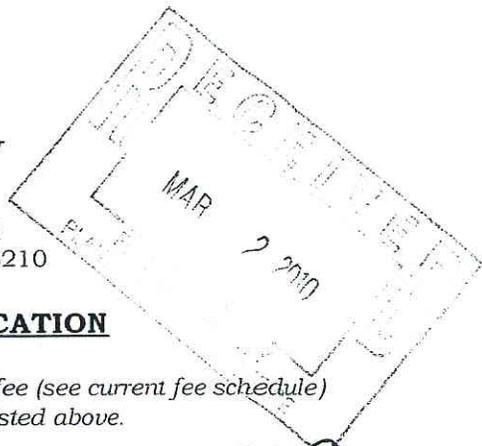


Flathead County Planning & Zoning

1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210



CONDITIONAL USE PERMIT APPLICATION

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 \$ 768

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

Financial Institution, Office, Car Wash Multiple uses on single tract

OWNER(S) OF RECORD:

Name: Glacier West One LLC Phone: 406-752-9998
Mailing Address: PO Box 7758
City, State, Zip Code: Kalispell, MT 59904
Email: _____

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

Name: Colleen Donohue Phone: (406)755-5535
Mailing Address: Johnson, Berg, McEvoy & Bostock PLLP PO Box 3038
City, State, Zip Code: Kalispell, MT 59903
Email: _____

LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):

Street
Address: 2602 Highway 2 East S 28 T 29N R 21W
Subdivision Tract Lot Block
Name: NA No(s). 1AK No(s). _____ No. _____

1. Zoning District and Zoning Classification in which use is proposed:

B2

2. Attach a plan that includes drawings & texts of the affected lot and how the following items correspond to it:

A. Site Suitability.

The site is suitable for the use. This includes:

- (1) adequate usable space
- (2) adequate access
- (3) absence of environmental constraints

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
- (2) traffic circulation
- (3) open space
- (4) fencing, screening
- (5) landscaping
- (6) signage
- (7) lighting

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
- (2) water
- (3) storm water drainage
- (4) fire protection
- (5) police protection
- (6) streets

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
- (2) noise or vibration
- (3) dust, glare or heat
- (4) smoke, fumes, gas, or odors
- (5) inappropriate hours of operation

3. The following proposed uses shall meet additional requirements as outlined in 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 _____

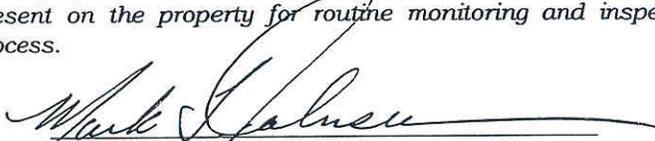
Planner's Signature _____

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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.

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.


Applicant Signature

2 MARCH, 2010
Date

March 4, 2010

MAR 2 2010

A: Site Suitability:

1. Adequate Useable Space:

The site contains sufficient space to maintain required property line setbacks and adequate area for require parking and vehicular access. For the previous 30 years the convenience store, gas station and car wash utilized all site areas for pump islands, parking and vehicle access with limited landscaping in the right of way only. The re-designed site layout for the new uses eliminates the pump islands, underground fuel storage tanks, and excess paving which creates the opportunity for more abundant landscaping, better arranged parking and safer vehicular access.

2. Adequate Access:

The site adjoins both Highway 2 and Reserve Drive. Each roadway is accessible via access points that direct traffic safely onto and off of the public way though signage and curbing.

3. Absence of environmental constraints:

The property is surrounded by roadways on two sides and commercial (B-2) properties on the remaining sides. No environmentally sensitive areas exist on the site or adjacent sites. The existing underground fuel storage tanks have been removed.

B: Appropriateness of Design:

1. Parking scheme: The site design for parking and vehicular access and circulation capitalizes on the existing building placement and the existing approaches. Provided parking is far in excess of zoning requirements as noted below:

Use	Area (SF)	Zoning Ratio	Req'd Stalls	Provided Stalls	Comments
Bank	2996	1/400 SF	8	16	
Office	2568	1/400 SF	7	16	
Drive-Up	798	4	12	12 Stacking	
Car Wash	2449	NA	NA	7 Stalls and 12 Stacking	
TOTAL	8,813		27	63	Provided exceeds required by 233%

2. Traffic Circulation: The site design maintains all four existing approaches that have been in use for over 30 years with some modifications. The existing northern-most approach which accesses Highway 2 has been modified with a DOT approved concrete island design and signage that creates a 'right in, right out' only configuration. This forces all north bound traffic exiting the site to use West Reserve and the controlled intersection of West Reserve and Highway 2. This increases traffic safety

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to vehicles using Highway 2 over the pre-existing condition which allowed vehicles to turn north crossing two lanes of moving traffic and one center median turn lane. The eastern-most approach to West Reserve has been similarly modified with DOT approved striping and signage that converts this approach to a 'right in, right out' only configuration. The pre-existing approach allowed exiting traffic to turn east bound onto W. Reserve. In close proximity to the intersection this was hazardous at time. Likewise east-bound W. Reserve traffic previously was able to turn into the site at this approach which at busy traffic times caused an obstruction to traffic turning north-bound on US Highway 2 from West Reserve. The other two existing approaches maintain their existing functions and locations. When the substantial reduction in trip generation over the convenience store and gas station is considered, the reduction in the demand on the intersection of Reserve and Highway 2 cannot be understated. The new uses of this property therefore increase both traffic safety and convenience to the traveling public.

3. Open Space: Permitted lot coverage is not a requirement under the B2 zoning. The property contains 58,426 Sq. Ft. with a built area of 8,813 Sq. Ft. or 15% lot coverage. The site design provides 14,306 Sq. Ft. of landscaping or 25%. This is a vast increase over the previous uses of this property and is immediately noticeable. The convenience store and gas station which occupied the property for over 30 years was either unpaved gravel or 100% asphalt paving. The new design creates a much more appealing visual presence on the corner as well as better storm water containment and dissipation and dust control.

4. Fencing and Screening: The subject property adjoins a building product supplier on part of the west property line. That property utilizes a 6' tall view obscuring chain link fence on the property line. The subject property incorporates a 6' wide landscape strip adjacent to this fence. The subject property provides a 4' to 6' wide landscape on the balance of the west property line. The north property line of the subject property contains an approximate 20' wide landscape buffer. The east and south boundaries adjoin US highway 2 and West Reserve Drive with concrete curb and sidewalk in the right of way with substantial landscaping between the sidewalk and the parking areas.

5. Landscaping: The entire perimeter of the site as well as the site areas adjacent to the building provide landscaping in the form of impervious ground cover and vegetative materials. The total on site is 25% minimum and when including the contiguous landscaping in the right of way the overall impact visually far exceeds the pre-existing convenience store use. See item B.3 above.

6. Signage: All free standing signs are existing signs that have had new faces applied to them and are all with-in County standards for area and location.

7. Lighting: All lighting on site directs all light down and onto the site with no light being projected away from buildings or towards adjacent properties or roadways. Omni directional pump island lighting has been eliminated with the removal of the gas pump islands.

C. Availability of Public Services and Facilities:

1. Sewer: The site has been and continues to be served by the Evergreen Sewer.

2. Water: The site has been and continues to be served by the Evergreen Water.

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3. Storm Water Drainage: The site has been and continues to be served by on-site subsurface facilities. Additionally, new landscaping areas have been provided throughout the property that collect roof drainage and snow accumulations and allow them to naturally dissipate into the soil.

4. Fire Protection: The site has been and continues to be served by the Evergreen Volunteer Fire Department. Elimination of the pump islands and underground fuel storage tanks has substantially reduced the overall hazards.

5. Police Protection: The site has been and continues to be served by the Flathead County Sheriff's Department. Being located at one of the busiest intersections in the county it has the benefit of 24 hour random Police presence via roving patrol.

6. Streets: The site adjoins US Highway 2 on the East and West Reserve Dr. on the South. Both are busy streets with developed traffic control devices and lane configurations. See A.2 and B.2 above for a discussion of access to these roadways.

D. Immediate Neighborhood Impact:

1. Excessive traffic generation: The trip generation for the new bank and office use are substantially less than of the previous convenience store and gas station. The previous use during peak time generated 62.6 vehicle trips per hour and the new uses generate 27.3 trips per hour during peak time. Therefore the new uses reduce the vehicle impact to the neighborhood by over half.

2. Noise or vibration: The new uses generate no substantial noise or vibration.

3. Dust, glare or heat: The new uses because of additional landscaping generate less dust than the previous uses. Windows are provided with shading devices to reduce glare and all other building materials and site elements do not generate glare. No heat is generated by this project.

4. Smoke, fumes, gas or odors: The project does not generate smoke, fumes gas or odor.

5. Hours of operation for the carwash are as they have been for the past 30 years. The previous convenience store and gas station were 24 Hr operations; the Bank and Office uses however now only operate during standard business hours.

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