



**Flathead County**  
**Planning & Zoning**  
 1035 1<sup>st</sup> Ave W, Kalispell, MT 59901  
 Telephone 406.751.8200 Fax 406.751.8210



**CONDITIONAL USE PERMIT APPLICATION<sup>1</sup>**

*Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.*

**FEE ATTACHED \$700.00**

**PROPOSED USE (as described in the Flathead County Zoning Regulations):**

Commercial

**OWNER(S) OF RECORD:**

Name: RX Venture LLC Phone: 406-599-0096  
 Mailing Address: 7100 US Highway 93 South  
 City, State, Zip Code: Lakeside, MT 59922  
 Email: kvancampen@mac.com

**PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:**

Name: Marc Liechti - APEC Engineering Inc. Phone: 406-755-1333  
 Mailing Address: 111 Legend Trail  
 City, State, Zip Code: Kalispell MT 59901  
 Email: marc@apec-mt.com

**LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):**

Street  
 Address: 7240 Highway 93 S., Lakeside 59922 S 18 T 26 R 20  
 Subdivision Tract Lot Block  
 Name: 4BBC,4BBAA,LAC-S2W2-E2S145BLK10 No(s). \_\_\_\_\_ No(s). \_\_\_\_\_ No. \_\_\_\_\_

- Zoning District and Zoning Classification in which use is proposed (EXAMPLE: Bigfork Zoning District, SAG-5 zoning classification):**

Lakeside Zoning LS

- Explain how the proposed use meets all of the required criteria below. ALL CRITERIA MUST BE DISCUSSED. If criteria are not applicable, please explain why. Attach drawings, additional text, site plans, and any other documents that will assist staff in reviewing the proposed use. The more information you can provide, the easier it is for staff to review the application. Please discuss:**

<sup>1</sup> Revised: 06/11/12

**A. Site Suitability.**

The site is suitable for the use. This includes:

- (1) adequate usable space

Please see the attached preliminary layout for the proposed development. Please see also Exhibit "A" for additional information.

---

---

- (2) adequate access

Currently the site has two existing approaches of US Highway 93, the proposed layout envisions both approaches to be used for the project. No sidewalk exists currently along the highway.

---

---

- (3) absence of environmental constraints

No environmental constraints are known at this time.

---

---

**B. Appropriateness of Design.**

The site plan for the proposed use will provide the most convenient and functional use of lot. Consideration of design should include:

- (1) parking scheme

Please see attached layout. The parking scheme includes most customer use parking in front of the building and allows employee and overflow parking in the rear. The current layout would allow 66 parking spaces.

---

---

- (2) traffic circulation

The two existing access points along the Highway will allow regular customers to easily circulate through the parking lot. The one way access to the back provides adequate access for the employee parking in the rear. All traveling lanes are a minimum of 20' where there is no parking and 24' with parking.

---

---

- (3) open space

Open space will be along the north side of the building.

---

---

- (4) fencing, screening

Fencing or screening is not proposed as part of this project.

---

---

- (5) landscaping

Landscaping will be provided on the north side of the building and along the highway frontage.

- (6) signage

Signage will comply with the Flathead County Sign Ordinance.

- (7) lighting

Exterior lighting will be hooded and all lighting will be kept within the property. All lighting shall comply with section 5.12.020.

**C. Availability of Public Services and Facilities**

The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:

- (1) sewer

All property is within the Lakeside County Water and Sewer District and will be served by the district's facilities.

- (2) water

All property is within the Lakeside County Water and Sewer District and will be served by the district's facilities.

- (3) storm water drainage

An existing storm drain system at the corner of Adams Street and US 93 will be extended to the south. Treatment will be provided per requirements.

- (4) fire protection

The Somers and Lakeside Volunteer Fire District will be servicing this area. The property is within the local fire district.

- (5) police protection

Flathead County Sheriff's department services this area.

JUN 24 2013

- 
- 
- (6) streets

Only US 93 will be impacted by this development. The owner is planning to build a pedestrian sidewalk in front of the property within the highway right of way.

---

---

**D. Immediate Neighborhood Impact**

The proposed use will not be detrimental to surrounding neighborhoods in general. Typical negative impacts which extend beyond the proposed site include:

- (1) excessive traffic generation

It is not anticipated that excessive traffic generation will come from this project. The mixed use of the varying businesses will provide a staggered use of the facilities.

---

---

- (2) noise or vibration

Noise or vibration is not expected as part of the type of businesses.

---

---

- (3) dust, glare or heat

All parking will be paved or concrete, the building will use standard construction materials and glare will be kept to a minimum.

---

---

- (4) smoke, fumes, gas, or odors

The proposed uses including the restaurant will provide all necessary equipment to keep all smoke and odors under control. Gas and fumes are not anticipated.

---

---

- (5) inappropriate hours of operation

The hours of operation are typical business hours for the type of business proposed.

---

---

3. The following proposed uses shall meet additional requirements, known as "Conditional Use Standards" as outlined in Chapter 4 the Flathead County Zoning Regulations and require consultation with a staff planner PRIOR to application submittal:

- 4.01 Animal Hospitals, Kennels, Animal Shelters, Veterinary Clinics
- 4.02 Bed and Breakfast Establishments/Boarding Houses
- 4.03 Camp or Retreat Center
- 4.04 Caretaker's Facility in AG, SAG, and R-1 Districts
- 4.05 Cluster Housing Development in Residential Districts

- 4.06 Commercial Caretaker's Facility in B-2, B-3, I-1, I-1H, and I-2 Districts
- 4.07 Contractors Storage Yard in AG and SAG Districts
- 4.08 Day Care Centers- 13 or More Individuals
- 4.09 Electrical Distribution Stations
- 4.10 Extractive Industries
- 4.11 Family Hardship Dwellings
- 4.12 Manufactured Home Parks
- 4.13 Mini-Storage, Recreational Vehicle Storage
- 4.14 Motor Coach Subdivisions
- 4.15 Recreational Facilities (see also 7.17.040)
- 4.16 Temporary Uses

Consultation with Planner:

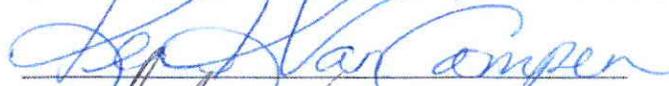
Date \_\_\_\_\_ Planner's Signature \_\_\_\_\_

**INSTRUCTIONS FOR CONDITIONAL USE PERMIT APPLICATION:**

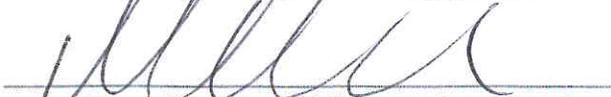
1. Answer all questions. Answers should be clear and contain all the necessary information.
2. In answering question 1, refer to the classification system in the Zoning Regulations.
3. In answering questions 2 and 3, be specific and complete. Please use a separate sheet of paper to discuss the appropriate topics.
4. Copy of plot plan/site plan must be submitted with each application, with all existing or proposed structures shown, and distances from each other and from the property line. *If you are submitting a plan larger than 11x17 in size, please include 7 copies.*
5. A **Certified** Adjoining Property Owners List must be submitted with the application (*see forms below*). The list will be sent directly to the Planning & Zoning office, unless you request otherwise. This list is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.
  - *(The buffer should be 150 ft. for all areas with the following exceptions: Administrative Conditional Use Permits, standard Conditional Use Permits, and Planned Unit Development (PUD) applications within the Lakeside Zoning District require a 300 ft. buffer.)*

\*\*\*\*\*  
\*\*\*\*\*

*I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.*

  
 \_\_\_\_\_  
 Owner(s) Signature (all owners must sign)

6/24/13  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Applicant Signature (if different than above)

6/24/2013  
 \_\_\_\_\_  
 Date

JUN 24 2013

## Exhibit "A"

The proposed building will be condominiumized for multiple businesses in one common structure. 66 Parking spaces will be provided.

At this time, the division of the building is proposed to be;

Pharmacy	4,300 sq. ft.	14.33 spaces
Restaurant	1,800 sq. ft.(40 seats+employ.)	15 spaces
Retail	1,500 sq. ft.	5 spaces
Professional Office	1,800 sq. ft.	4.5 spaces
Medical Office	3,000 sq. ft.	20 spaces
<u>General Office Space</u>	<u>2,800 sq. ft.</u>	<u>7 spaces</u>
Total	15,200 sq. ft	65.83 spaces

A common trash enclosure and other infrastructure will be provided as part of the building association that will be created to own and operate the building after full build out.

JUN 24 2013