notice that it intends to construct additional buildings on its property at 777 Grandview Drive, Kalispell. The construction may be contrary to the Kalispell Zoning Regulations in one or more regards, including, but not necessarily limited to, the elimination of the requirement that the school obtain a conditional use permit due to its location in an R-1 (suburban residential) and a P-1 (public) zoning district. The hearing is for the sole purpose of hearing public comment on the proposal.
<b>STAFF REPORT</b>	<p>Sorensen noted an agency exemption is something that any agency within the state can file which exempts them from the local zoning ordinance. The main deviations are the conditional use process, parking, and their current plans to construct an additional building to the east in the future that is also included in with the agency exemption.</p> <p>Sorensen noted this hearing is serving as a public forum to receive comments from the public and the board does not make any form of recommendation or decision on the matter.</p>
<b>APPLICANT/CONSULTANT</b>	Corey Johnson, CTA Architects Engineers noted he is

representing the Flathead Valley Community College on the agency exemption.

Johnson introduced Chuck Jensen, Vice President and Steve Larson, Director of Facility Services from the Flathead Valley Community College.

Johnson reviewed a map of the campus - specifically the following:

Relocation of the tennis courts; the location and design of the proposed Rebecca Chaney Broussard Center which is a nursing health science center; parking for this center will be handled using the existing spaces on campus and the movement of students from one building to another; and four-sided architecture that blends with the architecture of the current college buildings.

Vine asked about exterior lighting and he noted this area is quite dark and night classes will be held. Johnson said they are planning higher parking lighting in and around the area as well as lower pedestrian light fixtures and the lighting will be in compliance with the city's lighting standards. Vine thought the bright lighting may spill on to neighboring properties and Johnson said the dark sky amenity makes sure that the light is directed downward not up into the sky and they will make sure the light stays on campus and doesn't spill outside the FVCC property.

Cathcart said, with the relocation of the tennis courts and the fact that tournaments will be held at the campus in the future, there doesn't seem to be any access to the courts except by traversing over hill and dale. Johnson noted there is a private roadway on FVCC property that gains access to the back of their campus along the Stillwater River. The nursing center is the first of many phases and as they look at phase 1 they need to have 8 of the courts up and operational by August 8<sup>th</sup>. Steve Larson noted there will be a pathway from the large parking area since a lot of the tournaments are held during off-hours and due south of the courts there will a parking lot between the courts and the childhood center.

Schutt asked what the rectangle just west of the courts was and Johnson said that is a future building pad site which is currently unknown at this time. Sorensen added with the notice that was sent out, the intent was to be more inclusive of future development instead of doing a series of agency exemption hearings. Although there are no specific plans for that building pad it was included in the public notice. Larson said it was intended as a footprint placeholder for development in the future.

	<p>Schutt asked if the courts were cut into the existing slope and Johnson said it is a cut and fill which he described further and Larson added it will be natural amphitheater seating.</p> <p>Heinecke asked for clarification on the exemption process and zoning. Sorensen said part of zoning in Montana is the ability to file for an agency exemption. The city didn't require an in depth parking analysis because of the agency exemption and the college was comfortable that the practical parking needs are satisfied. They have also done a good job in trying to meet the lighting requirements, exiting requirements, they went through Architectural Review, and they meet setbacks and height requirements. Sorensen added this process was an alternative to the conditional use process which is more lengthy and involved.</p> <p>Schutt asked if the reason they are allowed to file for an agency exemption is that their property is split R-1 and P-1 and Sorensen noted the agency exemption is not allowed because of the underlying zoning but because the college is a state agency.</p> <p>Cathcart noted the college has occupied this property with the split zoning for 20 years and asked why that hasn't been addressed. Sorensen noted there are lots of situations like this and he used a few examples. Sorensen agreed it is odd for the college to have a suburban agricultural designation on this property but there hasn't been a driving need to change it because of the agency exemption process.</p> <p>Heinecke asked if there have been any discussions about creating a connecting roadway from Grandview over the river to Hutton Ranch and Sorensen said there was talk about connecting parking lots but it never came to fruition. The road behind Target turns and comes through the middle of Hutton Ranch to Highway 93. Sorensen said there is a possibility of a connection with further development of college properties to the north but he is not aware of any specific plans.</p>
<b>PUBLIC HEARING</b>	Cathcart opened the public hearing and seeing no one else in attendance the public hearing was closed.
<b>NEW BUSINESS</b>	None.
<b>OLD BUSINESS</b>	None.

<b>ADJOURNMENT</b>	The meeting was adjourned at approximately 7:35 p.m.  The <b>next meeting</b> of the Kalispell Board will be scheduled when necessary.
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President

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Recording Clerk

APPROVED as submitted/corrected: \_\_\_\_/\_\_\_\_/\_\_\_\_

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