

**WHITEFISH PLANNING BOARD
MINUTES OF MEETING
APRIL 21, 2016**

<p>CALL TO ORDER AND ROLL CALL</p>	<p>Chair Ken Meckel called the regular meeting of the Whitefish Planning Board to order at 6:02 pm. Board members present were Chair Ken Meckel, John Ellis, Rebecca Norton, Melissa Picoli Philips and Ken Stein. Frank Sweeney and Jim Laidlaw were absent. Planning Director David Taylor, Senior Planner Wendy Compton-Ring and Planner II Bailey Minnich represented the Whitefish Planning and Building Department.</p> <p>There were approximately 10 people in the audience.</p>
<p>APPROVAL OF MINUTES 6:03 pm</p>	<p>Rebecca moved and John seconded to approve the March 17, 2016 minutes as amended. The motion passed unanimously.</p>
<p>COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA) 6:04 pm</p>	<p>None.</p>
<p>OLD BUSINESS: 6:04 pm</p>	<p>None.</p>
<p>PUBLIC HEARING 1: SW SUBDIVISION PRELIMINARY PLAT 6:05 pm</p>	<p>A request by Triple S Landgroup and Daniel Scheffer for a 6-lot subdivision that contains four (4) detached single family homes and two (2) attached single family homes. The property is zoned WR-2 (Two-Family Residential District). The property is located at 235 Haugen Heights and can be legally described as Lot 3A of Lake Park Add Resub S2 L3, BLK 11 in Section 26, Township 31N, Range 22W.</p>
<p>STAFF REPORT WPP 16-01 (Minnich)</p>	<p>Planner Minnich reviewed the staff report and findings. Additional comments were received after the packets were mailed. Staff handed these out to the Board and all comments are in favor. Staff recommended adoption of the findings of fact and conditions of approval within staff report WPP 16-01, and for approval to the Whitefish City Council.</p>
<p>BOARD QUESTIONS OF STAFF</p>	<p>Rebecca – asked a question about the comment letter requesting a different zoning setback, Planner Minnich responded that zoning deviations can only be approved through a zoning variance or a PUD application. The applicant has not submitted those types of applications.</p>
<p>APPLICANT /</p>	<p>Jay Snowden, 164 Old Ranch Road. He is the applicant and here on behalf</p>

<p>AGENCIES</p>	<p>of the property owner. He described the pricing of the homes and would like to keep the homes in an affordable range. In agreement with the staff recommended conditions of approval.</p> <p>Rebecca asked the applicant to explain the drainage. Mr. Snowden introduced his engineer, Brian Nelson, 12 Teton Street, with APEC Engineering, who described the proposed method for stormwater management.</p>
<p>PUBLIC COMMENT 6:18pm</p>	<p>Daniel Fischer, 166 Stumptown Loop. Here to support the builders. The project will be an improvement to the site and compliment the neighborhood.</p> <p>Phil Mitchell, 1450 W Lakeshore Drive. Handed out a letter and read it into the record. This project supports this infill project. Also indicated the support of neighbor Joe Brus who was unable to attend tonight's meeting.</p> <p>John Schuler, 18 Pinecone Lane, applicant, described how pedestrians will access the front of the project across the stormwater swale.</p> <p>Jay Snowden, applicant, further described the public outreach to the neighborhood to make sure the design of the project would make the neighbors happy.</p> <p>Closed the public hearing.</p>
<p>MOTION / BOARD DISCUSSION</p>	<p>Rebecca moved and Ken S. seconded to adopt the findings of fact within staff report WPP 16-01, with the twenty (20) Conditions of Approval, as proposed by City Staff.</p> <p>Rebecca described the trees she was concerned with but they are in poor shape and it's no longer a concern.</p> <p>Melissa complimented the applicant for working with the neighborhood and agreed with Rebecca regarding the trees.</p>
<p>VOTE</p>	<p>Ken M. called for the question and the motion to approve passed unanimously. The matter is scheduled to go before the Council on May 2, 2016.</p>
<p>PUBLIC HEARING 2: VFW LION MOUNTAIN POST</p>	<p>A request by the VFW Lion Mountain Post #276 for a Conditional Use Permit for the expansion of a non-conforming use to install five (5) new gaming machines. The property is developed with an existing commercial</p>

<p>#276 CONDITIONAL USE PERMIT 6:25 pm</p>	<p>use which currently has nine (9) gaming machines, and is zoned WB-3 (General Business District). The property is located at 20 Baker Avenue and can be legally described as Lots 5, 6, 7, 8, 9, 10 of Whitefish Subdivision in S36 T31N R22W.</p>
<p>STAFF REPORT WCUP 16-03 (Minnich)</p>	<p>Planner Minnich reviewed the staff report and findings. Staff recommended adoption of the findings of fact and conditions of approval within staff report WCUP 16-03, and for approval to the Whitefish City Council.</p>
<p>BOARD QUESTIONS OF STAFF</p>	<p>John asked about the relationship between a nonconforming use and change in ownership. Staff described the nonconforming requirements and standards in the Zoning Regulations.</p> <p>Rebecca asked about gaming in the downtown and the Casino District. Staff described the background on the Casino Overlay District, the state licensing requirements and the nonconforming status of gaming in the downtown.</p> <p>Ken M. asked about the applicant requesting a 2nd expansion and staff responded that a 50% expansion of a nonconforming use can only be used once. They cannot come back later and request another expansion.</p>
<p>APPLICANT / AGENCIES</p>	<p>Cindy Fredericks, manager of the VFW, supports the conditions of approval and described their interest in the expansion is to provide customers with a variety of gaming.</p> <p>John asked if the VFW is charitable organization.</p> <p>Ken Herrmann, commander of the VFW stated that the VFW is a nonprofit organization established in order to help veterans past and present. All profit goes to the post in town, state and nationwide to help veterans with expenses. In MT there is a law to allow the public to use the VFW, as a guest.</p>
<p>PUBLIC COMMENT 6:41pm</p>	<p>None</p> <p>Closed the public hearing.</p>
<p>MOTION / BOARD DISCUSSION</p>	<p>Ken S. moved and John seconded to adopt the findings of fact within staff report WCUP 16-03, with the eight (8) Conditions of Approval, as proposed by City Staff.</p>

VOTE	Ken M. called for the question and the motion passed unanimously. The matter is scheduled to go before the Council on May 2, 2016.
PUBLIC HEARING 3: CITY OF WHITEFISH ZONE CHANGE 6:41 pm	A request by the City of Whitefish to rezone parcels recently annexed into City limits from County SAG-10 (Suburban Agricultural) to WA (Agricultural District). The property is developed with a residential use and existing church. The subject property is located at 6232 Highway 93 West and can be legally described as Tract 3BB-100 in Section 01, Township 30N, Range 22W.
STAFF REPORT WZC 16-01 (Minnich)	Planner Minnich reviewed the staff report and findings. Staff recommended adoption of the findings of fact within staff report WZC 16-01, and for approval to the Whitefish City Council.
BOARD QUESTIONS OF STAFF	None.
APPLICANT / AGENCIES	None.
PUBLIC COMMENT 6:47 pm	Mark Morris, representative of the family land indicated that the single family home will be used as a parsonage for the Baptist Church. Closed the public hearing.
MOTION / BOARD DISCUSSION	Rebecca moved and John seconded to adopt the findings of fact within staff report WZC 16-01, as proposed by City Staff.
VOTE	Ken M. called for the question and the motion passed unanimously. The matter is scheduled to go before the Council on May 2, 2016.
NEW BUSINESS 6:47 pm	None.
GOOD AND WELFARE 6:48 pm	1. Matters from Board. None. 2. Matters from Staff. There will be no Planning Board meeting in May, as we have no applications.

	<p>The Board had a discussion of the big box standards and the purpose the CUP and its opportunities.</p> <p>Staff handed out the American Institute of Certified Planner’s (AICP) Code of Ethics. Staff could review a few of these standards at each meeting for the Board.</p> <p>Board continued the discussion on their role, development of findings of fact and reviewing our projects according to the criteria.</p> <p>3. Poll of Board members available for the next meeting on June 16, 2016. All indicated they thought they would be available.</p>
<p>ADJOURNMENT 7:11 pm</p>	<p>Ken S moved and John seconded to adjourn the meeting at approximately 7:11 p.m. The motion passed unanimously. The next regular meeting of the Whitefish Planning Board will be held on June 16, 2016, at 6:00 pm, at 1005 Baker Avenue.</p>

/s/ Melissa Picoli Philips
Ken Meckel, Chair of the Board

/s/ Wendy Compton-Ring
Wendy Compton-Ring, Recording Secretary

APPROVED AS SUBMITTED / CORRECTED: 6-16-16