

FLATHEAD COUNTY PLANNING AND ZONING OFFICE
CONDITIONAL USE PERMIT REPORT (#FCU-10-12)
AUGUST 24, 2010

A report to the Flathead County Board of Adjustment regarding a request by John Cuthbertson for a conditional use permit to allow for a community center building operated by a non-profit agency to be located at 24 West Evergreen Drive, within the Evergreen zoning district.

The Flathead County Board of Adjustment will hold a public hearing on the proposed conditional use on September 7, 2010, beginning at 6:00 PM in the 2nd floor conference room of the Earl Bennett Building, 1035 First Avenue West, Kalispell. Documents pertaining to this file are available for public inspection in the Flathead County Planning and Zoning Office, also located on the second floor of the Earl Bennett Building.

I. APPLICATION REVIEW UPDATES

1. Land Use Advisory Committee/Council

The proposed land use is not within the advisory jurisdiction of a specific local land use advisory committee.

2. Board of Adjustment

The Flathead County Board of Adjustment will hold a public hearing on the proposed land use on September 7, 2010, beginning at 6:00 PM in the 2nd floor conference room of the Earl Bennett Building, 1035 First Avenue West, Kalispell. This space is reserved for a summary of the Flathead County Board of Adjustment's discussion and decision at that hearing.

II. GENERAL INFORMATION

1. Application Personnel

i. Applicant

John Cuthbertson
P.O. Box 8900
Kalispell, MT 59904
(406) 755-2131
Jon@melab.us

ii. Landowner(s)

JC Family Partners, LLP
115 Buffalo Stage
Kalispell, MT 59901

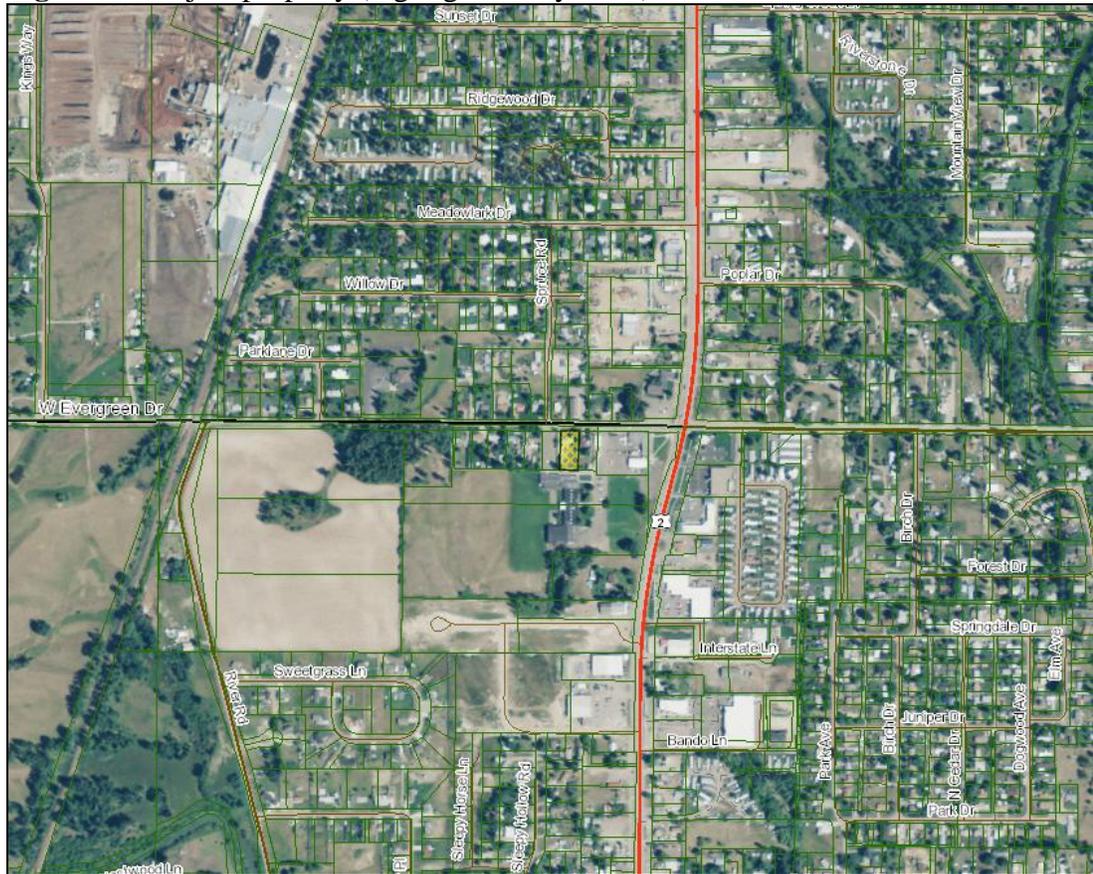
iii. Technical Assistance

Berni McDonald, Program Manager
Intermountain Family Visitation
P.O. Box 460
Somers, MT 59932
bernim@intermountain.org

2. Property Location and Size

The subject property is approximately ½ acre in size and is located on the south side of West Evergreen Drive, approximately ¼ mile west of the intersection of West Evergreen and U.S. Highway 2 (see Figure 1 below). The property can be legally described as Tract 1DF in the NE ¼ NW ¼ of Section 4, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.

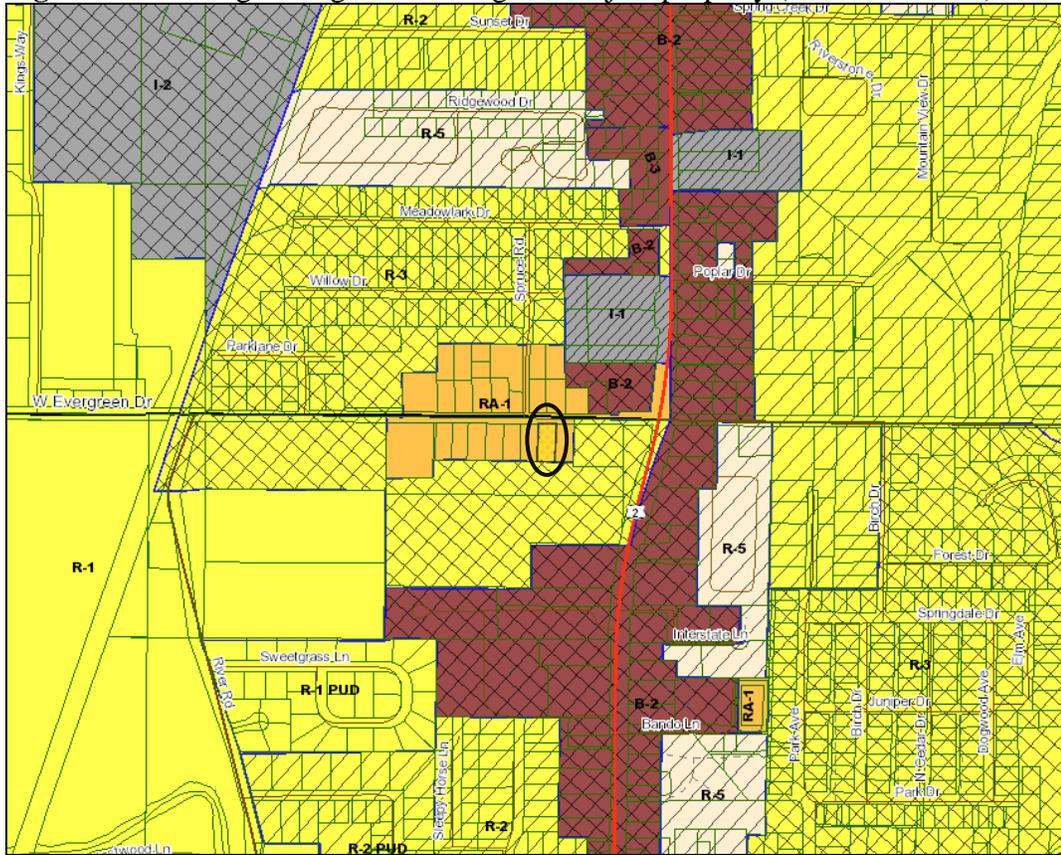
Figure 1: Subject property (highlighted in yellow)



3. Existing Land Use(s) and Zoning

The subject property is currently zoned RA-1 Residential Apartment, a zoning designation intended to “provide areas for multi-family use and for non-residential uses, which support or are compatible with the primarily residential character. This district is intended as a buffer between residential districts and other non-residential districts. This district shall be served by community water and sewer and shall have immediate access to fire, police, refuse and park facilities.” The property is located within the Evergreen zoning district and there is currently a residential structure and detached garage located on the tract of land under review.

Figure 2: Existing zoning surrounding the subject property (circled in black).



4. Adjacent Land Use(s) and Zoning

The subject property is surrounded by RA-1 Residential Apartment zoning on three of its four sides; to the immediate west, north and east. Property to the south is zone R-3 One Family Residential, a district intended to provide “adequate lot size for urban residential development.” The general character of the area is urban residential with some commercial uses scattered throughout. U.S. Highway 2 forms a commercial corridor to the east of the subject property, with lots transitioning from commercial to residential uses as one moves west along West Evergreen Drive toward the Whitefish River. Evergreen Jr. High School is located to the south of the subject property, with a public parking area for the school immediately adjacent to the subject property on the west.

5. Summary of Request

In April 2010 Berni McDonald, Program Manager for Intermountain, visited the Flathead County Planning and Zoning Office to determine whether a parent education center and parent/child visitation center would be a permissible use in an RA-1 zone. While the list of permitted and conditional uses under RA-1 Residential Apartment zoning does not specifically list a “parent education center” or “parent child visitation center” as a permitted or conditionally permitted use, RA-1 zoning does list a community center building operated by a non-profit agency as a use that could be conditionally permitted. The definition of a community center building found in

Section 7.04.115 of the Zoning Regulations is *“a building, structure, facility or use constructed and designed to serve a broad base community need and purpose. Community center buildings are intended to be used for recreation, social, educational and cultural activities, open to the public or a designated part of the public, owned and operated by a nonprofit group or agency. This definition specifically excludes any use, structure, building or facility that utilizes an on-premise alcohol consumption license.”*

The proposed family learning center would be operated by Intermountain, a non-profit organization based in Helena and specializing in programs and services for children and families in distress. The learning center would be open to a designated part of the public – children and their families – and would provide supervised meeting and visitation space as well as educational courses for families in crisis, providing a safe, structured environment where children and parents can benefit from professional support. The center would be open during the day Monday through Saturday, during which time trained Intermountain staff would be present onsite to supervise and assist with visitations and educational courses. No one would live onsite, and the center would be closed during the evenings.

Based on the definition of a “community center building operated by a non-profit agency” and the information submitted by the applicant, it appears that the proposed use generally fits the description and intent of a community center building according to the applicable zoning regulations. It was strongly suggested by planning staff in April that the applicant obtain an official zoning administrator interpretation for the facility proposed, as it is somewhat unique and does not fit perfectly into any one use category under RA-1 zoning. No formal zoning interpretation was requested for the learning and visitation center. An application for a community center building operated by a non-profit agency was submitted to the Planning & Zoning Office on May 27, 2010, and the discussion above serves as the basis upon which the request has been reviewed, pursuant to the applicable regulations.

6. Compliance With Public Notice Requirements

Notification was mailed to property owners within 150 feet of the subject property on August 11, 2010, pursuant to Section 2.06.040 (3) of the Zoning Regulations. Legal notice of the public hearing on this application will be published in the August 22, 2010 edition of the Daily Interlake.

7. Agency Referrals

Referrals were sent to the following agencies on May 21, 2010:

- Flathead County Public Works/Road Department
 - Reason: The proposal has the potential to impact County facilities.
- Flathead County Solid Waste Department
 - Reason: The proposal has the potential to impact County facilities.
- Flathead City-County Health Department
 - Reason: The subject property is within the department’s jurisdiction.
- Flathead County Sheriff

- Reason: The subject property is within the sheriff's jurisdiction.
- Evergreen Water & Sewer District
 - Reason: The subject property is currently served by the public water and sewer district.
- Flathead County Superintendent of Schools
 - Reason: The proposed community center would be utilized by school-aged children and its proximity to the Jr. High School may have a direct impact on the school district.
- Evergreen School District No. 50
 - Reason: The proposed community center would be utilized by school-aged children and its proximity to the Jr. High School may have a direct impact on the school district.
- Evergreen Fire District
 - Reason: The subject property is within the department's jurisdiction.
- City of Kalispell Planning Department
 - Reason: The subject property is in relative close proximity to the City of Kalispell's planning boundary.

III. COMMENTS RECEIVED

1. Public Comments

No written public comments have been received to date regarding the proposed community center building. It is anticipated any individual wishing to provide public comment on the proposal will do so during the public hearing scheduled for September 7, 2010. Any written comments received following the completion of this report will be provided to the Board and summarized during the public hearing.

2. Agency Comments

The following is a summarized list of agency comment received as of the date of the completion of this staff report:

- David Prunty, Flathead County Road & Bridge Department
 - No comments regarding the proposed use.
- James Chilton, Flathead County Solid Waste District
 - After reviewing the proposal, the District views no negative impact with solid waste issues at this time.
 - The District requests that all solid waste generated at the proposed location be hauled by a private hauler; Evergreen Disposal is the licensed hauler in the area.
- Craig Williams & Ben Covington, Evergreen Fire Rescue
 - The fire requirements have been met at this time and Evergreen Fire Rescue will provide fire services (to the property).
- Roberta Struck, Evergreen Water & Sewer District
 - The District already provides water and sewer service to 24 West Evergreen; it would appear from the application that nothing is happening on the property that would require a change to the existing service.
 - The District has no objection to the proposed use of the property.

IV. CRITERIA REQUIRED FOR CONSIDERATION

Per Sections 2.06.080 and 2.06.100 of the Flathead County Zoning Regulations, what follows are criteria required for consideration of a Conditional Use Permit and suggested findings of fact based on review of each criterion.

1. Site Suitability

i. Adequate usable space

The subject property is half an acre in size and currently developed; with a 1660 sq. ft. house (constructed in 2000) and an 840 sq. ft. garage (constructed in 2001) located on the property. Both structures appear to meet the bulk and dimensional requirements of the RA-1 district for this new land use. Both the house and garage will be used as built for the visitation and education center activities, and there will be no additional development on the property as a result of the proposed use. A driveway off of West Evergreen Drive leads to a small gravel parking area behind the principal structure, approximately 4,000 sq. ft. in size and large enough to accommodate 5-6 vehicles. The 2-car garage is also available for parking.

Finding #1 – The property is suitable for the proposed use because the existing home would be utilized for the visitation and education center, there is adequate space set aside for parking and circulation, the structures in place appear to meet the bulk and dimensional requirements of the RA-1 zoning and the proposed use would not require any additional construction onsite.

ii. Adequate access

The property has direct driveway access onto West Evergreen Drive, a paved public County road that sits within a 60-ft. right-of-way. There appear to be adequate site distances and minimal visual obstructions for traffic entering and exiting the subject property. Agency comment received from the County Road and Bridge Department indicates they have no concerns regarding the existing approach being used for the proposed visitation and education center.

Finding #2 – The site is suitable for the proposed used because the property has direct driveway access onto West Evergreen Drive, a paved public right-of-way, and because comment from the Road and Bridge Department indicates the approach can safely accommodate traffic resulting from the visitation and education center.

iii. Absence of environmental constraints

There are no environmental constraints on the subject property that would limit, or be impacted by, the proposed use. The property is currently developed, and no additional construction would be necessary to accommodate the proposed visitation and education center. There are no wetlands or other riparian resources on or near the property, and the property is located outside of the designated floodplain. Although there are some shade trees, shrubs and

landscaping on the property, there is no critical wildlife habitat present, as the property is located in an urban and densely developed area of the County.

Finding #3 – The subject property would be suitable for use as a visitation and education center because there are no environmental constraints such as floodplain, wetlands, or critical wildlife habitat that would impact, or be impacted by the proposed use.

2. Appropriateness of design

i. Parking scheme

The site plan submitted with the application materials shows the parking area located behind the main home (to be used as the family learning center). The site plan shows five open air parking spaces can be accommodated onsite, with two additional covered parking spaces located in the garage. The Flathead County Zoning Regulations do not provide specific guidance on the number of parking spaces required for a community center building or similar facility. The parking requirements that appear most similar to the proposed family learning center are found in Section 6.06.040 of the regulations, requiring 1 parking space per 400 sq. ft. of gross floor area for “*private clubs and lodges, special centers, athletic clubs and the like.*” Based on the above calculation, the family learning center would require a minimum of four parking spaces onsite; the applicant has proposed a total of seven spaces onsite, exceeding the minimum requirements of the zoning. While the parking area is not required to be paved, Section 6.11.030 of the regulations does require each parking space be defined by a bumper guard or curbs, and that adequate drainage be provided so that runoff does not impact adjacent properties or public walkways. The proposed parking is not located within the front, side or rear setback, therefore a landscaping buffer is not required.

ii. Traffic circulation

Traffic circulation on the subject property will remain the same as it currently is; traffic entering from West Reserve will travel down the existing driveway on the west side of the property, turning left into one of the five open air parking spaces or continuing straight to park in the garage. When exiting the property, vehicles will back out of their respective parking space, turning around in the circulation area provided (approximately 30 ft.) and proceed down the driveway to exit onto West Reserve Drive. The existing driveway is approximately 10 ft. in width, sub-standard for two-way traffic accessing a parking area or business. The driveway will be required to be widened to a minimum of 20 ft., in accordance with Section 6.16.020 (3) of the zoning regulations for two-way traffic, to ensure that vehicle traffic entering and exiting the property can do so safely and efficiently.

Finding #4 – The proposed parking and circulation onsite are adequate and appropriate for the proposed family learning center because the property is able to accommodate the minimum number of parking spaces required and because

the access driveway will be required to be widened to allow for safe and efficient two-way traffic flow in accordance with the applicable regulations.

iii. Open space

The footprint of the existing residence (to be used as a family learning center) and garage cover approximately 2,500 sq. ft. of the half acre property. The permitted lot coverage in an RA-1 zoning district is 35%; based on square footage calculations for the subject property, the existing structures cover less than 12% of the lot, well within the permissible coverage allotment. With the exception of the gravel parking area and driveway, the undeveloped portion of the property is open and grassy, with a few trees and shrubs offering shade to the yard. There are no requirements under the applicable RA-1 zoning to set aside open space to mitigate a proposed use.

Finding #5 – There will be adequate open space associated with the proposed family learning center because no additional buildings will be constructed and because the existing structures cover less than 35% of the subject property, meeting the bulk and dimensional requirements of the zoning for the new land use proposed.

iv. Fencing/screening

The property currently has a 6 ft. solid privacy fence along the east property boundary, and a 6 ft. chain-link fence along the south and west property boundary. The solid privacy fence shields the subject property from the neighboring residence (the the east), while the properties to the south and west are owned by the Evergreen School District and do not require the same level of shielding; the chain link fence serves more as a physical boundary between properties than a visual barrier. The front yard is currently un-fenced, and there are no plans for additional fencing as a result of the proposed use.

v. Landscaping

No landscaping is specifically required of the conditional use permit request; however, the application states there are currently perennial flowers planted along the front of the home, with mature trees and shrubs in the front yard. The back yard area is generally flat and grassy, with some additional trees and shrubs along the side and rear fence line.

Finding #6 – The proposed family learning center would be appropriate for the subject property because there would be no obvious change to the residential character of the site; there is a side and rear yard privacy fence in place to screen the only neighboring residential lot from activities occurring in the yard; and although landscaping is not a requirement of this conditional use permit, the property has shade trees, shrubs and flowers in place to add to the visual appeal.

vi. Signage

The only signage proposed for the visitation and education center will be a wall sign secured to the front porch and stating “Intermountain Family Learning Center.” According to Section 5.11.040 (3) (D) of the zoning regulations, one wall sign not to exceed 16 sq. ft. is permitted within the RA-1 district. The proposed sign would appear to comply with these regulations.

Finding #7 - The signage proposed for the family learning center would be appropriate for the site because it complies with the signage requirements for a wall sign permitted in an RA-1 district.

vii. Lighting

Outdoor lighting exists on the property, in the form of motion-sensory flood lights attached to the corner(s) of the principal structure as well as overhead lights at each doorway entrance. There is also a light over the garage at this time. No additional lighting has been proposed by the applicant, nor should any additional lighting be necessary for the proposed visitation and education center. All lighting on the property is required to comply with Section 5.12 of the Zoning Regulations regarding yard, street and security lighting; if the existing lighting does not meet the current performance standards outlined in this section of the regulations (hooded or shielded, downward-facing, directed away from adjoining properties, etc.), it shall be required to come into compliance as a result of this conditional use permit request.

Finding #8 – Lighting associated with the family learning center is acceptable because the existing outdoor lighting is similar to yard and security lighting typical of a residential neighborhood, adheres to the performance standards and guidelines set forth in the zoning regulations, and because no additional lighting is proposed as a result of the change in use.

3. Availability of Public Services and Facilities

i. Sewer

The subject property is currently served by the Evergreen Water and Sewer District. Comment received from Roberta Struck, District Manager, indicates that the proposed use would not require any changes to the existing service, and that Evergreen Water and Sewer has capacity available to continue to serve the property if it were to be used as a visitation and education center.

ii. Water

As with the sewer utilities, the Evergreen Water and Sewer District currently provides water service to the subject property, and comment received from the District indicates the proposed use would not require any changes to the existing service provided.

iii. Storm Water Drainage

Stormwater is currently managed through onsite absorption. As no new structures are necessary as part of the family learning center, it is anticipated stormwater will continue to be managed onsite and there would be no additional impervious surfaces requiring mitigation as a result of the proposal.

Finding #9 - The proposed family learning center would have minimal impact on the availability of public services and facilities because the subject property is currently served and would continue to be served by the Evergreen Water and Sewer District; and because stormwater is currently managed through onsite absorption and there would be no change in the amount of impervious surface on the subject property as a result of the proposed use.

iv. Fire Protection

The subject property is currently served by the Evergreen Fire District (Evergreen Fire Rescue). Upon review of the proposed use, comment from the District Fire Chief and Fire Marshal indicated that all fire requirements have been met at this time and that the District is able to provide service to the proposed visitation and education center. Because of its centralized location in the Evergreen area, it is anticipated response times in the event of an emergency would be minimal.

v. Police Protection

The subject property is served by the Flathead County Sheriff's Department. Quick response times are anticipated given the property's location in an urban, developed area of the County, as well as its proximity to US Highway 2 East.

Finding #10 - The proposed family learning center would have minimal impact on the availability of public services and facilities because the Evergreen Fire District and the Flathead County Sheriff currently provide service to the property, and would continue to do so with the proposed change in use.

vi. Streets

As previously discussed, the subject property has direct access onto West Evergreen Drive, a paved public road maintained by Flathead County. The two-lane road sits within a 60 ft. easement and is in relatively good condition, with good site distances for traffic turning into and out of the facility. Comment received from the Road and Bridge Department indicates no issue with the proposed family learning center utilizing West Evergreen Drive for access.

Finding #11 – Public facilities are available to serve the proposed family learning center because the subject property has direct driveway access onto West Evergreen Drive, a paved County Road in good condition and able to adequately accommodate the additional traffic resulting from the proposed use.

4. Immediate Neighborhood Impact

i. Excessive traffic generation

The application materials state that only authorized vehicles are allowed onsite, thus limiting the number of trips per day associated with the proposed family learning center. Intermountain owns one company vehicle that will provide transport for children and their families visiting the center, as well as to deliver supplies. Other authorized vehicles would include those of staff, social workers and other designated service providers for families involved in learning center activities. It is anticipated between one and four staff members may be present on-site at any given time.

The Institute of Transportation Engineers Trip Generation Manual (5th Edition) lists a recreational community center as facilities “*similar to and including YMCA’s, often including classes and clubs for adults and children, day care or nursery school, meeting rooms, swimming pools and whirlpools, saunas, tennis, racquetball and handball courts, exercise classes, weightlifting and gymnastics equipment, locker rooms and a restaurant or snack bar.*” Although the proposed family learning center is lacking in many of these recreational components, this designation appears to be the closest fit based on the ITE manual. The trip generation estimates provided by the ITE are based on a single set of observation data, thus the reliability of the data applied to this situation may be limited. On average, the number of trips generated by a recreation community center at peak hour is 2.46 trips/hour/1,000 sq. ft. of space. Therefore, a building roughly 1600 sq. ft. in size would generate an average 3.9 trips per (peak) hour per day.

Assuming staff remains on site between visits, and that children and families are transported to and from the property for visitation and educational courses in a single van, the amount of traffic created as a result of the family learning center is likely to be less than the amount projected by the ITE manual. In addition, visitation and education sessions are anticipated to last for periods of time longer than an hour, further reducing the amount of turnover and trips generated from the property. The subject property is located next to a junior high school, and the property immediately west of the site is used as an employee parking area for the school and a public parking lot for the school facilities after-hours. The amount of traffic generated by the family learning center would be more than what is typical of a single-family residence but certainly less than the amount of traffic generated by the adjacent school building and commercial uses in the area.

Finding #12 - Traffic generated as a result of the proposed family learning center is not anticipated to have a negative impact on the surrounding neighborhood because only authorized vehicles will be allowed to park at the family learning center; Intermountain staff will utilize a company van to transport children and their families to and from the site; visit frequency and turnover will be limited based on the timeframe allotted for visitation and

education courses; and because the character of the area with regard to traffic patterns is already impacted due to the neighboring junior high school and existing commercial development to the east.

ii. Noise or vibration

According to the application materials, the only noise generated from the proposed family learning center would be that which is equivalent to having a family with children occupy the residence. Children may occasionally play outside in the back yard, but the noise generated from this activity would be consistent with the noise generated from the adjacent junior high school and playground to the south. It is not anticipated the family learning center would create any noise or vibration uncharacteristic of a residential area.

iii. Dust, glare or heat

The proposed visitation and education center would have no adverse impact on the surrounding neighborhood as a result of dust, glare or heat. There would be no change to the buildings or site as a whole, and there is no excessive glare or heat occurring on the property at the present time.

iv. Smoke, fumes, gas, or odors

The proposed visitation and education center would have no adverse impact on the neighborhood resulting from smoke, fumes, gas or other odors. The activities taking place within the facility will be similar in character to a large residential home, and smoke, fumes, gas and odors in excess of residential activities are not anticipated as a result of the proposed use.

Finding #13 - Impacts resulting from the proposed family learning center would be minimal and acceptable because the use will not generate excessive smoke, fumes, gas, odors, dust, glare, vibration or heat; and because the occasional noise resulting from the learning center would be consistent with a residential neighborhood and the presence of the junior high school to the south.

v. Inappropriate hours of operation

Proposed hours of operation for the family learning center are Monday through Saturday, 8:00 AM to 8:00 PM. Although no one will be living onsite, trained professional Intermountain staff will be present during the proposed hours of operation, to supervise all activities occurring onsite.

Finding #14 - The proposed hours of operation would be acceptable and have minimal impact on the surrounding neighborhood because the learning center would operate in a manner and on a schedule consistent with normal hours of activity in a residential area.

V. SUMMARY OF FINDINGS

1. The property is suitable for the proposed use because the existing home would be utilized for the visitation and education center, there is adequate space set aside

for parking and circulation, the structures in place appear to meet the bulk and dimensional requirements of the RA-1 zoning and the proposed use would not require any additional construction onsite.

2. The site is suitable for the proposed use because the property has direct driveway access onto West Evergreen Drive, a paved public right-of-way, and because comment from the Road and Bridge Department indicates the approach can safely accommodate traffic resulting from the visitation and education center.
3. The subject property would be suitable for use as a visitation and education center because there are no environmental constraints such as floodplain, wetlands, or critical wildlife habitat that would impact, or be impacted by the proposed use.
4. The proposed parking and circulation onsite are adequate and appropriate for the proposed family learning center because the property is able to accommodate the minimum number of parking spaces required and because the access driveway will be required to be widened to allow for safe and efficient two-way traffic flow in accordance with the applicable regulations.
5. There will be adequate open space associated with the proposed family learning center because no additional buildings will be constructed and because the existing structures cover less than 35% of the subject property, meeting the bulk and dimensional requirements of the zoning for the new land use proposed.
6. The proposed family learning center would be appropriate for the subject property because there would be no obvious change to the residential character of the site; there is a side and rear yard privacy fence in place to screen the only neighboring residential lot from activities occurring in the yard; and although landscaping is not a requirement of this conditional use permit, the property has shade trees, shrubs and flowers in place to add to the visual appeal.
7. The signage proposed for the family learning center would be appropriate for the site because it complies with the signage requirements for a wall sign permitted in an RA-1 district.
8. Lighting associated with the family learning center is acceptable because the existing outdoor lighting is similar to yard and security lighting typical of a residential neighborhood, adheres to the performance standards and guidelines set forth in the zoning regulations, and because no additional lighting is proposed as a result of the change in use.
9. The proposed family learning center would have minimal impact on the availability of public services and facilities because the subject property is currently served and would continue to be served by the Evergreen Water and Sewer District; and because stormwater is currently managed through onsite absorption and there would be no change in the amount of impervious surface on the subject property as a result of the proposed use.
10. The proposed family learning center would have minimal impact on the availability of public services and facilities because the Evergreen Fire District and the Flathead County Sheriff currently provide service to the property, and would continue to do so with the proposed change in use.

11. Public facilities are available to serve the proposed family learning center because the subject property has direct driveway access onto West Evergreen Drive, a paved County Road in good condition and able to adequately accommodate the additional traffic resulting from the proposed use.
12. Traffic generated as a result of the proposed family learning center is not anticipated to have a negative impact on the surrounding neighborhood because only authorized vehicles will be allowed to park at the family learning center; Intermountain staff will utilize a company van to transport children and their families to and from the site; visit frequency and turnover will be limited based on the timeframe allotted for visitation and education courses; and because the character of the area with regard to traffic patterns is already impacted due to the neighboring junior high school and existing commercial development to the east.
13. Impacts resulting from the proposed family learning center would be minimal and acceptable because the use will not generate excessive smoke, fumes, gas, odors, dust, glare, vibration or heat; and because the occasional noise resulting from the learning center would be consistent with a residential neighborhood and the presence of the junior high school to the south.
14. The proposed hours of operation would be acceptable and have minimal impact on the surrounding neighborhood because the learning center would operate in a manner and on a schedule consistent with normal hours of activity in a residential area.

VI. RECOMMENDATION

Upon review of this application the request to operate The Intermountain Family Learning Center on the subject property, recognized as a “community center building operated by a non-profit agency”, is supported by the review criteria for a conditional use and by the 14 Findings of Fact listed above. Staff therefore recommends the Flathead County Board of Adjustment adopt staff report FCU-10-12 as findings of fact and approve the conditional use permit request, subject to the following 9 conditions:

VII. CONDITIONS

1. The operation of a community center building on the subject property shall be in substantial conformance with the original application and site plan submitted and approved by the Board of Adjustment.
2. Changes or modifications to the approved use or the site plan shall not be affected unless specifically approved in writing by the Flathead County Board of Adjustment.
3. The approved use shall conform with the applicable bulk and dimensional requirements of a RA-1 Residential Apartment zone, including but not limited to setbacks, building height and lot coverage [FCZR Section 3.15.040].
4. A minimum of 4 parking spaces shall be set aside on the subject property to accommodate employee and visitor traffic generated by the community center building, in accordance with applicable zoning regulations [FCZR Section 6.06.040].

5. All required parking and circulation associated with the proposed community center building shall meet the applicable design guidelines set forth in the zoning regulations requiring adequate drainage and parking space delineation [FCZR Section 6.11.030].
6. The existing driveway shall be widened to 20 ft. to accommodate two-way traffic onsite in accordance with the applicable regulations [FCZR Section 6.16.020(3)]. An amended approach permit may be required by the Flathead County Road and Bridge Department; the revised permit shall be available upon request if, in fact, required.
7. Signage for the community center building shall comply with all applicable standards and guidelines set forth under Section 5.11 of the Flathead County Zoning Regulations; one 16 sq. ft. wall sign is permitted in an RA-1 zone, pursuant to Section 5.11.040 (3).
8. Existing and future lighting on the subject property shall adhere to the performance standards set forth in Section 5.12 of the Flathead County Zoning Regulations.
9. Hours of operation for community center building shall be from 8:00 AM to 8:00 PM, Monday through Saturday.