

**MINUTES OF THE MEETING
OF THE
DESIGN REVIEW BOARD
May 19, 2014**

CALL TO ORDER

The regular meeting of the Great Falls Design Review Board was called to order by Chair Mary Klette at 3:00 p.m. in the Rainbow Room of the Civic Center.

ROLL CALL & ATTENDANCE

Design Review Board Members present:

Mary Klette, Chair
David Grosse, Vice Chair
Todd Humble
Eric Peterson
Tara Tronson

Design Review Board Members absent:

None

City Staff Members present:

Craig Raymond, CBO, Director P&CD
Lee Nellis, FAICP, Deputy Director P&CD
Galen Amy, Planner II

Others present:

Marvin Hessler, AIA, Hessler Architects
Chad Elkin, Elkin Family Dentistry
Krista Smith, Great Falls Builders Exchange

MINUTES

Ms. Klette asked if there were any comments on the minutes of the May 12, 2014 meeting. Mr. Grosse moved to approve the minutes as stated. Mr. Peterson seconded, and all being in favor, the minutes were approved.

OLD BUSINESS

There was no old business.

NEW BUSINESS
DRB2014-09 Elkin Family Dentistry PC
2500 Bobcat Way

Galen Amy, Planner II, presented the staff report for the application by Elkin Family Dentistry for a new single story 3,550 square foot dental clinic building on a vacant lot located at 2500 Bobcat Way. Ms. Amy entered the staff report into the record.

There is an established cardiology facility on the abutting property to the east of this proposed project, and residential condominiums to the west. The proposed clinic location is in the Medical District and zoning on this property is M-1 Mixed use district.

Ms. Amy reviewed details of the proposed project as outlined in the staff report. The mechanicals will be placed at the west side of the building and screened by landscaping. The applicant has determined that they will only need a wheeled residential garbage container, which will be located at the rear of the building.

The site plan for this project includes the conceptual parking layout showing 23 parking spaces, 1 of which will be ADA accessible. This exceeds code requirements. The storm water plan will be reviewed and approved by the Public Works Department prior to issuance of building permits for the development. City Engineer, Jim Young, will work with the applicant on the storm water detention and utilities for this project. The proposed signage appears to meet City Sign Code and will be reviewed under separate application.

PETITIONER'S PRESENTATION

The petitioner had no comments.

PUBLIC COMMENT

There was no public comment.

BOARD DISCUSSION

Chair Klette asked if there was any signage proposed on the building. The only signage will be the proposed monument sign. The wheeled garbage container will be adequate due to the fact that the Clinic does a lot of recycling and does not generate a lot of waste.

ACTION

MOTION: That the Design Review Board approve the Design Review Application of Elkin Family Dentistry PC as shown in the conceptual development plans contained within the staff report and provided by the property owner's representative, subject to the following conditions:

Conditions of Approval:

1. The proposed project shall be developed consistent with the conditions in this staff report, all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.

2. If after the approval of the concept development plan as amended by this Board, the owner proposes to expand or modify the conceptual development plans, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the concept for one or more review criteria. If such proposed change would alter the plan, the proposal shall be resubmitted for review as a new application.
3. The applicant shall develop plans and specifications in conformance with the relevant requirements of Title 15 – Building and Construction of the Official Code of the City of Great Falls.

Made by: Mr. Humble
Second: Mr. Grosse

Chair Klette called for any further discussion on the motion. Seeing none, she called the vote.

VOTE: All being in favor, the motion passed.

PUBLIC COMMENT

There was no public comment.

RECESS

Mr. Humble made a motion for a five-minute recess, seconded by Ms. Tronson. All being in favor, the Board recessed for five minutes.

RECONVENE AND BOARD DISCUSSION

Mr. Humble motioned to reconvene the meeting, seconded by Mr. Grosse. All being in favor, the meeting reconvened.

Mr. Raymond provided some information to the Board on the creation and purpose of the Design Review Board (DRB), which is incorporated into the minutes of this meeting. He said the formulation of the DRB was a largely community driven process with a desire to improve the image and functional level of projects within the city. He said there has been concern in the development community, as well as other aspects of the community, that the City has perhaps been business unfriendly because of the DRB or because of the Planning & Community Development Department. He said he feels staff is pretty straightforward with how most projects get approved.

Mr. Raymond said the DRB has the authority to approve, approve with conditions, or deny a project based on absolute standards, not guidelines. These standards are for mechanical equipment, outdoor lighting, landscaping, and exterior storage of materials. Mr. Raymond said the DRB can also make suggestions to improve design, which is the reason for a variety of backgrounds preferred for DRB members.

Mr. Raymond explained that when the DRB makes suggestions, the applicant may decide not to act on those suggestions, and the DRB and staff have to accept that. He said the DRB has for

the most part elevated the design consciousness of the community, and the process had gone very well.

Mr. Humble said it is somewhat frustrating as a Board member because of the lack of enforcement on such things as landscaping, or when a business owner patches an exterior with no concern for any design standards. Mr. Raymond said the City cannot cite an owner in these instances, but he said that success begets success, and aesthetically pleasing development encourages more of the same. He also said there are business owners that are trying to eke out a living and still have their dream, and that also should be supported.

There was further discussion about the role of the DRB and their ability to make suggestions for both staff and applicants. Mr. Raymond said that the DRB cannot disapprove a project based on a guideline, but he said the DRB has the opportunity and discretion to challenge design plans for improvement. He said the Building Safety Division may need to take a better look before issuing a full Certificate of Occupancy to see if the applicant has followed through with what they agreed to do. Ms. Klette asked if the DRB should be offering design suggestions, and Mr. Raymond said they should. Ms. Klette asked about the Starbucks fence and whether that was a standard or a guideline. Mr. Raymond said he considered it as landscaping and part of the standard for the project due to the fact that Starbucks is a drive-thru with a speaker and has neighboring residential. Mr. Raymond said that since City Code reads that a wall buffer for such a project must be at a minimum height of 4 feet, he said the City has the ability to suggest a higher wall based on location and use.

There was also discussion about the process for staff of working with applicants on the specifics of each development in relation to City Code and design elements. Ms. Amy said that the bigger picture for the Starbucks site includes such information as the fact that our Code generally follows the urban idea that new development be toward the front of the lot. With the Starbucks project, all of the traffic and noise is to the back of the lot. In addition, there is a 15-foot buffer requirement with the landscape code, but for this project, there is only 7 feet. Therefore, staff felt it reasonable to require a 6-foot wall buffer instead of the minimum of 4 feet. Further, there are already neighbor complaints about the noise that will be generated at this site due to proximity to a residential neighborhood. Staff also felt it reasonable to require evergreen trees in that buffer zone instead of deciduous trees, since the latter will not have foliage nine months of the year.

Ms. Klette asked why these requirements are not simply written in City Code, and Ms. Amy said City Code cannot be written to cover all circumstances. She said this was a very specific case of dealing with noise and vehicle emissions as well as headlights and high traffic use.

There was discussion about the differences in aesthetics with existing buildings. Mr. Humble said it would be nice if the DRB could see earlier plans for new projects and offer input before they come to the Board for final approval.

Ms. Klette said that by the time drawings are presented to the DRB, they are pretty much completed, and if the DRB and even the representative for the applicant think there should be some changes, the applicant themselves may not want to spend the time and money to make further changes. Mr. Nellis said he has worked with groups similar to the idea of a DRB in which they were involved much earlier in the process. He said that in most communities, a DRB would

be advisory to a Planning Commission, which would make the final determination. He discussed possible options for the DRB process and possible future clarifications of City Code.

Mr. Raymond said the developer had negotiated with Starbucks before knowing about the 6-foot wall condition, which increases costs. The developer has provided an alternate proposal for a 6-foot cedar fence with lots of landscaping. Mr. Raymond said the City is adding maintenance requirements for that proposal.

It was noted that City Code cannot cover every situation and therefore the DRB is important to the process.

Mr. Lee requested that members of the DRB make note of particularly well designed projects and let staff know where these are located for reference. He said if the DRB would like, he could send out landscaping standards for their review that are different than our current City Code standards.

It was noted that there should not be any ex parte communications as a Board, even via email, for public transparency reasons.

Ms. Amy said that the City Code which is online is the most updated version.

ADJOURNMENT

There being no further business, Mr. Grosse moved to adjourn the meeting, seconded by Mr. Peterson. All being in favor, Chair Klette adjourned the meeting at 4:05 p.m.