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To: City of Whitefish Wisconsin Avenue Corridor Plan – Steering Committee
From: Kate McMahon, Applied Communications
CC:
Date: 9/15/2017
Re: Review of Public Comment from August

The purpose of this memo is to summarize public comment that has been received since the last Steering Committee meeting. Comments have been submitted via the on-line comment form, at the open house meeting on August 23, and by e-mail. The memo summarizes key issues that have emerged and provides background information for the Committee to consider as it determines how to incorporate this input into the corridor plan.

1. There were several comments from residents in the study area regarding an increase in noise from traffic, from restaurants operating in the corridor, and from increased activity from the resort and short-term rentals.

Background:

- The following City Code provisions address noise issues:
 - 5-2-5 – Disturbing the Peace
 - 6-1-8 – Prohibits Compression Breaks
 - 11-2L-5 – Noise Control for Restaurants
 - 11-3-35 – Short Term Rental license may be revoked if there are multiple citations of “Disturbing the Peace”.
 - 11-7-8 – Noise is a consideration for issuing a conditional use. Bars & microbreweries are a conditional use in the WB-1 District.

- The Corridor Plan states that, “Public input indicates a desire to preserve the established neighborhoods.” Reducing noise in residential areas is one aspect of that contributes to a quality of life for residents of neighborhoods. The corridor plan does not specifically mention noise concerns but does contain the following goals and policies that address compatible land development:
 - Urban Design Goal #1: Preserve the existing character along the corridor through site design and plans that reflect neighborhood scale and preserve the features that contribute to the quality of experience in the study area.

- Policy 4.2 New development should reflect neighborhood character through scale, building design, open space, landscaping, and other design features identified in the architectural standards.

Summary: Language can be added to the goal and policies to specifically mention the desirability of quiet residential neighborhoods and to adopt measures to mitigate impacts from noise. Such measures may include encouraging site plans that locate noise generating activities/ equipment away from residential areas, use of landscaping and berms to buffer noise, or use of building materials designed for noise attenuation. While the Architectural Review Standards do require air conditioners and other mechanical equipment to be enclosed in sound absorptive walls (Sections 3.6.1, 4.6.1, 5.6.1, 6.1.1) It may be advisable to review the city's design guidelines to include additional policies on noise. This review can be added to Action Item #8 regarding amending the Architectural Review Standards.

2. A comment was submitted expressing concern with East Marina Crest Lane being extended to the east as a through street to Wisconsin Ave.

Background: Currently, East Marina Crest Lane between Dakota and Wisconsin is a cul-de-sac. When the Northview Subdivision was platted, it included dedication of right-of-way to the city for future extension of East Marina Crest Lane to the east. This section of dedicated R/W runs from the east end of the cul-de-sac to the west property line of the former gravel pit then connects to a public access easement along the south boundary or the north parcel that comprises the gravel pit.

Summary: There is a lack of east-west connectivity between Dakota Avenue and Wisconsin Avenue, which the extension of East Marina Crest Lane would help to provide. Continuation of East Marina Crest would comply with the City's transportation plans and public works standards that require connectivity of streets and grids. The city acquired right-of-way and easements for this extension prior to construction of homes on the cul-de-sac. Although the maps in the technical appendix for the corridor plan depict these easements, for clarification purposes, it may be advisable to make specific reference to the future extension of East Marina Crest Lane in the transportation section of Chapter 2.

3. Key Development Area – Edgewood Place. The property owner has expressed an interest to develop workforce housing. Several comments noted that the location near the railroad tracks and a dilapidated building make the property undesirable for luxury condos.

Background: The property is currently zoned "WB-1" Limited Business." The only type of residential that the zoning regulations allow in this district is accessory apartments as a conditional use. The development concept recognized that multi-family residential and workforce housing would be desirable at this location. With the existing zoning, however, the only way to accommodate multi-family is with a mixed-use PUD. Currently, the PUD regulations are under review and phase 2 of a workforce housing study is underway. It is possible that new regulations may offer some mechanism to encourage workforce housing that would apply to this property.

The property owner could apply to rezone the property to "WR-4 High Density Multi-family Residential". Since there is WR-4 zoning adjacent to the property on the west and north, such zoning would be consistent with the surrounding land use patterns.

Summary: There appears to be consensus that workforce housing would be an appropriate use for this key development site. To support rezoning for multi-family development on this site, however,

the land use designation should be changed from “Neighborhood Commercial” to “High Density Residential”. The key development area concept could be revised to reflect this change.

4. Key Development Area – Gravel Pit. Public comment that the site would be a good location for workforce cabins. New land owner expressed interest in cabins/condos and restaurant/retail on parcels zoned for business. Some residents noted that the graphic in the plan was not in scale with surrounding residential.

Background: The current zoning is “WB-1, Limited Business for parcels with frontage on Wisconsin Ave and “WRR-1, Low Density Resort Residential” for the remainder of the site. Wisconsin Development Partners recently purchased the property and has submitted a letter outlining a development concept for residential housing (single-family & condominiums) with some retail and restaurant uses along the Wisconsin Avenue frontage. (See attachment). The development would also provide for a Snow Bus stop.

Summary: The development concept submitted by the property owner is consistent with the existing zoning and draft corridor plan. The key development concept should note the extension of Marina Crest.

5. Key Development Area – Big Mountain Road/East Lake Shore Drive (North of East Lake Shore Drive)

Background: This area includes 31 acres located at the northeast and northwest corners of Big Mountain Road and East Lake Shore Drive. The existing land use is vacant except for a few older rental homes in poor condition located on the eastern parcels adjacent to the Iron Horse golf course. While the 2007 Growth Policy designates this area for suburban residential, this land use classification is not consistent with existing zoning. The current zoning is “WR-2, Two-family Residential” (13.5 acres), “WR-3, Low-Density Multi-family Residential” (8.3 acres) and County “R-4, Multi-family Residential”. The “Urban” designation would reflect the WR-2 zoning, while the “High Density Residential” would reflect the “WR-3” and “R-4” zoning. Under the current zoning, it is projected that approximately 200 to 250 residential units could be constructed at this site. For the parcels located in the county, annexation to the City would be required in order to provide connections to city water and sewer. The owner has expressed an interest in developing the property with vacation rentals or membership residential units and possibly some limited business. These types of uses would require a change to zoning and the future land use map. The Committee should consider the following concerns in regarding the appropriate land use designation for this area.

- a. **Short term rentals vs. year-round housing.** Public comments generally support lower to medium density development that would be consistent with surrounding residential densities and would be comparable to the density allowed under current zoning. The current zoning does not allow short-term vacation rentals. The future land use map would need to redesignate this area as “Resort Residential” to support a rezoning to a WRR-1 or WRR-2 (Resort Residential) zoning district. There were several public comments, however, that expressed a concern about additional vacation rentals, especially given the shortage of year-round opportunities for employees and young professionals. To accommodate both types of residential, one of the scenarios that has been discussed by the Committee is to designate the

west side of Big Mountain road as resort residential while maintaining the existing designation for year-round housing on the east side of Big Mountain Road.

- b. **Limited Business** – With the addition of over 200 residential uses at this intersection, there would be demand for convenience retail services and a small commercial area could reduce the need for vehicle trips. To meet this demand, the scenarios for this location indicated that two acres at this corner to be designated for neighborhood commercial. There was public comment that expressed concern about the potential for an automobile service station and other uses at this corner and that such a use would be out of character with the surrounding area and would contribute to traffic congestion. To address this concern, the description for the key development area could include a statement that discouraged inappropriate businesses at this location. Previous scenarios considered by the Committee described this commercial area as part of a planned unit development where such businesses were an integrated part of the development and were designed to be in character with the surrounding neighborhood. Any large residential PUD could have a commercial component that might accommodate a store, so it may not be necessary to change the land use map or zoning to neighborhood commercial. The description of the PUD concept in the corridor plan could be expanded to state that certain uses, such as gas stations, would be inappropriate at this location.
- c. **Increased traffic congestion at the intersection** - As noted previously, the existing zoning would allow approximately 200 to 250 additional dwelling units. The scenario analysis projected that this number of dwelling units will generate around 1,300 additional vehicle trips at this intersection. The increase in traffic will require improvements to this intersection. Both Big Mountain Road and East Lake Shore Drive are under the jurisdiction of the Montana Department of Transportation (MDT). Prior to approval of any development, the applicant will be required to submit a traffic study and engineering drawings to MDT for their review and acceptance. MDT will evaluate alternatives, including traffic control devices or the possibility for a round-about at the intersection. The final design will be based on the traffic study, input from the City, and negotiations with the developer. The developer will be required to pay for at least a pro rata share of improvements to the intersection.

There has been concern expressed by the public about additional traffic related to commercial uses. There can be significant range in the number of vehicle trip related to a commercial area depending on the type of commercial activity. Offices and personal service uses have low rates of traffic generation while drive-ins and gas stations have significantly higher rates. To address this concern, the key development area concept could include a statement that uses with high rates of traffic generation are discouraged at this intersection. (Note: The zoning regulations already prohibit drive-in uses in the WB-1, Limited Business district.)

- d. **Pyramiding** - There were questions regarding a practice referred to as “pyramiding”. This allows all property owners within a homeowners association to have access to the lake at a homeowner’s park. There were concerns that if the property at the Big Mountain Road were developed as a PUD that included the lake shore property, all homeowners would be allowed use of a marina that was operated by the homeowner’s association. The impact to the lake would be greater due to the increased marina use from such a development. The current lakeshore development regulations allow pyramiding if there is adequate lake frontage. The relevant code section is below:

11-9-2, Definitions

HOMEOWNERS' PARK: A park which has been dedicated as part of a subdivision for the exclusive use by the property owners within that subdivision, and is maintained through private funds provided from annual fees paid to the homeowners' association. In subdivisions where a homeowners' park provides common lake access, the common lake access shall be a minimum of one-half ($1/2$) acre in size and contain a minimum of one hundred feet (100') of lakefront, except that an additional ten feet (10') of lakefront shall be added for each dwelling unit in excess of five (5).

Currently, the parcels located both north and south of the Big Mountain Road intersection are under single ownership. The nine parcels south of Big Mountain Road have a total of 755 feet of lakeshore frontage. If the land owner elected to develop this area as a unified development with a homeowners association, there is enough lakeshore frontage to allow a 70 homeowners access to the lake. If designed appropriately, a homeowner park with open space along the waterfront could represent much less intensive use of a lakeshore. If, however, the homeowner park allowed residents motorized boat access or included a marina for residents, it would represent a more intensive use. Since the draft corridor plan does include a policy to discourage increased motorized watercraft usage, it may be advisable to add an action item to the plan that would recommend the City review the lakeshore regulations and address issues related to marinas/boat access and "pyramiding".

6. Key Development Area – Big Mountain Road/East Lake Shore Drive (South of East Lake Shore Drive with Lake Frontage)

Background: This includes 10 acres (nine parcels) of land located on the south side of East Lake Shore Drive. All lots have lake frontage. Currently, the property is not located within Whitefish city limits, and the parcels are zoned in the county as "W-1, Suburban Residential". The 2007 growth policy designates this area as "Suburban Residential". The property owner, Mr. Joe Gregory, has submitted a letter indicating an interest in developing this property with a lodge and conference center with a marina. (See attachment). There has been no formal application for any development on this property. Residents from the surrounding neighborhood have submitted comments and attended meetings stating opposition to a lodge development. (See attachment for summary of comments from the open house on Aug.23). The key concerns expressed by residents include the following:

- a. **On-going work in the lakeshore protection zone** – There were multiple questions about the scope of work that has been authorized in the lakeshore protection zone and whether this work was related to a future lodge development. The lakeshore protection zone is defined as follows:

LAKESHORE PROTECTION ZONE: The lake, lake bed and the land area which is within twenty (20) horizontal feet of the perimeter of the lake and adjacent wetlands when the lake is at the mean annual high-water elevation

In 2012, the City of Whitefish issued a lakeshore permit to the previous landowner of three parcels authorizing the following work.

- Bunk House Cabin – Exterior/Interior repairs

- Pavilion – Rehab & repairs. Add stone path & steps
- Boat House Removal
- Dock - Permitted prior to 2012. Permit noted that this dock would be replaced.

Since the 2012 permit was granted, Mr. Gregory acquired the property and Flathead County assumed jurisdiction over the lakeshore permits for properties located outside of city limits. Mr. Gregory applied to Flathead County for an extension of the lakeshore permit and the County granted this extension until May, 2018. The extension did not modify the original approvals from 2012.

Whitefish Lake is within the city limits so any docks or marinas built in the lake would require a permit from the City. The City has not received any applications for such work.

In addition to on-going work in the lakeshore protection zone, neighbors have reported additional activity such as tree removal and construction of a driveway and entryway. Work in this area is located outside of the lakeshore protection zone. All of the above mentioned activity is allowed under current county zoning. The county does not require building permits so no plans have been submitted regarding this work. The City of Whitefish does not have jurisdiction on parcels located outside of city limits. Questions regarding construction on this property should be directed to the County Planning Department.

- b. **Increase in traffic related to a potential lodge development** - It is estimated that a lodge with a restaurant and bar would generate approximately 300 to 400 vehicle trips per day as opposed to about 90 trips if the area is developed as single-family. As noted previously, a traffic study would be required to be submitted with any application for development at this intersection. The Montana Department of Transportation would evaluate the study and the developer would be responsible for making improvements to the intersection.
- c. **Marina Impacts on Water Quality** – In the letter to the Steering Committee, the property owner commented that there is only one marina on the lake and there is an unmet demand for additional boat slips. He also noted that since the lakeshore area where his property is located is outside of Monks Bay and is in a water depth averaging 20 to 25 feet depth, a marina at this location will have less impact on water quality than a marina located in shallow water. The letter also noted that the marina would be developed to “green marina” standards and this would mitigate impacts from increased boat traffic.

The neighboring property owners, however, noted there would be less frequent use of docks from individual land owners than from a marina associated with a lodge. The increase in boat traffic from a public/private marina associated with a lodge would result in greater pollution, boat congestion, and noise.

The impact of a marina on water quality depends on the design and operation of the facility. If a marina is developed with a lodge, it would require annexation to the city and be subject to City review regarding zoning and lakeshore regulations. The city can attach conditions to such approvals for a marina to address concerns regarding water quality.

There were also public comments regarding the impact on water quality from storm water run-off related to more intensive development. If the city annexes these parcels, development will be subject to city water quality regulations. (Sections 11-2-29. Water Quality Protection & 11-2-33, Erosion and Sediment Control of the Whitefish City Code)

Development of single-family homes under current zoning in the county is not subject to these regulations.

- d. **Neighborhood Character vs. Resort Development** – Neighboring property owners were concerned that changing the land use designation to allow resort commercial zoning would change neighborhood character from a peaceful residential area and would lower the value and enjoyment of nearby properties. The development of a lodge at this intersection would represent an increase in human activity, vehicular traffic, and boat traffic. Such development would alter the neighborhood character that is currently zoned for single-family development.

The Committee has considered a scenario that would change the future land use designation from single-family to resort business. Discussion regarding this scenario included the following key points:

- **Public benefit.** There has been public comment, as well as some discussion at past Committee meetings, that a resort development may be desirable to provide an additional point of public access to Whitefish Lake. Currently, there is limited access to the lake and, if properly designed, the lodge could provide some access and amenities not otherwise available to the public. Other potential public benefits to consider are the development of a satellite fire station and employee housing that could be negotiated as part of an annexation agreement or as part of a PUD approval.
- **Compatible Development-** If the corridor plan were to include a recommendation to change the future land use to resort commercial, there should be clear language that any type of development should be designed to reflect the existing character with low-density development, open space, and general retention of the wooded landscape. Use of the marina should be limited to minimize impacts from noise.
- **Mitigation of Impacts** – Development should be subject to conditions that would prevent any degradation of water quality.

The Committee may, however, determine that designating these lots as resort commercial would represent a change in neighborhood character to such a great extent that it could not be mitigated and choose to maintain the existing land use designations or consider a different residential land use.

7. Mr. Abell submitted a letter at the open house expressing opposition to expansion of commercial development along Wisconsin Avenue. Mr. Abell was also concerned about strip commercial development along Wisconsin Ave.

Background: The proposed future land use map in the corridor plan has the following land use designations that allow commercial development.

- Neighborhood Commercial – Only parcels that are currently zoned as “WB-1, Limited Business” or “WRB-1, Limited Resort Business have been designated as “Neighborhood Commercial” on the proposed future land use map. WB-1 has a minimum of 2 acres and maximum of 7, which by nature limits strip development. The intent of the WB-1 also limits

it to nodes to accommodate neighborhoods rather than a strip. Currently, 14 acres are zoned WRB-1.

There has been discussion about designating 2 acres at the corner of East Lake Shore Drive and Big Mountain Road as “Neighborhood Commercial”. (See discussion under Key Development Area”)

- Resort Commercial – The future land use maps indicate the following areas as “Resort Commercial”.
 - WRB-1 Limited Resort Business - A total of 22 acres is currently zoned as “WRB-1. These areas include Mountain Harbor and The Last Chair Restaurant.
 - WRB-2, General Resort Business – The Lodge at Whitefish Lake is currently zoned WRB-2 and totals 37 acres. It has been proposed that two parcels immediately south of the Lodge totaling 2 acres be redesignated from “High Density Multi-family” to WRB-2.
 - There has been a proposal from the land owner at Big Mountain Road and East Lake Shore Drive to designate 9 acres of land with lakeshore frontage as “Resort Commercial”. (See discussion under Key Development areas)

- Neighborhood Transition – This land use designation would allow a mix of residential and limited business uses. The future land use map changes the designation of 2 acres on the west side of Wisconsin Avenue, between Skyles and Edgewood, to “Neighborhood Transition”. This change would reflect the mix of land uses already established in this area. The current zoning of these parcels is “WR-4- High Density Multi-Family Residential”. Personal services and offices are allowed in this WR-4 district as conditional uses. Since there are no specific proposals for these lots, the Committee may want to consider maintaining the existing land use designation until such a time where the land owners may request a change to the future land use map.

- High Density Residential – This is a residential land use designation that includes areas already zoned either WR-3 or WR-4. The zoning regulations allow professional offices, galleries, and personal services as conditional uses in these zones for parcels with frontage on Wisconsin Ave.

Summary: The total amount of land currently zoned for commercial development is 77 acres. Depending on decisions by the Committee, the proposed land use in the corridor plan could add between two to six acres of new commercial land use. If the area at Big Mountain Rd./E. Lakeshore Drive is redesignated for a lodge, that would add another nine acres of commercial area.

It should be noted, however, that a number of parcels along Wisconsin are either vacant or candidates for redevelopment. It is likely that these areas where the zoning already allows commercial development will eventually transition to new commercial uses. The corridor plan recognizes that such redevelopment will occur and contains several goals and policies to address increased traffic, urban design, and compatibility with existing neighborhood. The plan also contains policies discouraging strip development.

September 12, 2017

Wisconsin Ave. Corridor Plan Steering Committee
c/o Planning Department
P.O. Box 158
Whitefish, MT 59937

Dear Steering Committee,

It was a pleasure to discuss the project that Wisconsin Development Partners is working on at 900 Wisconsin Avenue this past Thursday with Bob Horne, Kate McMahon, Dave Taylor and Wendy Compton-Ring. We believe that the nature of our development falls in line with the concepts and goals of the Wisconsin Corridor Plan and adheres to the existing zoning of WRR-1 (Low Density Resort Residential) through the CUP application that we will be submitting in October.

Our master plan is to develop and construct a community project that provides residential housing through condominium and single-family ownership as well as street retail and restaurants along Wisconsin Avenue. Wisconsin Development Partners will also be constructing a Snowbus stop on the property to provide a necessary benefit to the neighborhood as well as extending a bike path through the development and evaluating the ability to provide workforce housing on the three WB-1 (Limited Business) parcels.

We look forward to presenting this project to the committee on September 21st and to the hopeful support of our application through the CUP process.

Regards,

William A. MacDonald
Manager
Wisconsin Development Partners, LLC

From The Desk Of
Joseph R. Gregory
Located in the Old Custom House of Bristol

August 21, 2017

Dear Wisconsin Avenue Steering Committee Members,

My wife, Cindy, and I came to the Flathead Valley over 15 years ago and quickly fell in love with the Whitefish Lake area and Glacier National Park. We purchased a vacation property called Krummholz Lodge on Whitefish Lake and a ranch that borders Glacier National Park.

Cindy and I have always been attracted to the independent spirit of the West and the idea of American freedom has always been important to us. Our family originally came to Whitefish for the beauty, but decided to make it a second home because of the great people in the community.

Since coming to the Flathead Valley, we have supported several important community charities and ministries. In addition, my family established a donor advised fund with the Whitefish Community Foundation called The Krummholz Fund and I also serve on the Foundation Board. We did not do this to receive accolades; we simply wanted to invest in this great community to help make it even better.

As many of the committee members know, I am the owner of property at the intersection of East Lakeshore Drive and Big Mountain Road.

When Ms. Kate McMahan approached me about being involved in the corridor study due to my land ownership, I saw it as an opportunity to gain insight and ideas for what the community felt would be a benefit. One of my main desires has been to bring something of value to the community of Whitefish through these beautiful properties I'm privileged to own. Having multiple properties under single ownership provides forward-looking opportunities for the community that aren't present with the development of individual parcels in a piecemeal fashion.

After listening to comments and feedback from community leaders and my advisory committee, I have thought about several different options for the development of this property. After studying several alternatives, I believe a lodge and conference center with a marina is the best use of this property. Whitefish continues to be a highly desirable destination where an additional upscale lodge and conference center with a marina could add numerous public benefits to the community.

As a current marina owner in Tennessee over twelve years, we have been awarded a Clean Marina designation every year from the Tennessee Valley Authority (Cove Ridge Marina in Butler, TN –



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August 21, 2017

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www.coveridgemarina.com). We have one of the most beautiful, well-run marinas in Tennessee on a pristine lake that has routinely been called the third cleanest lake in the country. I am a very experienced marina operator and take stewardship of the environment very seriously, having been a key supporter of the Whitefish Lake Institute's new boat inspection station and other initiatives.

As the City noted when the only marina on Whitefish Lake applied to expand its allowable boat slips in 2014, there is an unmet community demand for additional boat slips. Fortunately, my lakeshore area is outside of Monk's Bay in a water depth averaging 20 to 25 feet deep outside the limnetic zone (below light penetration) to the profundal zone. I can help meet this community need while reducing the effect of boats in shallow water or the monopoly pricing power that currently exists.

It's my belief that having a new public marina is actually preferable to having multiple docks for multiple homes on the lake, an entitlement that is currently allowed on my lakeshore property. A public marina can be run by an experienced and competent operator such as myself and is subject to much stricter regulations than when you have a patchwork of boat docks that are operated by inexperienced individuals. This helps assure that the Whitefish Lake water quality stays pristine.

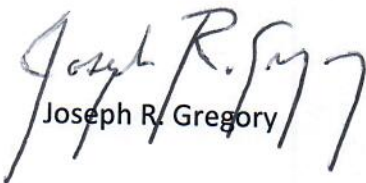
The lodge I propose developing would be something unlike anything we have in the area. This lodge would contribute to the local economy throughout the shoulder seasons with continuing education conferences, company meetings, etc. This type of activity has the potential to be enough of a draw to lead to other economic benefits to the community, such as increasing current air traffic during the shoulder season months and adding new air traffic routes from key cities.

As a part of the development we envision, a member village would be located across the road from the lodge. Building this type of member village on the north side of East Lakeshore Drive would mean that some of the distressed structures in that area would be removed and replaced by something that the community could be proud of.

I ask that the community consider the many potential benefits of incorporating a carefully-designed lodge, conference center and marina with member village at the intersection of East Lakeshore Drive and Big Mountain Road into the Corridor Plan. I hope you agree that having one locally-invested landowner with multiple parcels of land surrounding a community gateway and an interest in participating in a community planning process presents opportunities for everyone.

Thank you for your consideration, and for your invitation to participate in the Wisconsin Avenue Corridor Plan process.

Sincerely,


Joseph R. Gregory

Wisconsin Ave. Corridor Plan:

Notes from open house held on August 23, 2017 in Council Chamber at WF City Hall

Notes compiled by Robert Horne, Jr., AICP

The purpose of this open house event was twofold:

1. To disseminate information contained in the most recent draft of the corridor plan. Study area boundary, land use, zoning, future land use designation, and information on “key development areas” were displayed around the room for participants to examine, ask questions, and to provide any comments they might have.
2. To solicit comments from members of the public to be considered by the Committee as a public hearing draft of the corridor plan progresses. Committee members, city staff, and members of the consultant team were present to address any questions, provide additional information about the draft, and to assist members of the public in making comments.

A group of four people arrived early to the 5:00 PM open house and began asking questions about the possible development of property controlled by a Mr. Joe Gregory at the intersection of E. Lakeshore Drive and Big Mountain Road. In a phone conversation with the consultants, through representatives speaking at committee meetings, and in a letter to the steering committee dated Aug. 21, 2017 (attached), Mr. Gregory expressed a desire to develop a lodge, conference center, a marina, and a “member village” on this property. The group of four was invited into an adjoining conference room so that their comments and concerns could be aired and recorded. Once this meeting was underway, others joined the group and it eventually grew to 8 to 10 at any one time.

This meeting began with a discussion regarding the corridor planning process and how that process interfaces with development permitting. It was a ‘give and take’ discussion with a lot of questions asked and a good deal of information provided, but at its end the group seemed to have a better understanding of the planning process and who is responsible for what (staff, committee, consultants, etc.)

The first concern expressed was how much work has been and continues to be done on the property lying south of E. Lakeshore Drive. The group questioned if permits had been issued for this work, and if this work (whether authorized or not) might give the property owner an advantage with city or county officials once he actually files development applications. (Note: No applications for any of the improvements described by the owner verbally or in the letter have been submitted at this time.) Work on the property has included:

- Docks that have been ordered but not yet installed.
- Fence(s).
- Logging/tree removal has taken place on the property.
- A road has been constructed that cuts in serpentine fashion across the nine existing lots that comprise the portion of the property between E. Lakeshore Drive and the lake (the property for which the lodge, convention center, and marina are proposed).
- Heavy equipment operating on the property.

- A large rock wall has been constructed in conjunction with a road (perhaps the road cited above).
- A cabana/barbeque area has been constructed on the property near the lake.

Later, the Whitefish Planning Director confirmed that permits for the docks, cabana/barbeque area, and repairs to an existing structure had been issued by the City back when the City had planning and permitting jurisdiction over this area. According to the Director, the owner acted upon the permits because they were about to expire. However, members of the group were advised to check with the Flathead County Planning Department (this portion of the subject property lies in unincorporated Flathead County) to determine if any subsequent permits had been issued by the County, and if not, is the work exempt from permitting or is it being performed illegally. The consultants will also check with County Planning.

The discussion moved on to issues associated with the owner's proposed development and adverse impacts that development could have on neighboring properties:

Water quality: Members of the group feel that the proposed marina will have far greater impacts on Whitefish Lake water quality than will (up to) nine individual docks, which would be allowed given the current lot configuration of the property. Their observation is that boats moored at individual residential docks tend to be used from one to three times per week, but that boats from a marina (whether private or open to the public) would be used almost constantly during the summer, resulting in greater pollution potential, more noise and boat congestion on the lake, and more silt and sediments stirred up from the increased boat use. (They mostly disputed the owner's claim that deeper water off shore from his property would prevent boats from stirring up significant quantities of bottom sediments.) The group also observed that regardless of how knowledgeable and careful a marina operator may be, he cannot control individual behavior. They feel that fuel and oil spills from a marina are far more likely than from individual docks operated by responsible resident property owners.

Group members also have experienced algae blooms in the lake, which they attribute at least in part to fertilizer from the Iron Horse Golf Club running into a small creek and into Whitefish Lake. They do not wish to have additional water quality threats from intensive development of this property. In addition, they feel that the additional boat traffic generated by the marina will "overburden" the lake.

Land use: Group members noted that while Wisconsin Ave. is characterized by mixed and multiple uses, once it rounds the curve and becomes E. Lakeshore Drive it is solidly residential. Both the land use and zoning along the south side of E. Lakeshore are single-family residential, and the residents feel strongly that it should remain that way. The zoning on all of Mr. Gregory's property is residential (in both the City and county), and they feel that the existing zoning should be respected and that any new development should proceed only subject to that existing zoning. They relied on that zoning (especially the R-1 county zoning on the property between E. Lakeshore and the lake) when they made very substantial investments in their homes. If this property were to be developed into a lodge, convention center, and marina, they feel that the

quality and character of their neighborhood will be disrupted and the enjoyment and value of their property will suffer.

The group is also opposed to any proposal that would allow “pyramiding”; meaning an arrangement that would allow people residing in the membership village from having free and open access to the marina, thereby increasing its use well beyond what might be generated from the lodge and convention center alone. An additional comment was made to the effect that Whitefish cannot maintain its current character and quality in the face of growth such as that proposed on this property.

Traffic: Anyone who lives, works, or travels the Wisconsin corridor is acutely aware of the speed and volume of traffic along both Wisconsin and E. Lakeshore. While official traffic counts may show the corridor has excess capacity at this time, there’s no doubt that some turning movements are difficult if not impossible during some times of the day and some times of the year. Members of this group felt that the corridor cannot handle the increase in traffic that a lodge, convention center, and marina will generate. Plus, that traffic will be added to the summertime peak and it is located at the far north end of the corridor, meaning that the traffic it generates will impact the entire corridor. Traffic, pedestrian, and bicycle safety are already at risk, and members of this group do not want to see it become any worse due to unwise development.

Note: While this document is a summary of comments made by members of this property owner/citizens group, some members indicated they intend to submit their own personal comments to the committee.