CITY COUNCIL WORK SESSION
CITY COUNCIL CHAMBER CONFERENCE ROOM
MONDAY, FEBRUARY 2, 2015, 5:00 to 7:00 PM

1. Call to Order

2. 5:00 – 6:00 - The Trust For Public Land – Presentation of results from public opinion survey on the various financing options for local funding of a portion of the cost of the F.H. Stoltze Land and Lumber Company conservation easement

3. 6:00 – 6:30 – Explanation of the impact of various funding options on residents and visitors and options for an election on funding options requiring an election

4. Public Comments

5. Discussion and Direction from City Council

6. Adjourn

P.O. Box 158 • Whitefish, MT 59937 • (406) 863-2400 • Fax: (406) 863-2419

City of Whitefish

July 2, 2013
Letter #2013-002

Deb Love, Northern Rockies State Director
Dee Frankfourth, Associate National Director Conservation Strategies
The Trust for Public Land
Emerson Cultural Center
111 South Grand Ave, Suite 203
Bozeman, Montana 59715

Dear Ms. Love and Ms. Frankfourth:

By this letter, the City of Whitefish officially requests technical advice and assistance from your organization in connection with our efforts to develop a program to finance land conservation and potential related ballot measure. As part of your advice and assistance, we understand you may provide feasibility research, conduct a public opinion survey, and develop strategies for our consideration.

We are interested not only in the factual information that you can provide to us, but also your organization's opinions and recommendations on public financing measures available to us. Although your submissions will be directed to the attention of Chuck Stearns, City Manager, we understand that your responses to this request will be for the general use of the City of Whitefish.

This request will continue in effect for any subsequent advice you offer or presentations you submit for the use of the City related to such matters. In addition, we would like to take this opportunity to request that you continue to be available to provide technical advice and assistance in this area and on related matters in the future.

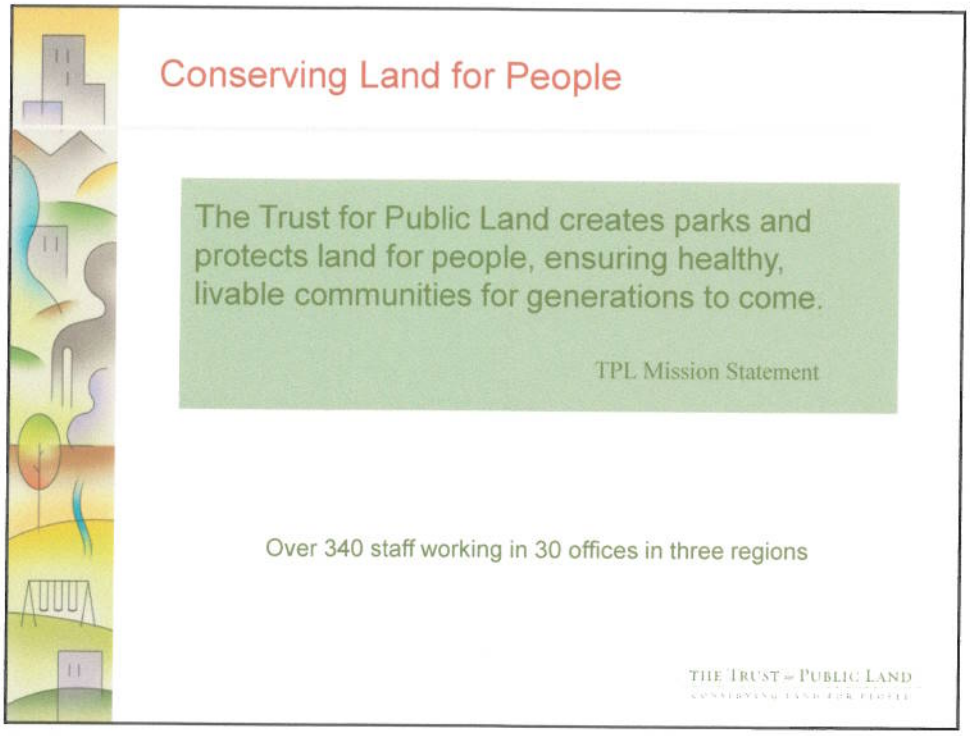
Thank you for your organization's contribution to the work of the City of Whitefish.

Sincerely,

John Muhlfeld
Mayor

cc: City Council Members

Investing in the Future of Whitefish – Drinking Water, Wildlife Habitat, and Outdoor Recreation
Whitefish Feasibility Research – September 15, 2014
THE TRUST for PUBLIC LAND


Conserving Land for People
The Trust for Public Land creates parks and protects land for people, ensuring healthy, livable communities for generations to come.
TPL Mission Statement
Over 340 staff working in 30 offices in three regions
THE TRUST for PUBLIC LAND

TPL Conservation Services

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CONSERVING LAND FOR PEOPLE

Conservation Funding Options – Overview

- Where do we stand?
- Threats and Opportunities: Haskill Basin
- Funding quilt for protection
- Options for investing in Haskill Basin
- Other Montana efforts
- Key questions for funding success
- Next steps & timeline

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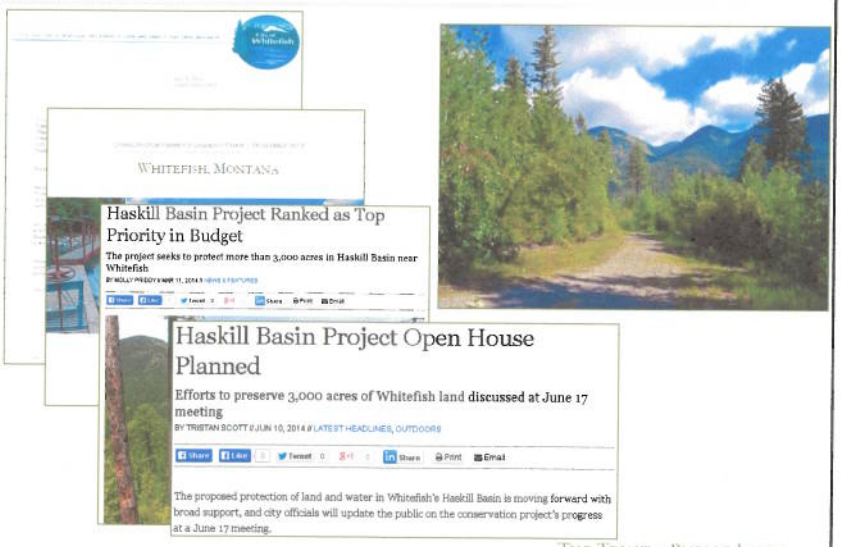
LAND FOR PEOPLE

Where We Are and What We Know



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LAND FOR PEOPLE

What's at Stake?

- Residential development is occurring
- Threat of more development
- Development of Haskill Basin could affect:

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What's at Stake?

Further development of Haskill Basin could affect

- 75% of the Whitefish's water supply

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What's at Stake?

Further development of Haskill Basin could affect

- 75% of the Whitefish's water supply
- Critical wildlife habitat

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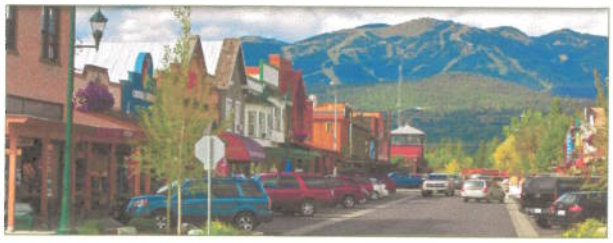
What's at Stake?

Further development of Haskill Basin could affect

- 75% of the Whitefish's water supply
- Critical wildlife habitat
- Important viewsheds



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What's at Stake?

Further development of Haskill Basin could affect

- 75% of the Whitefish's water supply
- Critical wildlife habitat
- Important viewsheds
- Trail connectivity plans

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What's at Stake?

Further development of Haskill Basin could affect

- 75% of the Whitefish's water supply
- Critical wildlife habitat
- Important viewsheds
- Trail connectivity plans
- XC ski access

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What's at Stake?

Further development of Haskill Basin could affect

- 75% of the Whitefish's water supply
- Critical wildlife habitat
- Important viewsheds
- Trail connectivity plans
- XC ski access
- Whitefish's recreation economy

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Reliable process for successful ballot measures

- Feasibility Research
- Public Opinion Survey
- Program Recommendations
- Ballot Language
- Campaign

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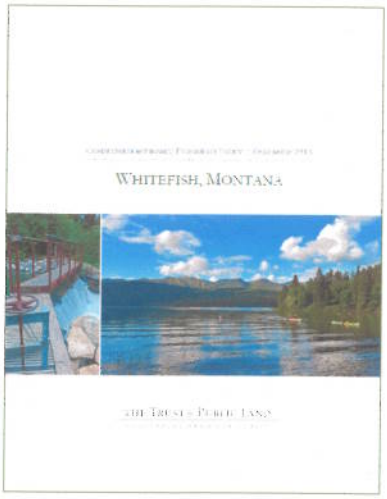
Feasibility Research



- Funding quilt
- Conservation options
  - GO Bonds
  - Resort Tax
  - Revenue Bonds
  - Water Rates
  - Property Tax
  - Water District
- Election analysis

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General Obligation Bond – option #1

Bond Financing Costs for Whitefish

20-year Bond Issues at 3% Interest Rate

2015 Taxable Value for Open Space Bonds = $22,873,171

Bond Issue Size	Annual Debt Svce	Mill Levy Increase	Cost/ Year/ Avg. House*
$1,025,000	$68,896	3.01	$13
$2,025,000	$136,112	5.95	$26
$3,025,000	$203,328	8.89	$38
$5,025,000	$337,759	14.77	$64
$10,025,000	$673,837	29.46	$127

**Median home assessed value = $175,000; taxable value = $4,323*

Sources: FY15 Adopted Budget, p13 & City Mgr AV estimate.

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Resort Tax – option #2

- Whitefish resort tax is 2%
- Only jurisdiction of the eight <3% maximum
- Increase from 2% to 3% = $1 million/year

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Revenue Bonds & Resort Tax – option #2a

Revenue Bond Debt Service Estimates			
Total Debt Issue	Interest Rate	Term/ Years	Annual Debt Service
$3,000,000	5.0%	10	$388,514
$3,000,000	5.0%	20	$240,728
$5,000,000	5.0%	10	$647,523
$5,000,000	5.0%	20	$401,213
$10,000,000	5.0%	10	$1,295,046
$10,000,000	5.0%	20	$802,426

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Water Rates – option #3

- 10% water rate increase = $249,000/year
- With low-interest State water fund loan, City could secure $3 million+ revenue bond

Revenue Bond Debt Service Estimates			
Total Debt Issue	Interest Rate	Term/ Years	Annual Debt Service
$1,000,000	2.5%	20	$64,147
$2,000,000	2.5%	20	$128,294
$3,000,000	2.5%	20	$192,441
$3,750,000	2.5%	20	$240,552

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Property Tax – option #4

Estimated Revenue & Costs of Property Tax Increase

Mill Levy Increase	Value of One Mill	Annual Revenue	Cost / Avg. House*	Cost / $100K House	Cost / $200K House
5.00	$22,873	$114,365	$22	$7	$13
10.00	$22,873	$228,730	$43	$13	$26
20.00	$22,873	$457,460	$86	$26	$52
25.00	$22,873	$571,825	$108	$33	$65

Median home assessed value = $175,000; taxable value = $4,323

Sources: FY15 City Budget, & City Manager.

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Local Water Quality District – novel option

- 1991 authority to protect, preserve & improve surface/ground water quality
- Annual fee on all property using water or producing waste
- Pros and Cons

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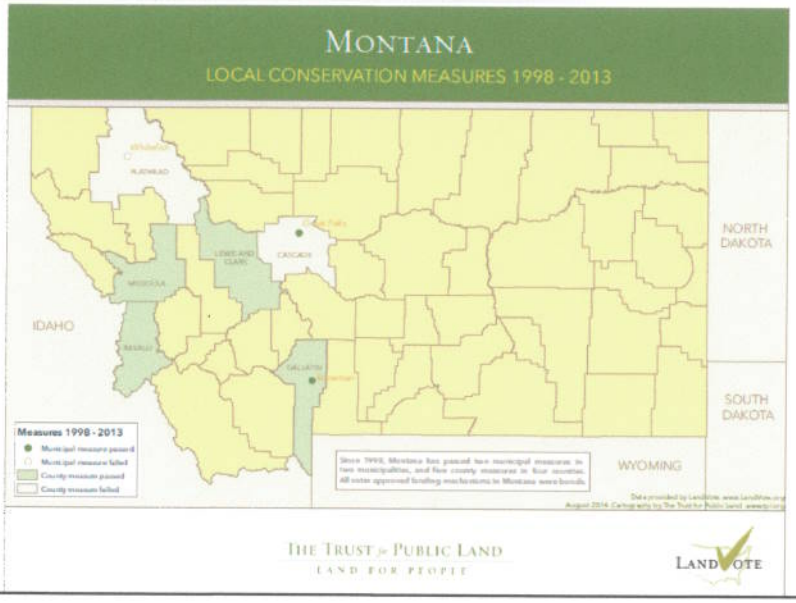
Local Montana conservation success since 1998



Key questions for funding success

- Jurisdiction
- Funding Mechanism
- Amount (and duration)
- Voter Support/Tax Tolerance
- Purposes/Uses of Funds
- Timing (choice of election date)
- Management/Accountability elements

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Public opinion survey

- Determine support for funding land conservation
- Test voter priorities/benefits
- Sample ballot language
- Understand tax tolerance
- Fiscal safeguards, accountability elements
- Find out best messengers & messages

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Next Steps

- Conduct public opinion survey in January 2015
- Survey data determines
  - If this is the right year and election
  - Proper funding mechanism
  - Best ballot language & messaging
  - Proper amount

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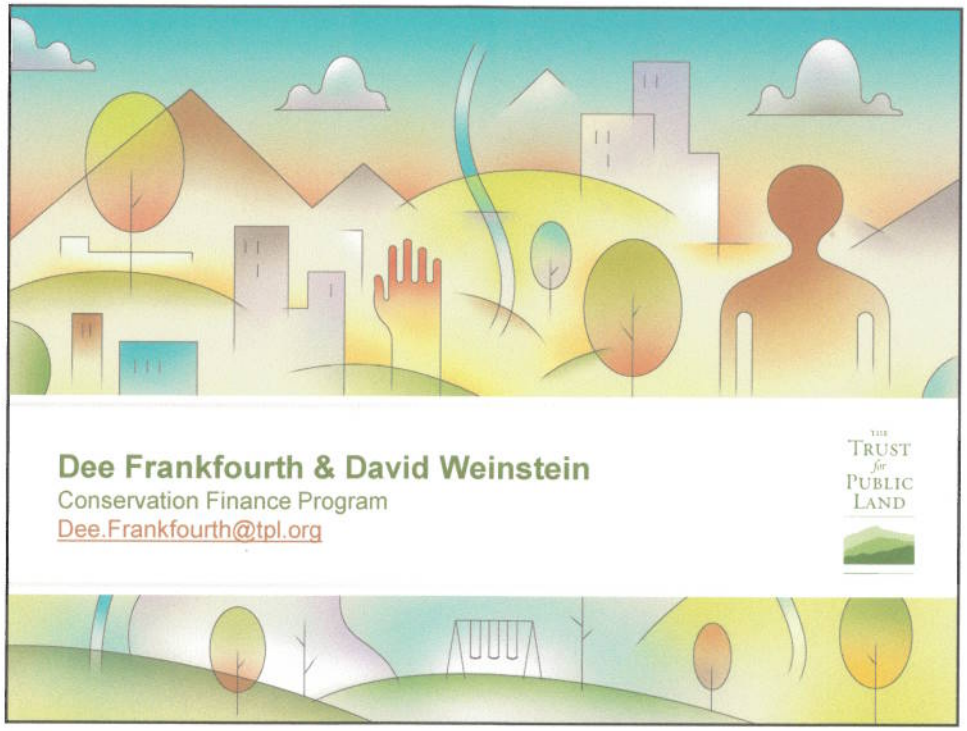
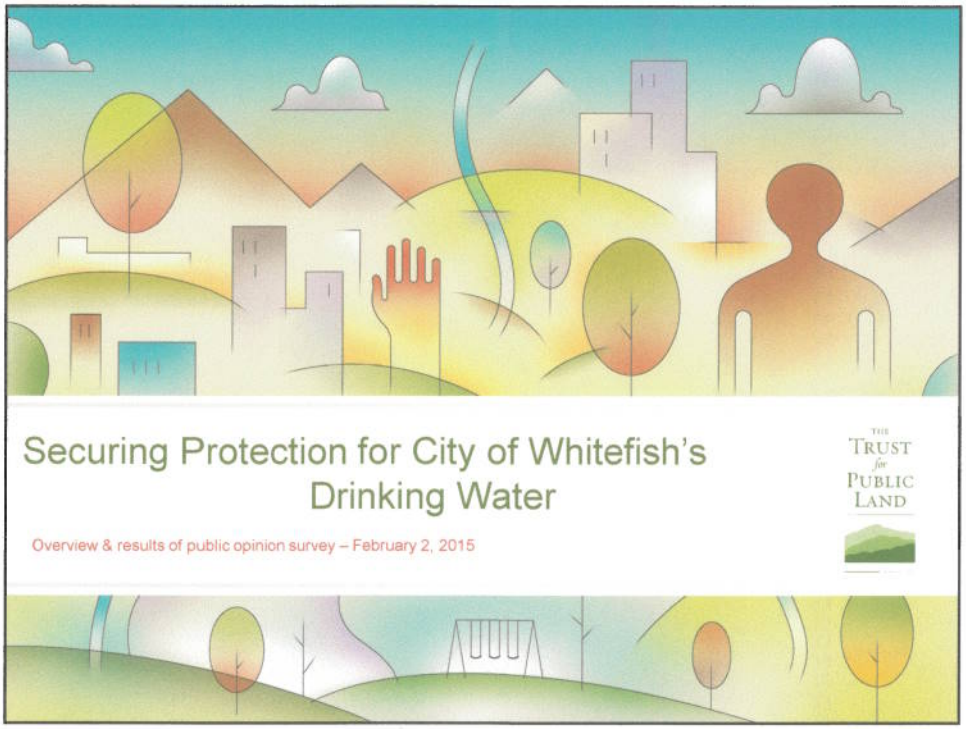
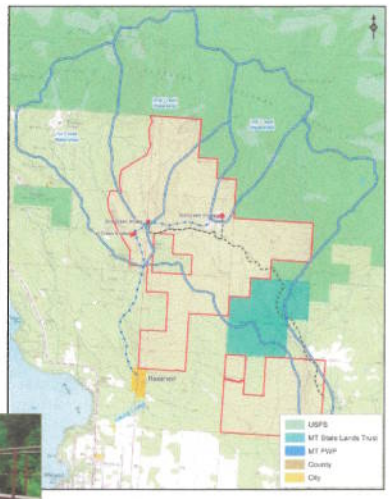

Dee Frankfourth & David Weinstein
Conservation Finance Program
Dee.Frankfourth@tpl.org
THE TRUST for PUBLIC LAND



Important Water Supply Values

The City of Whitefish gets more than 75% of its municipal water supply from the property.

Yet… despite owning the water, the city has limited legal rights to access the property, pipe water down from it or maintain the existing diversion structures.



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- First Creek diversion abandoned in 1975
- No legal easement for the water lines between 1st, 2nd and 3rd Creeks
- No easement to maintain the diversion structure on Second Creek
- The intake on Third Creek is not owned by the City of Whitefish
- No easement of record giving the City legal access through any of Stoltze lands

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City requests technical advice & assistance from The Trust for Public Land

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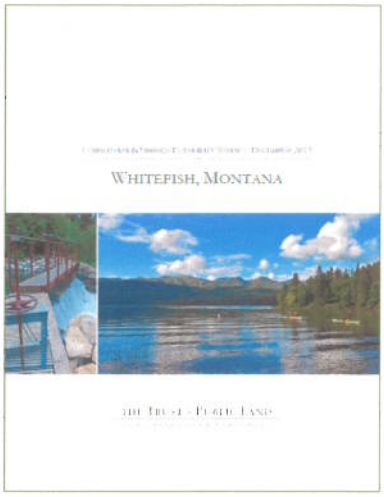
Feasibility Research



- Funding quilt
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LAND FOR PEOPLE

Next Steps

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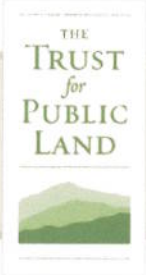

Whitefish Voter Support for a Conservation Finance Ballot Measure

Key Findings from a Voter Survey Conducted
January 5-13, 2015

220-4093

Fairbank, Maslin, Maullin, Metz & Associates - FM3
Public Opinion Research & Strategy
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Summary of Key Findings

- A strong majority of voters (57%) offers initial support for a proposed ballot measure to increase the local Resort Tax to fund conservation of the Haskill Basin.
- That support both broadens and intensifies after voters hear a simple explanation of what the measure would do.
- It remains strong after voters hear both pro and con arguments.
- Support is primarily based on voters' desire to protect the City's water supply, and messaging which highlights that impact of the measure draws a strongly favorable response.
- Voters overwhelmingly reject potential alternative funding mechanisms – like increasing property taxes or water rates.

Survey Methodology

- Telephone interviews of 175 randomly-selected Whitefish registered voters likely to cast a ballot in a spring 2015 City special election
- Respondents were reached via landline and cellular telephones
- The full sample margin of error is ±7.4% at the 95% confidence interval
- The margin of error for population subgroups will be higher
- Some results may not add to 100% due to rounding

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Section I: Initial Support for Resort Tax Ballot Measure

9

Draft City of Whitefish Resort Tax Ballot Measure Language Tested

To protect and preserve water quality and quantity, including the source drinking water supply for the municipal water system of the City of Whitefish, through the acquisition of a conservation easement or other interests in and around Haskill Basin, shall the existing resort tax rate be amended from two percent to three percent effective July 1, 2015 and ending on January 31, 2025, with resort tax revenues resulting from the 1% rate increase to be used as follows:

- at least 25% for property tax relief that is in addition to the existing property tax relief;
- not more than 70% to secure and be pledged to the repayment of a loan or a bond to finance a portion of the costs of, or to otherwise pay for, the acquisition, of the conservation easement or other interests; and
- 5% for merchants' costs of administration?

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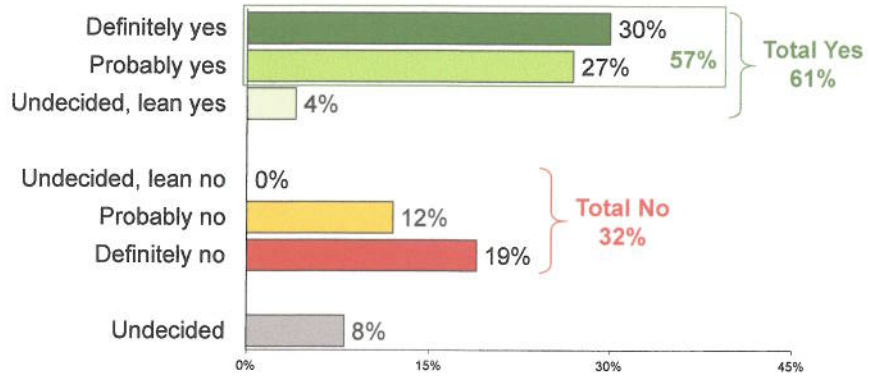
Q3. If the vote on this measure were held today, would you vote yes in favor or no to oppose it?

10

A solid majority offers initial support for the measure.

If the vote on this measure were held today, would you vote yes in favor or no to oppose it?



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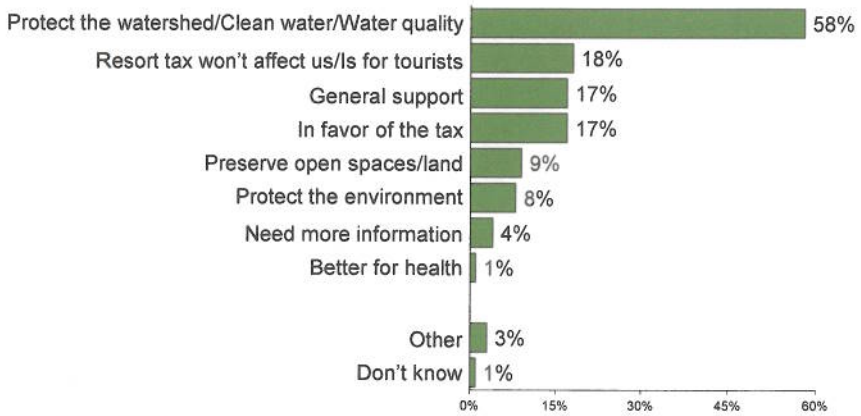
Q3.

11

Supporters primarily identify the need to protect water quality as a reason to vote "yes."

*In a few words of your own, why would you vote to **APPROVE** this ballot proposition?*



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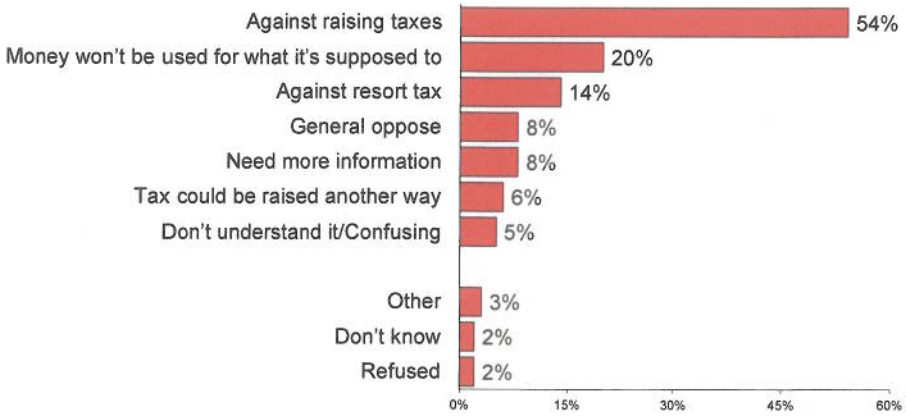
Q4a. (Open-end) Asked of "Yes" Voters Only

12

A majority of "no" voters are opposed to raising taxes, and two-in-ten don't believe the funds raised will be used as promised.

*In a few words of your own, why would you vote to **REJECT** this ballot proposition?*



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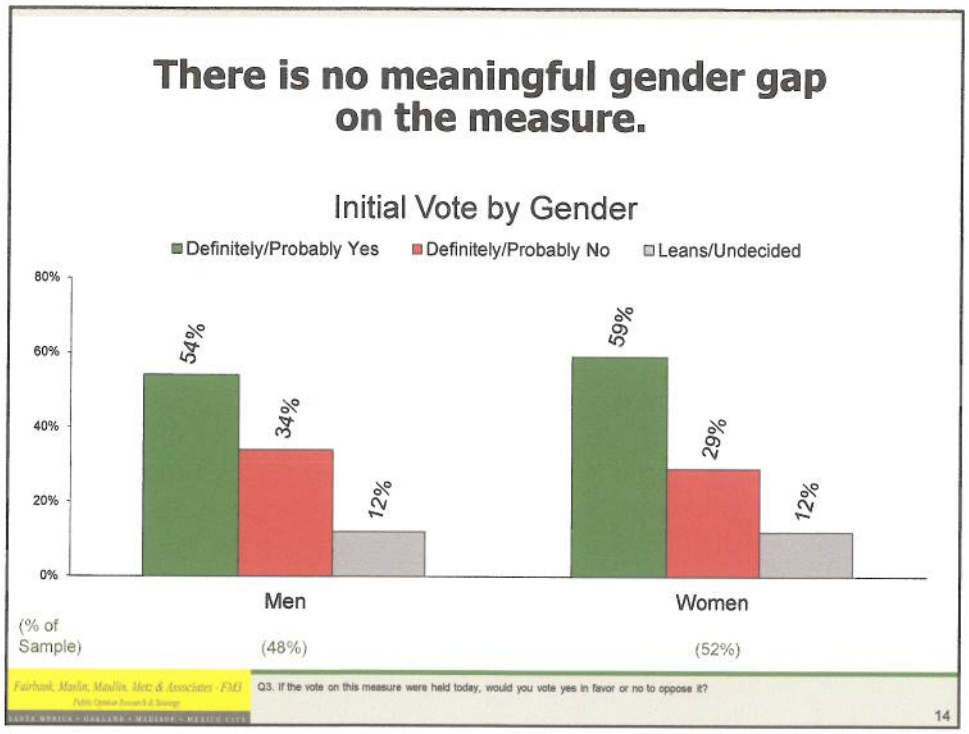
Q4b. (Open-end) Asked of "No" Voters Only

13


There is no meaningful gender gap on the measure.
Initial Vote by Gender
Definitely/Probably Yes
Definitely/Probably No
Leans/Undecided
80%
60%
40%
20%
0%
54%
34%
12%
59%
29%
12%
Men
Women
(% of Sample)
(48%)
(52%)
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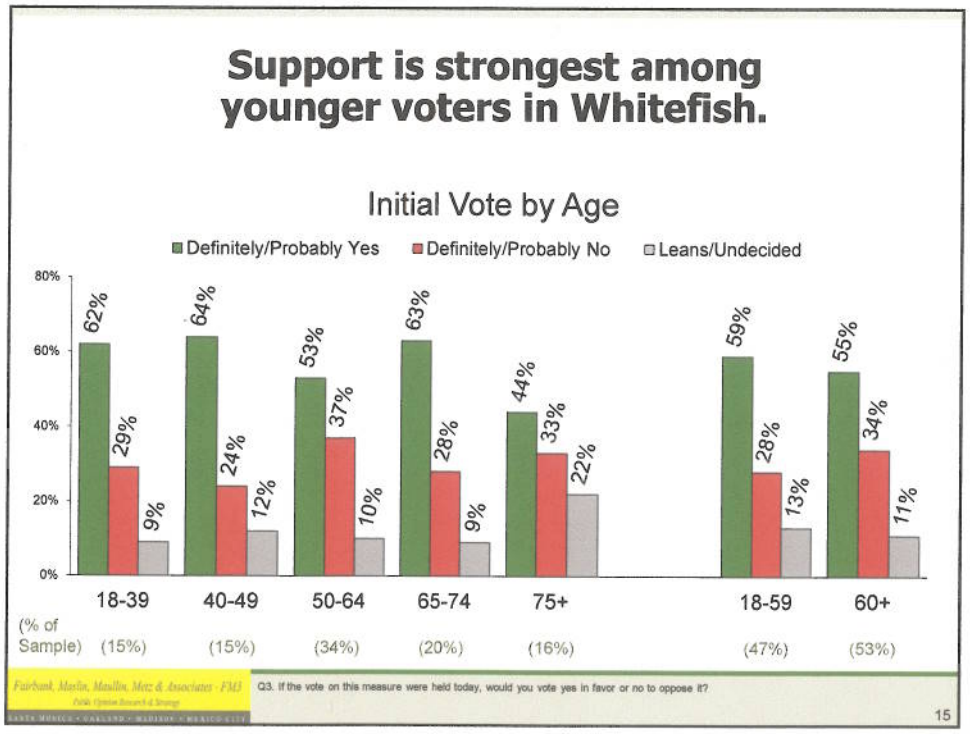
Q3. If the vote on this measure were held today, would you vote yes in favor or no to oppose it?
14


Support is strongest among younger voters in Whitefish.
Initial Vote by Age
Definitely/Probably Yes
Definitely/Probably No
Leans/Undecided
80%
60%
40%
20%
0%
62%
29%
9%
64%
24%
12%
53%
37%
10%
63%
28%
9%
44%
33%
22%
59%
28%
13%
55%
34%
11%
18-39
40-49
50-64
65-74
75+
18-59
60+
(% of Sample)
(15%)
(15%)
(34%)
(20%)
(16%)
(47%)
(53%)
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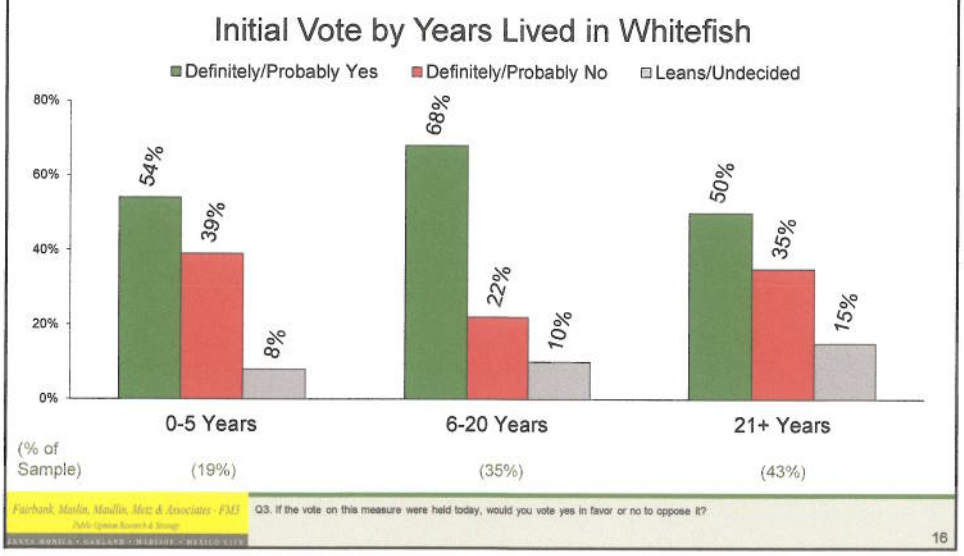
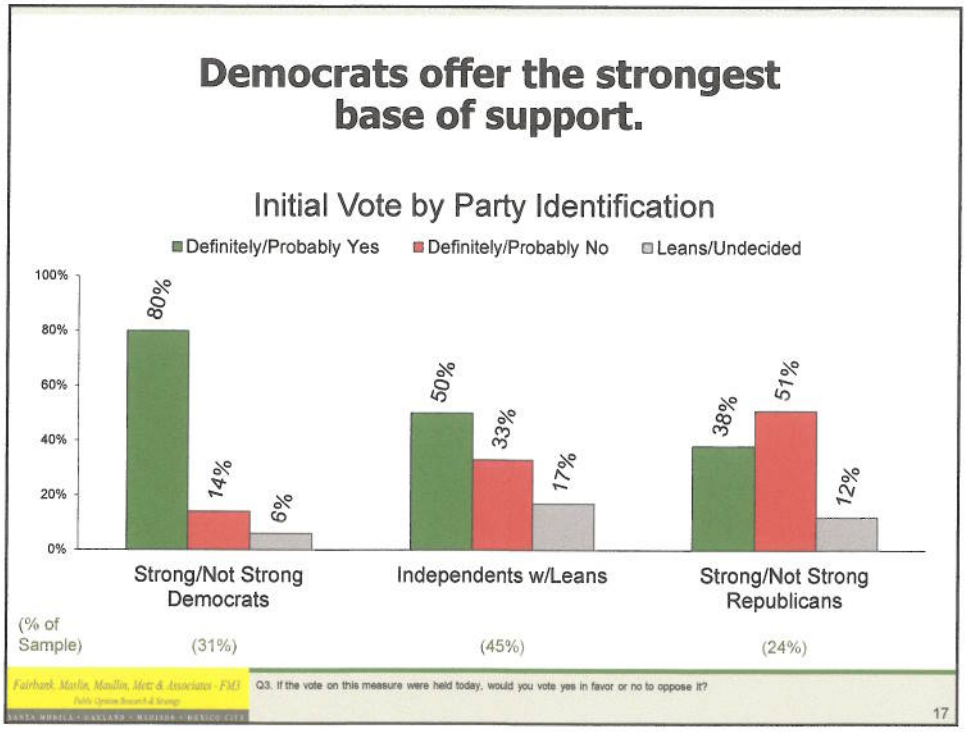
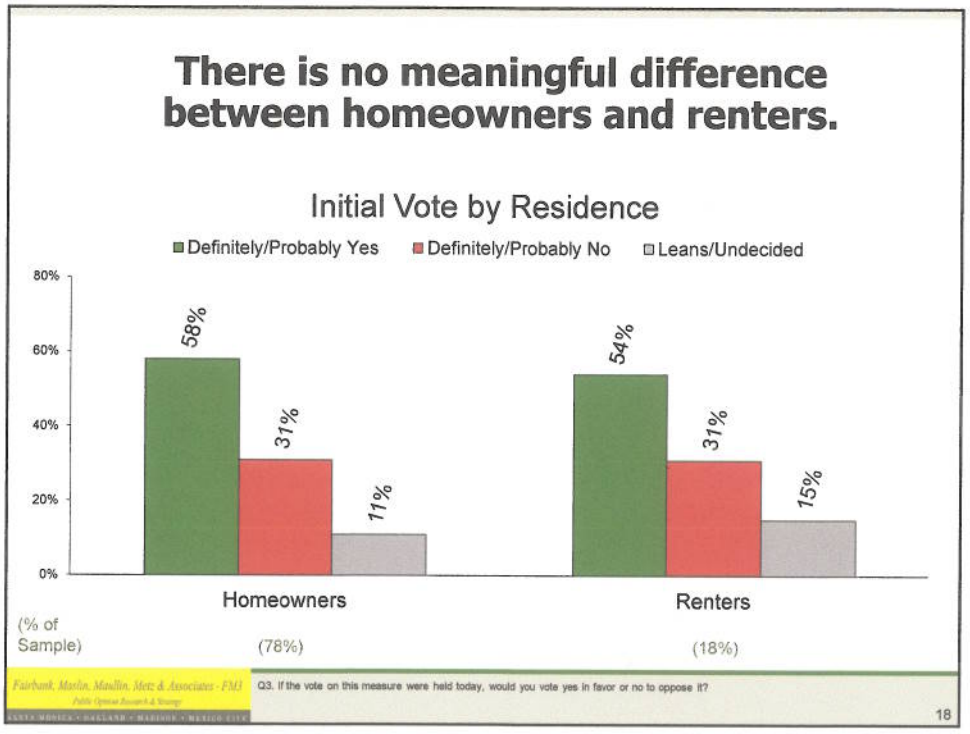
Q3. If the vote on this measure were held today, would you vote yes in favor or no to oppose it?
15

The most recent and longest-term residents are somewhat less enthusiastic.



Democrats offer the strongest base of support.




There is no meaningful difference between homeowners and renters.
Initial Vote by Residence
Definitely/Probably Yes
Definitely/Probably No
Leans/Undecided
80%
60%
40%
20%
0%
58%
31%
11%
54%
31%
15%
Homeowners
Renters
(% of Sample)
(78%)
(18%)
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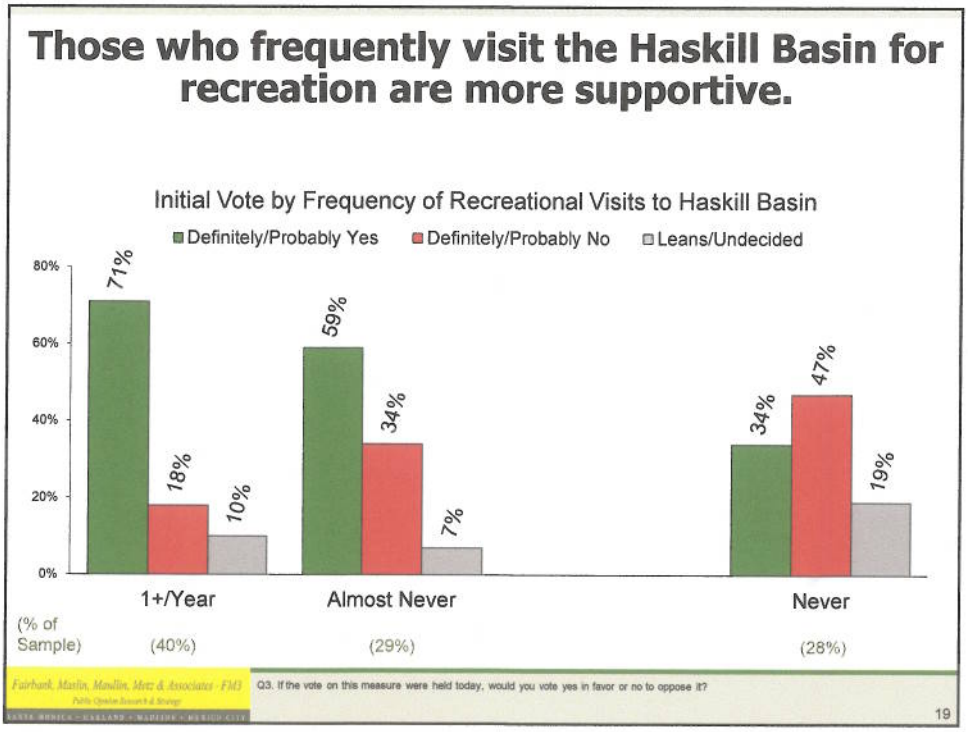
Q3. If the vote on this measure were held today, would you vote yes in favor or no to oppose it?
18


Those who frequently visit the Haskill Basin for recreation are more supportive.
Initial Vote by Frequency of Recreational Visits to Haskill Basin
Definitely/Probably Yes
Definitely/Probably No
Leans/Undecided
80%
60%
40%
20%
0%
71%
18%
10%
59%
34%
7%
34%
47%
19%
1+/Year
Almost Never
Never
(% of Sample)
(40%)
(29%)
(28%)
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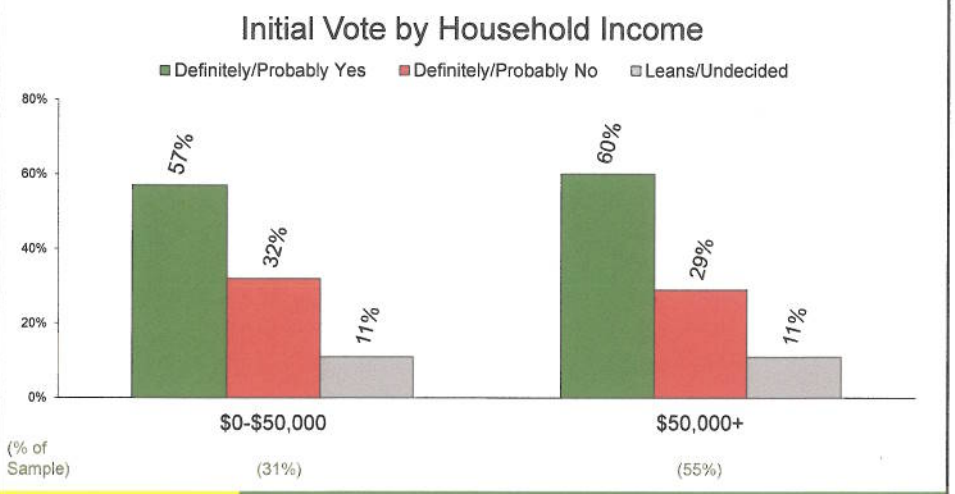
Q3. If the vote on this measure were held today, would you vote yes in favor or no to oppose it?
19

Upper- and lower-income voters are equally supportive of the measure.



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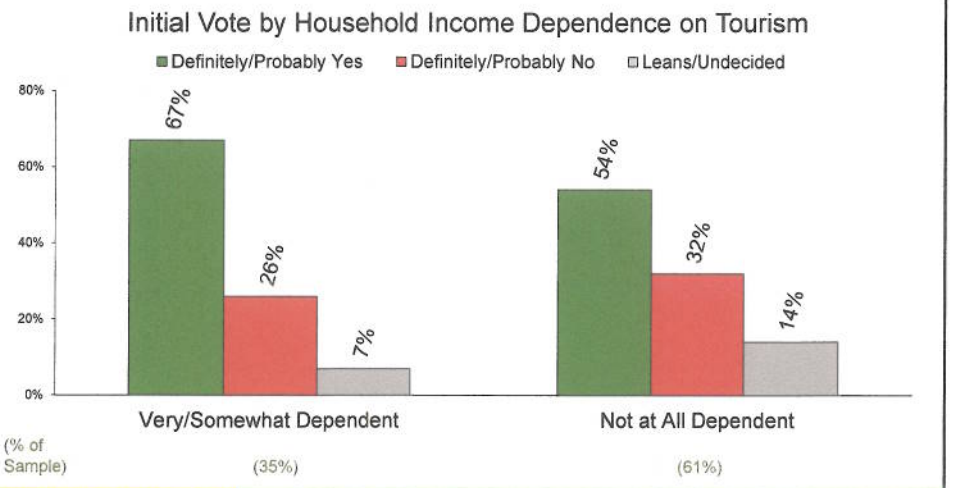
Q3. If the vote on this measure were held today, would you vote yes in favor or no to oppose it?

20

Those voters who say their household is more financially dependent on tourism are more supportive.



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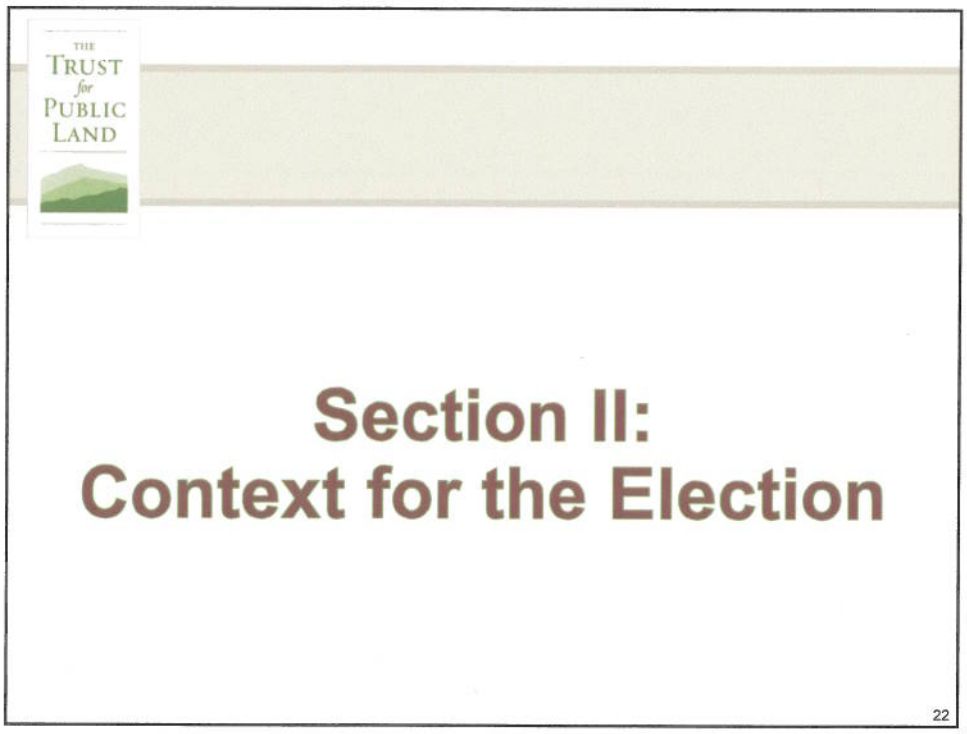
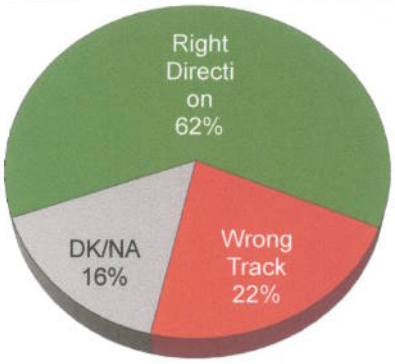
Q3. If the vote on this measure were held today, would you vote yes in favor or no to oppose it?

21



Six-in-ten voters see the City of Whitefish as "headed in the right direction" and just two-in-ten have a negative outlook.

Overall, do you think that things in the City of Whitefish are generally headed in the right direction, or do you feel things are off on the wrong track?



Demographic Group	Right Direction	Wrong Track	DK/ NA
Gender			
Men	63%	21%	16%
Women	62%	23%	15%
Age			
18-59	74%	21%	5%
60+	52%	23%	25%
Years Lived in Whitefish			
0-5	79%	6%	15%
6-20	66%	23%	11%
21+	51%	29%	20%
Party Self-ID			
Strong/Not Strong Democrats	71%	18%	11%
Independents w/Leans	58%	24%	18%
Strong/Not Strong Republicans	59%	24%	17%

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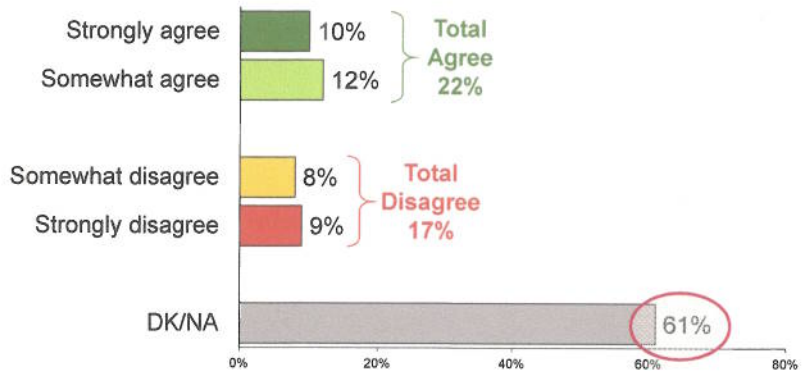
Q2.
23

Most voters are unaware whether other Montana resort communities utilize the full 3% Resort Tax permitted under state law.

All other eight resort communities in Montana assess the full 3% Resort Tax allowed by state law.



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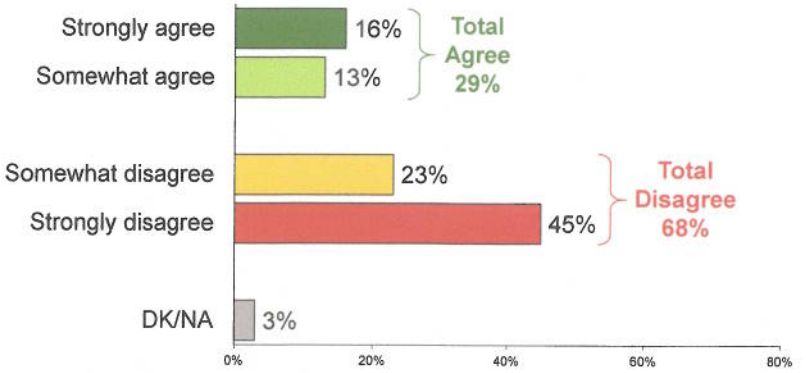
Q6b. I would like to mention some statements about the City of Whitefish. Please tell me if you agree or disagree with that statement.

24

Two-thirds of voters do *not* think raising the Whitefish Resort Tax will have a negative impact on the City's economy.

Raising the City of Whitefish Resort Tax will hurt our economy by driving customers and businesses to Kalispell.



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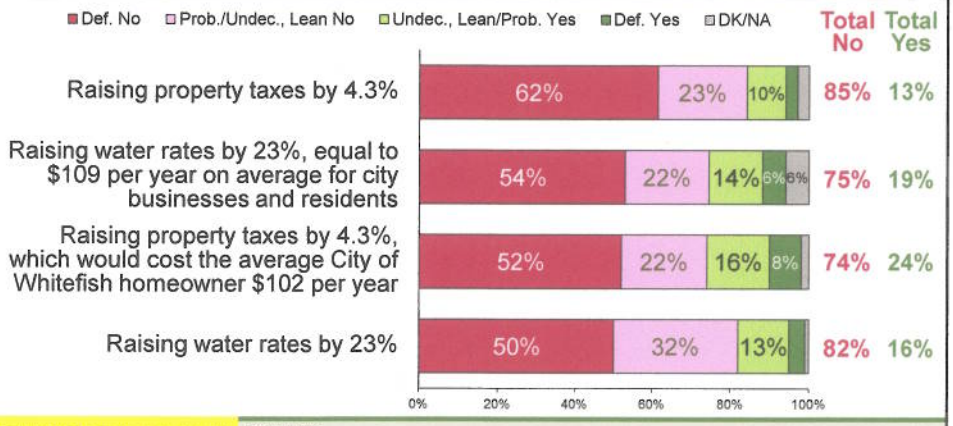
Q6a. I would like to mention some statements about the City of Whitefish. Please tell me if you agree or disagree with that statement.

25

Voters strongly oppose alternative funding mechanisms to protect access to quality water and Haskill Basin preservation.

The final source of funding for this measure has not been determined. I am going to read you a list of possible options. Please tell me whether you would vote yes in favor of the ballot measure or no to oppose it if that funding mechanism were used.



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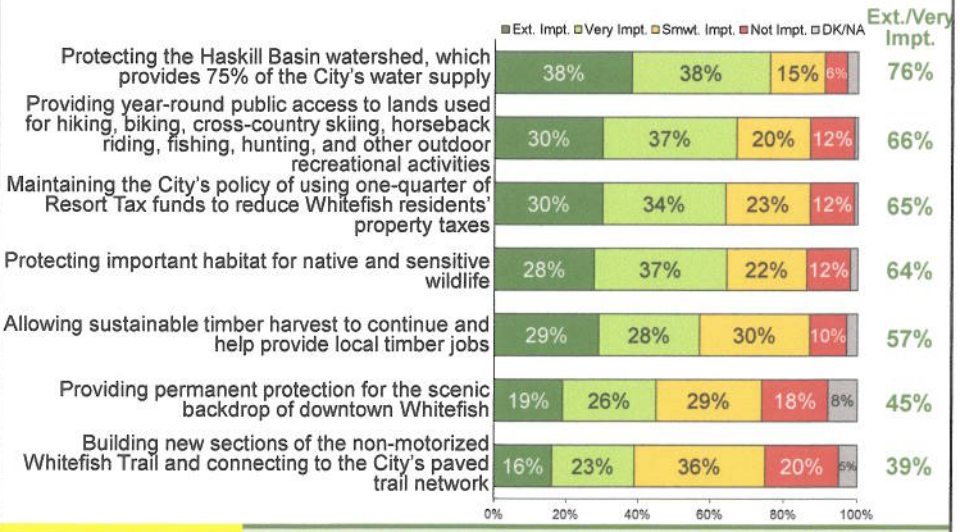
Q7. Split Sample

26

Voters' top priority for use of Resort Tax funds is protecting the Haskill Basin.



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Q8. I am going to read you a list of specific benefits that may come from the project this ballot measure would fund. Please tell me how important it is to you that that project be funded: extremely important, very important, somewhat important, or not important.

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Section III: The Impact of Communications

28

Ballot Measure Explanation Tested

This City of Whitefish ballot measure would increase the city's Resort Tax from two to three percent for ten years. Revenue raised would be used to fund a permanent land conservation agreement with a willing landowner, the F.H. Stoltze Land and Lumber Company, for three thousand acres in the Haskill Basin. This will ensure a reliable supply of water by protecting forestlands and natural areas that provide 75 percent of the city's water supply. Twenty-five percent of the funds raised by the Resort Tax would continue to be used to reduce property taxes for Whitefish residents.

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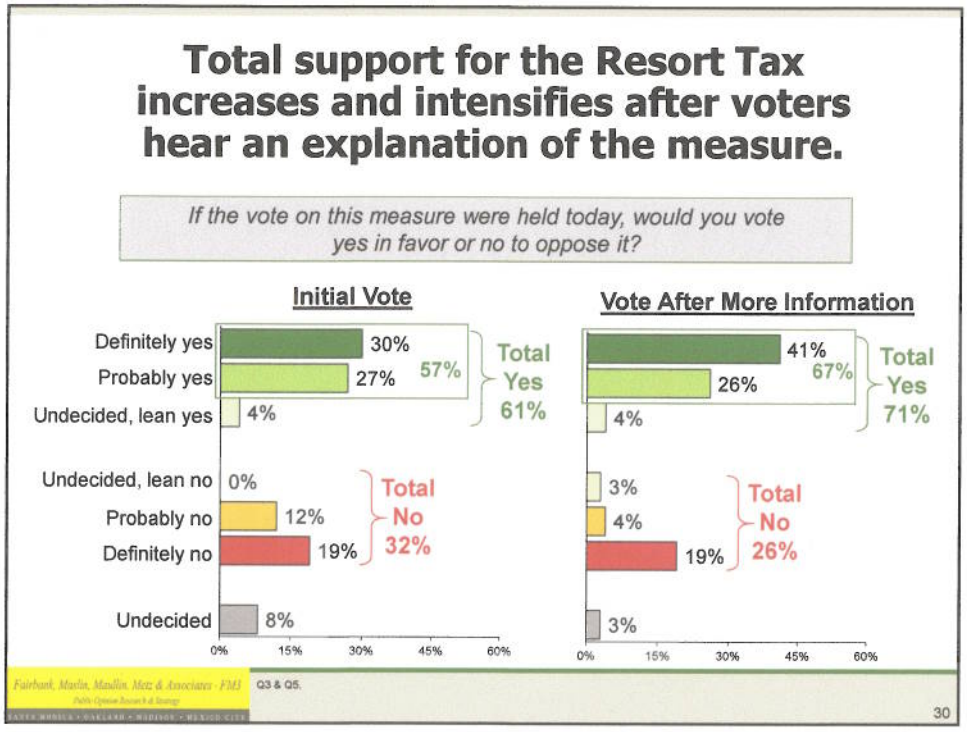
Q3. If the vote on this measure were held today, would you vote yes in favor or no to oppose it?

29


Total support for the Resort Tax increases and intensifies after voters hear an explanation of the measure.
If the vote on this measure were held today, would you vote yes in favor or no to oppose it?
Initial Vote
Vote After More Information
Definitely yes
Probably yes
Undecided, lean yes
Undecided, lean no
Probably no
Definitely no
Undecided
30%
27%
57%
4%
0%
12%
19%
8%
Total Yes 61%
Total No 32%
41%
26%
67%
4%
3%
4%
19%
3%
Total Yes 71%
Total No 26%
0%
15%
30%
45%
60%
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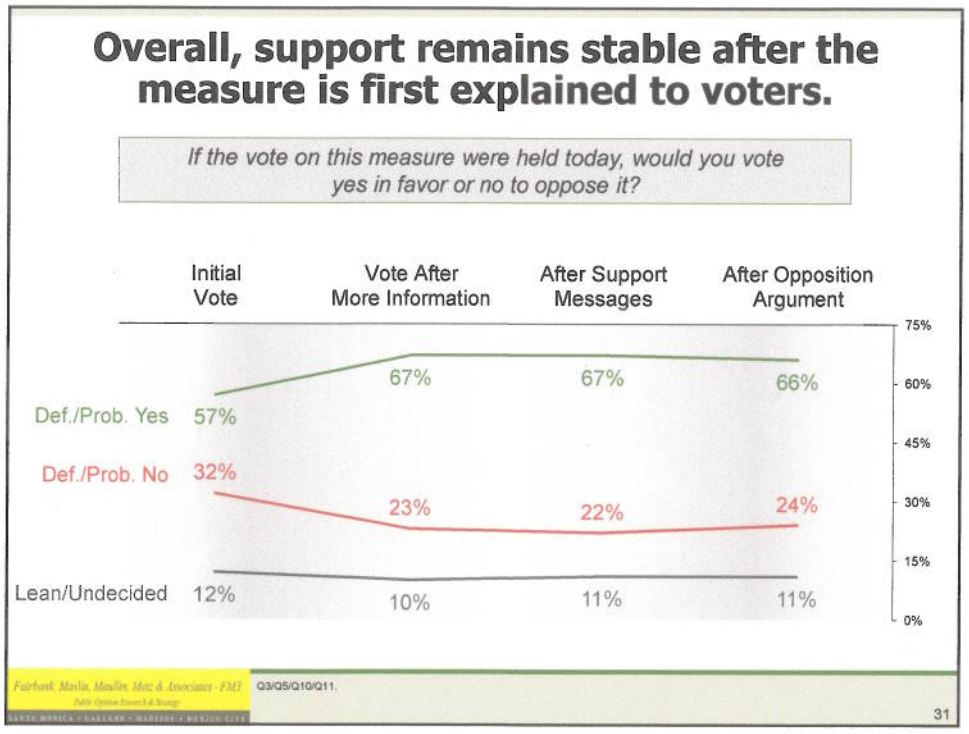
Q3 & Q5.
30


Overall, support remains stable after the measure is first explained to voters.
If the vote on this measure were held today, would you vote yes in favor or no to oppose it?
Initial Vote
Vote After More Information
After Support Messages
After Opposition Argument
Def./Prob. Yes
57%
67%
67%
66%
Def./Prob. No
32%
23%
22%
24%
Lean/Undecided
12%
10%
11%
11%
75%
60%
45%
30%
15%
0%
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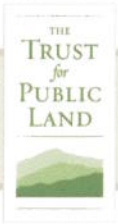
Q3/Q5/Q10/Q11.
31



Conclusions

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Conclusions

- Most voters are largely unaware that other resort communities are using the full allotted three percent Resort Tax.
- At the same time, most voters reject the idea that an increase in the Resort Tax will drive business out of Whitefish.
- Based on these and other key survey findings, an increase in the Resort Tax appears both feasible and the most viable prospect for securing funding for conservation of the Haskill Basin.
  - ✓ *Nearly three in five voters initially favor the measure*
  - ✓ *Support gains significant intensity – and becomes somewhat broader – after voters hear more about it*
  - ✓ *Opposition messages do not significantly reduce support for the measure*
  - ✓ *Alternative funding options – like increasing water rates or property taxes – are rejected by wide margins.*

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CONSERVATION FINANCE FEASIBILITY STUDY :: SEPTEMBER 2014

WHITEFISH, MONTANA

THE TRUST *for* PUBLIC LAND

LAND FOR PEOPLE

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INTRODUCTION

The Trust for Public Land (TPL) is a national nonprofit organization dedicated to conserving land for people to enjoy as parks, gardens, and natural areas. Since 1972, TPL has conserved more than 2.4 million acres of land nationwide. In Montana, TPL has helped protect more than 539,100 acres.

To help state agencies and local governments acquire land, TPL assists communities in identifying and securing public financing. TPL's Conservation Finance program offers technical assistance to elected officials, public agencies and community groups to design, pass and implement public funding measures that reflect popular priorities. Overall, voter support of local conservation finance measures in Montana has been mixed. Roughly 71 percent of measures (10 of 14) on the ballot between 1994 and 2012 have been approved.[1]

In June 2013, the Trust for Public Land and the F.H. Stoltze Land and Lumber Company developed a plan to protect more than 3,000 acres of working forest lands in the Haskill Basin near the City of Whitefish. Stoltze gave The Trust for Public Land the right to purchase a conservation easement, which would allow the continued use of the Haskill Basin property for sustainable forest management and recreation, while prohibiting all future residential, industrial and commercial development. Important to the city's economy, wildlife and the recreating public, these lands are also the source of more than 75 percent of the city's drinking water supply. The easement would ultimately be conveyed to Montana Fish, Wildlife and Parks for long-term monitoring and enforcement.

There are a number of potential funding options that can be "knit together" to protect the Haskill Basin. State, federal, local, and private sources all have a role to play in achieving this conservation objective. The purpose of this study is to research the most viable local public funding options available to the City of Whitefish. Given the substantial investment of time and resources required for a successful conservation finance initiative to voters, preliminary research is essential to determine the feasibility of such an effort.

This brief report provides an examination of the options for generating and dedicating local revenue for conservation including the revenue raising capacity and costs of those financing tools.[2] As most options require voter approval the report also contains a summary of the pathways to the ballot and recent election history in the city. This research provides a stand-alone, fact-based reference document that can be used to evaluate all available financing mechanisms from an objective vantage point.

Next steps should include narrowing funding options to those that best match political and fiscal realities in the city and testing voter attitudes toward a specific set of funding proposals. The Trust for Public Land recommends conducting a public opinion survey that tests ballot language, tax tolerance, and program priorities of voters in Whitefish.

[1] The Trust for Public Land, LandVote database.
[2] The contents of the report are based on the best available information at the time of research and drafting (Summer 2014), with much of the data compiled from Internet resources and direct communication with local, state and federal government agencies.

EXECUTIVE SUMMARY

At the request of the City of Whitefish, the Trust for Public Land has undertaken a feasibility analysis to explore public funding options in the City of Whitefish to protect the Haskill Basin. In order to understand what would be an appropriate funding source or sources, this report first briefly delves into the city's background, including its fiscal status and priorities. Next, the report analyzes possible alternatives for funding a conservation land acquisition and management program, including their legal authority and revenue raising capacity. Finally, since most revenue options require approval by voters, this report provides pertinent election information, such as voter turnout history and election results for local finance measures.

In Montana, local government funding for land conservation has primarily taken the form of budget appropriations, property taxes, general obligation bonds backed by property taxes, parkland dedication through the development review process, and less frequently, impact fees. This study focuses on the options that present the best opportunities for financing in Whitefish, which are as follows:

1. Bonding. The city has ample debt capacity to issue a general obligation bond for conservation purposes and levy property taxes to pay the debt service. The bond proposal must be submitted to the city voters at a general city election, at a special election that is conducted in conjunction with a regular or primary election, or by mail ballot **A $3 million bond would add approximately $200,000 to the city's annual debt service and would cost the typical homeowner an average of $38 per year over the life of the bond (20 years).** Bond proceeds are limited to capital projects and may not be used for operations and maintenance purposes. The City Council must adopt a resolution and submit the question of a bond issue to the city voters.

2. Resort Tax. The City of Whitefish could increase the resort tax on the retail sale of lodging, restaurant and prepared food, alcoholic beverages, ski resort goods and services, and defined luxury items. **Increasing the tax to 3 percent would generate an additional $1 million annually.** The city also could issue revenue bonds backed by a commitment of resort tax revenues. **With revenue of $1 million a year, the city could issue just under $10 million in debt payable over 20 years.** While the current resort tax does not expire for many years, the city could go to the voters to ask for a tax increase and/or reallocation of funds at any election.

3. Water Rates. The city could consider increasing water rates as a way to generate funds to support the purchase of a conservation easement to protect land and water in the Haskill Basin. A 5 percent increase in rates would generate approximately $124,000 per year; **a 10 percent increase would produce roughly $249,000 annually**. Revenues from a 10 percent increase in water rates could support a revenue bond of up to roughly $3 million. Water rates are set by city ordinance or resolution.

4. Property Tax. The City of Whitefish may impose a new mill levy by submitting the question to electors at a regular, primary, or special election. **A 10-mill property tax levy would generate approximately $228,000 annually at a cost**

of $43 per year to the average homeowner in the city. A mill levy must be approved by a majority of city voters.

Next steps should include narrowing funding options to those that match the needs of the city to protect the Haskill Basin and testing voter attitudes toward a specific set of funding proposals. TPL recommends conducting a public opinion survey that tests ballot language, tax tolerance, and program priorities of voters in Whitefish.

BACKGROUND

Overview

Whitefish, Montana is located in the northwest portion of the state in Flathead County. The city is situated at the south end of Whitefish Lake with views of the Whitefish Mountain Range to the north, Glacier National Park to the east as well as mountain views to the west and south. Glacier National Park is located 25 miles east of Whitefish. Additionally, the city is closely situated to the Flathead National Forest and state forest lands both providing outdoor recreation activity.

Abundant lakes and streams are present in Whitefish area. The watershed that surrounds and drains into Whitefish Lake comprises approximately 151 square miles (97,000 acres) of mostly U.S. Forest Service, State Forest lands, and privately owned forestland. Whitefish Lake itself covers approximately 5 square miles (3,299 acres). The Haskill Basin property, owned by the F. H. Stoltze Land and Lumber Company, is just outside of the city boundaries and occupies roughly 28 percent of the entire watershed.

The City of Whitefish gets more than 75 percent of its municipal water supply from the Haskill Basin property, diverting water from intakes that it maintains, but does not own, on Second and Third Creeks and piping it down to a reservoir and treatment plant just north of downtown. Development of Stoltze's Haskill Basin property would dramatically increase the potential for sedimentation and septic leachates ending up in the city's water supply and thus forcing the city to incur higher treatment costs. At present, these costs are very low because the water being drawn from Haskill Creek is exceptionally clean.

Development that leads to excessive sedimentation and contamination could also force the city to stop diverting water from Haskill Creek altogether. This would compel the city to pump all of its water out of Whitefish Lake, which has a much higher turbidity level and suspended sediment load. The cost of doing so would be high, with the city estimating that the increased treatment and pumping costs would add almost $1 million to its annual operating budget.

The proposed conservation easement on this property would allow the continued use of the Haskill Basin for sustainable forest management, while prohibiting all future residential, industrial, and commercial development. The terms of the easement allow for the property to remain accessible to the public for hunting, fishing, hiking, mountain biking, cross country skiing, horseback riding, and other outdoor recreational activities.

If the proposed easement fails, the Haskill Basin could be sold for development. High-end development in and around the adjacent Whitefish Mountain Resort remains strong. Immediately next door, the 820-acre, 316-lot Iron Horse subdivision continues to see new construction of residences and vacation homes. Much of the Haskill Basin is a mirror-image of the land that was subdivided for the Iron Horse community, making it a desirable property for development.

Population and Housing

According to U.S. Census data, the population of Whitefish grew by 26 percent from 2000 to 2010. This compared to a 22 percent growth rate for Flathead County and 9.1 percent for the State of Montana. Due to the economic downturn that began in 2008, it is projected that the rate of

growth for the next decade for the county will be slightly lower and average about 1.8 percent a year. Based on an annual average rate of growth of 1.8 percent per year, the population for both the city and the surrounding planning area is projected to be around 15,121 people by the year 2030. The 2010 population of Whitefish was 6,357.

Whitefish has a higher proportion of renters compared to the rest of the state. In 2010, 48 percent of housing units were renter occupied compared to 32 percent renter occupancy rate for the rest of the state. Whitefish also has a significant number of seasonal/recreational housing. According to the 2010 Census, there were 773 seasonal units in the city. This comprised about 19 percent of all housing units. Total housing units are estimated at 4,068.

Economy

Whitefish's economy is largely tourism based. Building, retail and many seasonal endeavors lead the local economy along with railway and logging industries. Whitefish Mountain Resort is a destination ski area located within minutes of the downtown.

According to the U.S. Census – American Community Survey, the median household income in Whitefish in 2011 was $41,940 compared to $45,324 for the State of Montana and $45,588 for Flathead County. Median income in Whitefish is likely to be lower than the county due to the high number of rental units located within the city limits that are providing housing for service workers. The median household income for Whitefish is higher than the other incorporated cities in the county.

Governance

The City of Whitefish is governed by a mayor and six council members elected in a non-partisan vote of the city electorate every two years. Council members serve four-year overlapping terms. The current council members and the expiration of their terms of office are listed in the chart to the right. Elections for city government are held in November of odd years. Three seats were on the November 2013 ballot.[3] Andy Feury, Pamela Barberis, and Jennifer Frandsen began their terms in January 2014.

Whitefish Mayor and City Council	
Name	**Term Expires**
John Muhlfield, Mayor	Jan. 2016
John Anderson	Jan. 2016
Pam Barberis	Jan. 2017
Andy Feury	Jan. 2017
Jan Frandsen	Jan. 2017
Richard Hildner	Jan. 2016
Frank Sweeney	Jan. 2016

Fiscal Status[4]

As the focus of this report is the feasibility of dedicating additional public funds for land conservation it is important to consider the fiscal status of the city and potential future demand for public funding for other priorities. The Whitefish City Council unanimously approved the city's $36.3 million budget (including transfers) at their August 19 meeting. The fiscal year 2014 budget includes a slight reduction in the tax rate, pay raises for city workers, and funding to hire a few new employees. The budget includes a property tax mill levy of 119.8, which is a slight decrease from

[3] http://cityofwhitefish.org/mayor-and-city-council/contact-mayor-and-council.php
[4] City of Whitefish FY 2014 Final Budget; 2012 Audit Report.

last year's levy of 120.4 mills. The year-end cash balance for the fiscal year is projected to be 11.5 percent of expenditures, compared to 10 percent in FY 2013. The increase translates to a cash balance of $1.06 million in property tax supported funds.

Total revenues for all funds are budgeted at $25,658,543 which is $511,433 or 2.03 percent higher than the FY13 budget. Most of these increases are from additional property tax revenue because of a higher mill value, higher Fire and Ambulance revenues (mostly from new debt), higher Resort Tax revenues, higher Tax Increment Revenues, and higher Water and Wastewater system revenues from the possibility of $1,704,000 of State Revolving Fund loans to finance projects.

Total General Fund Revenues are projected at $3,288,323 in FY14 which is a $141,294 or a 4.49 percent increase from last year. Property tax revenues are 1.69 percent higher because of a higher valuation. Planning and Zoning fees are expected to increase by $52,300. Transfers into the General Fund are $95,425 higher than last year because of higher Resort Tax revenues.

A rate increase in water and wastewater usage charges in October 2013 and changes to billing procedures and other fees during the same time will result in increased revenues for the Water, Sewer, and Garbage Funds[5]. In addition, in November 20 1 2 the city restructured most of its water and sewer debt to a lower rate, saving the city over $720,000 over the next 17 years and reducing the net operating revenue requirement (coverage) in these funds.

The tax increment fund, a special revenue fund that was established in 1987 is used to account for urban renewal activities within the boundaries of the Whitefish Tax Increment District. In accordance with state law tax increment districts must be terminated 15 years after their creation or at a later date necessary to pay all bond obligations for which the tax increment was pledged. Based upon the bond obligations, termination of the district is projected to be July 2021.

[5] Water and sewer increased 5.7%; garbage rates increased 3%. Source: personal conversation with City Mgt. Chuck Stearns, 11/21/13.

CITY FINANCING OPTIONS

Choosing a Funding Strategy

Generally, there are three primary types of revenue sources available to local governments to pay for parks and land conservation: discretionary annual spending, creation of dedicated funding streams, and debt financing. The financing options utilized by a community will depend on a variety of factors such as taxing capacity, budgetary resources, voter preferences, and political will.

Significant, dedicated funding generally comes from broad-based taxes and/or the issuance of bonded indebtedness, which often require the approval of voters. In TPL's experience, local governments that create funding via the legislative process provide substantially less funding than those that create funding through ballot measures. As elected officials go through the process of making critical budgetary decisions, funding for land conservation often lags behind other public purposes, and frequently less than what voters would support. It is understandably often difficult to raise taxes without an indisputable public mandate for the intended purpose.

The power of conservation finance ballot measures is they provide a tangible means to implement a local government's vision. With their own funding, local governments are better positioned to secure scarce funding from state or federal governments or private philanthropic partners. Having a predictable funding source empowers the city or county to establish long-term conservation priorities that protect the most valuable resources, are geographically distributed, and otherwise meet important community goals and values.

Nationwide, a range of public financing options has been utilized by local jurisdictions to fund parks and open space, including general obligation bonds, the local sales tax, and the property tax. Less frequently used mechanisms have included special assessment districts, real estate transfer taxes, impact fees, and income taxes. The ability of local governments to establish dedicated funding sources depends upon state enabling authority. In Montana, local government funding options for land conservation have primarily taken the form of budget appropriations, property taxes, general obligation bonds backed by property taxes, parkland dedication through the development review process, and less frequently, impact fees. Many communities also have had success in leveraging local sources with funds from some federal conservation programs. Overall, voter support of local conservation measures in Montana has been fairly strong. Roughly 71 percent of measures (10 of14) on the ballot between 1994 and 2012 have been approved. Most recently, in November 2012, voters in the City of Bozeman approved a $15 million bond for parks and trails with 73 percent approval.[6] A summary of local conservation finance measures is provided in Appendix A.

Some of the specific finance options available in Whitefish for the purchase of an easement on the Haskill Basin are described on the following pages. The options are further summarized in Appendix B. The authority for the city to purchase land or easements "anywhere in the state" for land conservation and open space is provided in state law by the Open-Space Land and Voluntary Conservation Easement Act.[7]

[6] Trust for Public Land, LandVote database.
[7] MCA §76-6-103; 76-6-106.

Bonds

To raise funds for capital improvements, such as land acquisition or building construction, counties and municipalities in Montana may issue bonds.[8] There are two main types of bonds: general obligation ("GO") bonds, which are guaranteed by the local taxing authority, and revenue bonds that are paid by project-generated revenue or a dedicated revenue stream such as a particular tax or fee. Generally, bond proceeds are limited to capital projects and may not be used for operations and maintenance purposes.[9]

Whitefish carries debt from revenue bonds and loans from the State Revolving Fund (SRF) for infrastructure. The SRFs are covered in greater detail in Appendix C. A special revenue fund that was established in 1987 is used to account for urban renewal activities within the boundaries of the Whitefish Tax Increment District. The city has bonded against this revenue stream, most recently for the construction of the Emergency Services Center. In 2009, the city received an A- and stable rating on this bond issue from Standard and Poor's rating agency. The city has no G.O. bonds.[10]

General Obligation Bonds

Montana state law limits general obligation bonded debt for general purposes to 2.5 percent of the total market value (TMV) of property, or roughly $29 million in Whitefish. G.O. bonds are limited to a term of 20 years.[11]

Issuing GO bonds for land conservation

The table to the right illustrates the estimated annual debt service, required property tax rate per $1,000 of assessed valuation, and annual household cost of various general obligation bond issue amounts for open space and water protection purposes. **For example, a $3 million bond would add roughly $200,000 to the city's annual debt service and would cost the typical homeowner an average of $38 per year over the life of the bond (20 years).**

Bond Financing Costs for Whitefish

20-year Bond Issues at 3% Interest Rate

2015 Taxable Value for Open Space Bonds = $22,873,171

Bond Issue Size	Annual Debt Svce	Mill Levy Increase	Cost/ Year/ Avg. House*
$1,025,000	$68,896	3.01	$13
$2,025,000	$136,112	5.95	$26
$3,025,000	$203,328	8.89	$38
$5,025,000	$337,759	14.77	$64
$10,025,000	$673,837	29.46	$127

**Median home assessed value = $175,000; taxable value = $4,323*

Sources: FY15 Adopted Budget, p13 & City Mgr AV estimate.

TPL's bond cost calculations provide an estimate of debt service, tax increase, and cost to the average homeowner in the community of potential bond issuances for parks and land conservation. Assumptions include the following: the entire debt amount is issued in the first year and payments are equal until maturity; 20-year maturity; and 3 percent interest rate. Property tax estimates assume that the city would raise property taxes to pay the debt service on bonds, however other revenue streams may be used. The cost per household represents the average annual impact of increased property taxes levied to pay the debt service. The estimates do not take

[8] E.g., §36.89.040.

[9] Federal IRS rules governing the issuance of tax-exempt bonds limit the use of proceeds to capital purposes such that only a small fraction of bond funds may be used for maintenance or operations of facilities. State and local laws may further limit the use of bond proceeds.

[10] City of Whitefish 2014 Budget.

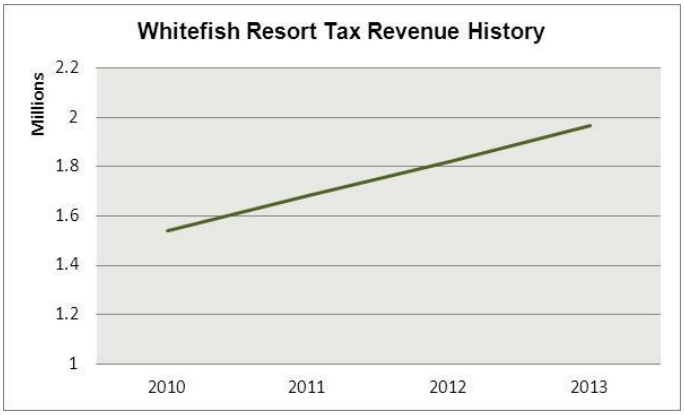
[11] MCA §7-7-4202 and §7-7-4205

into account growth in the tax base due to new construction and annexation over the life of the bonds. The jurisdiction's officials, financial advisors, bond counsel and underwriters would establish the actual terms of any bond.

Process for implementation

The City Council must adopt a resolution and provide that the question be submitted to the city voters at the next general city election, at a special election that is conducted in conjunction with a regular or primary election, or by mail ballot. A *mail* ballot may not be conducted if another regularly scheduled or special election in the political subdivision is taking place at the polls on the same day).[12] The resolution must state the purpose, the amount of bonds, and the number of years to maturity. Notice of the proposed election shall also be published, as required by state statute.[13] Approval or rejection of the bond proposition is made by a majority of the votes cast on the issue.[14]

Resort Tax[15]



Due to the impacts from tourism, the City of Whitefish is authorized under Montana Code Annotated to collect a resort tax on sales at motels, bars and restaurants, and retail establishments. Whitefish's resort tax is a 2 percent tax on the retail sale of lodging, restaurant and prepared food, alcoholic beverages, ski resort goods and services, and defined luxury items. The resort tax was first collected in FY 1995/1996. Except for the economic downturn in the years 2009 and 2010, the collections have steadily increased. Collections in the most recent fiscal year of 2012/2013 rebounded and represented the highest amount of collections to date amounting to $1,966,426 in resort tax revenue.

At the November 2004 city election, voters supported an extension of the resort tax until January 2025 with 76 percent approval. Whitefish voters allocated the use of the resort tax as follows:

A. Property tax reduction for taxpayers residing in the city (25 percent);
B. Provision for the repair and improvement of existing streets, storm sewers, all underground utilities, sidewalks, curbs and gutters (65 percent);
C. Bicycle paths and other park capital improvements (5 percent)[16];
D. Cost of administering the resort tax (5 percent) per year.

Currently, resort taxes are levied by 8 jurisdictions in the state. The maximum levy is 3 percent. With a 2 percent levy, Whitefish is the only community to levy the tax at less than the maximum.

[12] Citizens may petition for a bond issue to be placed on the ballot. The petition must be signed by not less than 20 percent of electors.
[13] §7-7-4227; 13-9-104.
[14] §7-7-4235.
[15] FY 2014 Final Budget; Whitefish Parks & Recreation Master Plan draft May 2013.
[16] The resort tax must be spent on park development and cannot be used for maintenance.

.

Montana Resort Tax Communities and Areas					
Communities*			Resort Areas**		
Name	Tax Rate	Year Enacted	Name	Tax Rate	Year Enacted
Whitefish	2%	1996	St. Regis	3%	1993
Red Lodge	3%	1998	Big Sky	3%	1992
Virginia City	3%	1991	Cooke City	3%	2006
West Yellowstone	3%	1986	Craig	3%	2011

* A community is an incorporated city or town with a population less than 5,500.
** A Resort Area is an unincorporated area with a population less than 2,500.
Source: MT DOR.

Using the resort tax for land conservation

Whitefish could consider an increase of the resort tax to the maximum allowable levy of 3 percent. **Increasing the tax from 2 percent to 3 percent would generate nearly $1 million a year.** The local electorate must decide on the rate, the duration of the tax, the effective date, and how the revenue is to be allocated. While the current 2 percent levy does not expire for many years, the city could go to the voters for reallocation of existing funds. The city could also consider going to voter to ask for a tax increase and reallocation of funds at any election by resolution of the city council.[17]

In addition, the city could potentially issue revenue bonds backed by a commitment of resort tax revenues.[18] With revenue of $1 million a year, the city could issue just under $10 million in debt payable over 20 years at 5 percent interest,[19] as depicted in the table to the right. Annual resort tax revenue pledged for the payment of bonds must equal at least 125 percent of the average anticipated principal and interest payments due.[20] Resort tax revenues have not been bonded by the city to date.

Revenue Bond Debt Service Estimates			
Total Debt Issue	Interest Rate	Term/ Years	Annual Debt Service
$3,000,000	5.0%	10	$388,514
$3,000,000	5.0%	20	$240,728
$5,000,000	5.0%	10	$647,523
$5,000,000	5.0%	20	$401,213
$10,000,000	5.0%	10	$1,295,046
$10,000,000	5.0%	20	$802,426

West Yellowstone has a history of issuing general obligation bonds and using resort tax revenues to pay a portion of the debt service. The Big Sky resort area intends to issue bonds using enabling authority granted in April 2013 by the Montana Legislature. Senate Bill 209 granted bonding authority to Montana Resort Area Districts, Big Sky and St. Regis; a provision previously available only to Resort Tax Communities.

[17] The City of Whitefish is a qualified resort community irrespective of population changes within its boundaries (e.g. current population exceeds 5,500) and retains all of the taxing authority granted by law. 53 Opinion Attorney. General. No. 1 (2009) and personal communication to city manager John Phelps from Assistant Attorney General Jennifer Anders, March 29, 2010.
[18] Montana Code Annotated §7-6-1506. Bonds must be authorized by the board. Bonds do not do not constitute debt for purposes of any statutory debt limitation, provided that in the resolution authorizing the issuance of the bonds, the municipality determines that the resort tax revenue or other sources of facilities revenue, if any, pledged to the payment of the bonds will be sufficient in each year to pay the principal and interest on the bonds when due.
[19] Revenue bonds typically carry a higher interest rate than general obligation bonds.
[20] Montana Code Annotated, §7-6-1506.

Water Rates

The City of Whitefish gets more than 75 percent of its municipal water supply from the Haskill Basin property, diverting water from intakes that it maintains, but does not own, on Second and Third Creeks and piping it down to a reservoir and treatment plant just north of downtown. Development of Stoltze's Haskill Basin property would dramatically increase the potential for sedimentation and septic leachates ending up in the city's water supply and thus forcing the city to incur higher treatment costs. At present, these costs are very low because the water being drawn from Haskill Creek is exceptionally clean.

Development that leads to excessive sedimentation and contamination could also force the city to stop diverting water from Haskill Creek altogether. This would compel the city to pump all of its water out of Whitefish Lake, which has a much higher turbidity level and suspended sediment load. The cost of doing so would be enormous, with the city estimating that the increased treatment and pumping costs would add almost $1 million to its annual operating budget.

The city could consider increasing water rates to generate funds to pay for a conservation easement to protect land and water in the Basin. According to City Manager Chuck Stearns, current water rates generated $2,486,936 in FY 2013. A 5 percent increase in rates would generate approximately $124,000 per year; **a 10 percent increase would produce roughly $249,000**. Revenues from a 10 percent increase in water rates could potentially support a revenue bond of up to roughly $3 million. This estimate assumes that the city could get a State Revolving Fund loan with a favorable interest rate of 2.5 percent.. The potential for this project to qualify for Montana SRF loans, including principal forgiveness, is explored further in Appendix C.

Municipal governments operating a water or sewer system have the authority to establish and collect rates by ordinance or resolution. The City of Whitefish increased water and wastewater usage charges in October 2012. No further increases to the rates are anticipated for FY 2014. In addition, the city may issue bonds in an amount above that generally authorized (2.5 percent of total market value) for water and sewer purposes. Bonds backed by the full faith and credit of the city require approval of voters, but revenue bonds supported by rates or fees may be issued by resolution of the city council.[21]

Revenue Bond Debt Service Estimates

Total Debt Issue	Interest Rate	Term/ Years	Annual Debt Service
$1,000,000	2.5%	20	$64,147
$2,000,000	2.5%	20	$128,294
$3,000,000	2.5%	20	$192,441
$3,750,000	2.5%	20	$240,552

Finally, the city is authorized to procure appropriate water rights and the necessary real property or easements to make an adequate water supply available and may use revenues from consumers for this purpose.[22]

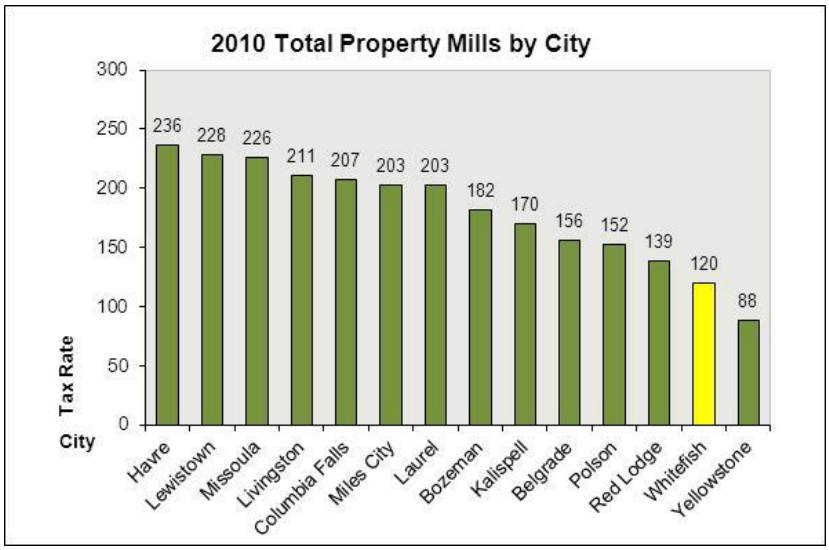
Property Taxes

The property tax is one of the largest tax revenue sources for many local jurisdictions, including Whitefish. In Montana, property taxes are levied by the state, local governments, schools, and special districts. Local taxing entities may impose a new mill levy by conducting an election at a

[21] MCA, §7-13-4304.
[22] MCA, §7-13-4405; 7-13-4406.

regular, primary or special election.[23] Property tax levies may be imposed in mills and tenths and hundredths of mills,[24] and a mill is equal to $1 per $1,000 of assessed value. The Whitefish budget for fiscal year 2014 imposes a mill levy of 119.8 mills per $1,000 of assessed value.[25]

The chart below shows that the Whitefish city levy is fairly low in relation to comparable communities in the state. Whitefish has historically had very low property tax mill levy rates because of the Resort Tax rebate for property tax reductions, high property valuations, and maintenance district assessments. West Yellowstone and Red Lodge also utilize Resort Taxes as an alternative or supplement to property taxes.



Using the property tax for land conservation

The chart below provides the estimated revenue and costs of additional mill levies that could be implemented for land conservation in the City of Whitefish. **For example, a 10-mill property tax levy would generate approximately $228,000 annually at a cost of $43 per year to the average homeowner in the city.**

Estimated Revenue & Costs of Property Tax Increase

Mill Levy Increase	Value of One Mill	Annual Revenue	Cost / Avg. House*	Cost / $100K House	Cost / $200K House
5.00	$22,873	$114,365	$22	$7	$13
10.00	$22,873	$228,730	$43	$13	$26
20.00	$22,873	$457,460	$86	$26	$52
25.00	$22,873	$571,825	$108	$33	$65

Median home assessed value = $175,000; taxable value = $4,323

Sources: FY15 City Budget, & City Manager.

[23] §15-10-425 (containing mill levy election requirements).
[24] §15-10-201.
[25] City of Whitefish 2014 Adopted Budget.

Whitefish may impose a new mill levy by submitting the question to electors. Such an election may be held in conjunction with a regular or primary election or may be a special election. The governing body must pass a resolution, amend its self-governing charter, or receive a petition indicating intent to impose a levy on the approval of a majority of the qualified electors voting in the election.

The resolution or petition must include:

- the specific purpose for which the additional money will be used; and
- the specific amount to be raised and the approximate number of mill imposed; or
- the specific number of mills required; and the approximate amount to be raised;
- whether the levy is permanent or the durational limit on the levy.

The form of the ballot must reflect the content of the resolution or charter amendment and must include a statement of the impact of the election on a home valued at $100,000 and a home valued at $200,000 in the district in terms of actual dollars in additional property taxes that would be imposed on residences with those values if the mill levy were to pass. The ballot may also include a statement of the impact of the election on homes of any other value in the district, if appropriate.[26]

If a majority of electors approve the additional mill levy, the governing body is authorized to impose the levy in the amount specified in the resolution.

Water Quality District

Finally, Whitefish could explore the feasibility of creating a local water quality district. The Montana Local Water Quality District Act authorizes counties to establish districts to protect, preserve, and improve the quality of surface water and groundwater. Funding comes from an annual fee on all property using water or producing waste. Businesses using larger volumes are assessed a higher fee which cannot exceed 50 times the residential fee. The Local Water Quality District Act was passed by the Montana State Legislature in 1991.[27] The unique aspects of a LWQD include its ability to cover a municipality (if the municipality concurs with the establishment of the district), its ability to enforce the Montana Water Quality Act in coordination with the Montana Department of Environmental Quality, and the oversight functions that the Montana Board of Environmental Review has on the district's water quality program.

The goal of a LWQD is to protect, preserve, and improve the quality of surface water and groundwater within the district. Lewis and Clark County set up the first LWQD for the Helena Valley watershed in 1992. A year later, Missoula County set up a LWQD covering the Missoula Valley Sole Source Aquifer. Butte/Silver Bow established a LWQD in 1995. Gallatin County formed a LWQD covering the Gallatin Valley at Bozeman. Flathead, Lake, and Ravalli counties also have explored the possibility of district formation.

[26] MCA §15-10-425
[27] MCA, §7-13-4502.

Process for implementation[28]

The County Commissioners may initiate the creation of a district by holding a public meeting, passing a resolution of intention, and providing an opportunity for owners of fee-assessed units to protest. If the owners of more than 20 percent of the units in the proposed district protest the creation of the district and the fees proposed to be charged, the commissioners are barred from further proceedings on the matter unless they submit the issue to a referendum of the registered voters who reside within the proposed district.

Like other county districts LWQD's have a board of directors and funding from user fees collected annually with county taxes and fees. Districts are authorized to acquire land necessary to implement their water quality programs.

The near-term advantage of creating a water quality district lies in encompassing a larger population base (i.e. tax base) to support the cost of protecting the Haskill Basin. Further research is needed to propose the boundaries of the district, the number of potential fee-assessed units to be included in the district, and to estimate the fees. Potential drawbacks to this approach include the tension between the city, Flathead County, and residents of the "doughnut" – the two-mile planning area around the city that would likely be included in a LWQD. Ongoing debate over jurisdiction over the doughnut has been the focus of considerable controversy and litigation.

ELECTION ANALYSIS

Whitefish holds a general city election on the first Tuesday following the first Monday in November in odd-numbered years (statewide and county general elections are held in even-numbered years). In addition, the city council may call a special city election that is conducted in conjunction with a regular or primary election, or by mail ballot (a mail ballot may not be conducted if a regularly scheduled or special election when another election in the political subdivision is taking place at the polls on the same day).

The dates for 2014 (general) and 2015 elections are listed in the chart to the right. Ballot issues must be certified 75 days prior to the election. The deadline for certifying a measure to the November 2015 election is August 20th. Absentee ballots and voter information must be mailed no later than October 5, 2015

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NEXT REGULAR ELECTIONS OCCUR AS FOLLOWS:		
General Election	First Tuesday after the first Monday in November.	4-Nov-14
School Election	First Tuesday after the first Monday in May.	5-May-15
Rural Fire District Elections	First Tuesday after the first Monday in May.	5-May-15
Municipal Primary	Tuesday following the second Monday in September.	15-Sep-15
General Election	First Tuesday after the first Monday in November.	3-Nov-15

[28] MCA 7-13-4502 – 4523.

Voter Registration and Turnout

As of November 2013, the City of Whitefish had 4,903 registered voters. If the city wants to consider pursuing a ballot measure to establish funding for land conservation, it is important to examine the potential turnout. The table to the right shows voter turnout for the past few city elections.

Whitefish Voter Turnout			
Date	Regist. Voters	Ballots Cast	% Turnout
Nov-13	4,903	1,353	28%
Nov-11	4,402	2,318	53%
Nov-09	4,714	1,981	42%
Aug-08	3,403	1,640	48%

Election Results

A review of local election news coverage of the past few years indicates that there have been few recent major city finance propositions before voters. However, the local school districts have put several funding measures on the ballot, all of which were approved by voters. A city open space measures in 2007 failed at the ballot. The county-wide open space bond measure in 2008 was rejected by voters, but the measure did receive 54 percent of the vote in the 7 precincts encompassing the City of Whitefish. Results are summarized in the chart below.

Whitefish Public Spending Election Results (selected examples since 2007)				
Date	Measure	Description	Results	%Yes
Mar-12	Bond	High School ($14M)	Pass	65%
May-11	Levy	High School	Pass	61%
May-11	Levy	Elementary Schools	Pass	61%
Nov-08	Bond	Flathead County Open Space Bond ($10M)	Fail	44%
		Whitefish precincts result for county bond	*Pass*	*54%*
Nov-08	Levy	Whitefish Fire & Ambulance Levy (24 mills)	Pass	62%
Nov-07	Bond	Whitefish Bond to purchase land for city beach ($3.2M)	Fail	43%

CONCLUSIONS

There are a number of potential funding options that can be "knit together" to protect the Haskill Basin. State, federal, local, and private sources all have a role to play in achieving this conservation objective. Next steps should include narrowing funding options to those that best match political and fiscal realities in the City of Whitefish and testing voter attitudes toward a specific set of funding proposals. The Trust for Public Land recommends conducting a public opinion survey that tests ballot language, tax tolerance, and conservation priorities of voters in Whitefish.

APPENDICES

Appendix A

Local Conservation Finance Ballot Measures

Local Conservation Finance Ballot Measures - 1994 to 2012					
			Funds		
Jurisdiction Name	**Date**	**Description**	**Approved**	**Status**	**% Yes**
Bozeman	Nov-12	Bond for parks, trails and natural areas	$15,000,000	Pass	73%
Cascade County	Nov-08	Bond to purchase 233 acres on air force base		Fail	37%
Flathead County	Nov-08	Bond for the protection of natural areas including w atersheds, farmland, open space, and w ildlife habitat		Fail	44%
Lew is & Clark County	Nov-08	Bond for the preservation of open space and farmland	$10,000,000	Pass	51%
Whitefish	Oct-07	Bond to expand a beachfront and park		Fail	43%
Missoula County	Nov-06	Bond for the preservation of open space	$10,000,000	Pass	71%
Ravalli County	Nov-06	Bond to purchase farmland and open space	$10,000,000	Pass	58%
Gallatin County	Nov-04	Bond for open space	$10,000,000	Pass	63%
Great Falls	Nov-03	Bond for soccer fields	$2,500,000	Pass	51%
Gallatin County	Nov-00	Bond issue to purchase land and conservation easements	$10,000,000	Pass	59%
Helena	Nov-96	Open Space Bond, Bond for Parks, Recreation, Open Space, Trails	$5,000,000	Pass	51%
Missoula	Nov-95	Bond issue for open space acquisition	$5,000,000	Pass	66%
Missoula County	Nov-94	Bond to establish an open space acquisition fund		Fail	40%
Missoula County	Jun-94	Bond to establish an open space acquisition fund		Pass*	55%
			$77,500,000		
**Results were nullified due to insufficient voter turnout.*					

Appendix B

Local Revenue Options Summary

Revenue Option	Description and Generating Potential	Implementation Process	Comments
G.O. Bonds	*Bond Issue* / *Debt Service* / *Mills Req'd* / *Avg House* $3 million / $203,328 / 8.89 / $38 $10 million / $673,837 / 29.46 / $127 The debt service figures for the proposed bond issue above are based upon a general obligation bond issued for 20 years at 3 percent interest. This rate is only used for illustration. City officials, its financial advisors, bond counsel and underwriters would establish the actual terms of any bond issue.	The city has ample debt capacity to issue bonds for the purchase of a conservation easement. Voter approval is required.	The city has no outstanding general obligation debt. Bonds raise substantial amounts of money, enabling the city to make important acquisitions now while land is available. Costs would be spread out over a long time horizon, and therefore costs borne by both current and future beneficiaries. Bond proceeds may not be used to fund ongoing expenses.
Resort Tax	The city could increase the existing 2 percent resort tax to the maximum 3 percent rate. This increase would generate roughly $1 million annually. The revenue stream could be bonded. *Bond Issue* / *Debt Service* / *Years* / *Interest rate* $5 million / $401,213 / 20 / 5% $10 million / $802,426 / 20 / 5% The debt service figures for the proposed bond issue above are based upon a revenue bond issued for 20 years at 5 percent interest. This rate is only used for illustration. City officials, its financial advisors, bond counsel and underwriters would establish the actual terms of any bond issue.	The city council must refer the question of raising the resort tax and how it would be allocated to the voters.	The current resort tax expires in 2025. The tax generates significant revenues. Whitefish is the only resort community/area to levy the tax at a rate below the authorized maximum. Revenue bonds usually carry a slightly higher interest rate than general obligation bonds.
Water Rates	City water rates could be increased to support a revenue bond and/or a State Revolving Fund loan. A 10 percent increase in rates, for example, would generate $249,000 annually. *Bond Issue* / *Debt Service* / *Years* / *SRF Interest rate* $3 million / $192,441 / 20 / 2.5% $3.75 million / $240,552 / 20 / 2.5%	The city council establishes rates by ordinance or resolution.	There is a clear nexus between the revenue source (water users) and the purpose (protecting the water source.) Rates are set administratively, voter approval is not required. Rates were recently increased in 2012.
Property Tax	Whitefish could impose a property tax to raise revenue for land conservation. *Mills* / *Revenue Raised per Year* / *Annual Cost for Avg Homeowner* 10 / $228.730 / $43 20 / $457,460 / $86	A mill levy must be approved by a majority of voters in the city at an election.	A property tax would create a dedicated funding source. Funds will accumulate over time. Whitefish's property taxes are very low compared to other cities in the state due to resort tax revenues.

Appendix C

Montana State Revolving Funds Summary

The Montana State Revolving Fund programs provide financing for a variety of water quality related projects in the form of at or below market interest rate loans. Generally these funds are used to finance all or a portion of a project's cost or to buy or refinance debt obligations, but these loans can also serve as matching funds for a variety of grant programs.

The Water Pollution Control (WPCSRF) and the Drinking Water State Revolving Fund (DWSRF) programs are jointly administered by the Montana Department of Environmental Quality (DEQ) and the Department of Natural Resources and Conservation (DNRC). The DEQ ensures that application requirements are met and sets project priorities, and the DNRC ensures loan security and issues general obligation bonds in order to match Montana's federal capitalization grant by at least 20%.[29]

Water Pollution Control State Revolving Fund
The WPCSRF program funds water pollution prevention and treatment projects in order to meet the Clean Water Act Requirements and protect public health, the environment, and water quality. Montana's program is intended to "provide low interest loans for the planning, design, and construction of water pollution control projects." The WPCSRF program in Montana is unique in that it allows private persons (individuals, corporations, partnerships or other non-governmental legal entities) to apply for loans as well.[30]

Since May 2013, $52 million in Montana were loaned for non-point source pollution control implementation projects. These include projects that address urban stormwater or construction runoff, or protect ground water or riparian areas. The DEQ has primarily financed municipal grey-infrastructure projects, and these non-point source projects have not historically included land conservation related activities. However, the department does seem open to this and willing to lend money for these purposes.[31]

WPCSRF[32] Loan Details			
Capitalization Grant Amount, SFY 2014*	**Funds Available to Loan (most current)**	**Loan Interest Rate (most current)**	**Current Maximum Loan Period**
$6.85 million	$42.08 million	2.5% (includes a 0.25% loan loss reserve surcharge and a 0.75% administrative surcharge)	20 years (30 for disadvantaged community)
* The State matches at least 20% of the Federal Capitalization Grant and adds this to the SRFs. Montana can also transfer up to 33% between the WPCSRF and the DWSRF.			

[29] Montana State Revolving Fund Programs. www.deq.mt.gov/wqinfo/srf/default.mcpx.
[30] Water Pollution Control State Revolving Fund. www.deq.mt.gov/wqinfo/srf/WPCSRF/default.mcpx.
[31] Paul Lavigne. Section Supervisor, Water Pollution Control Revolving Fund. Personal Communication. Oct. 9, 2013.
[32] Water Pollution Control State Revolving Fund Intended Use Plan and Project Priority List – DRAFT - State Fiscal Year 2015. file:///C:/Users/BiancaS/Downloads/SFY15DraftIUP.pdf.

WPCSRF Subsidies and Incentives:
States must use at least 20% and not more than 30% of the federal appropriation to provide additional subsidization (principal forgiveness, negative interest rate loans, or grants). In Montana, the WPCSRF plans to use $559,386 in SFY 2015 (the maximum allowed) for principle forgiveness, with a maximum of $200,000 or 25% per loan. This will be distributed to long-term projects in disadvantaged communities (based upon user rates and median household income, MHI).
At least 10 percent of the grant must be used for projects that meet the EPA criteria for "green project," which can includes green infrastructure and fee simple land acquisition or easements. In Montana specifically, at least $685,300 will be spent on green projects in SFY 2015.

WPCSRF Application:
To apply, the eligible applicant first requests that their project is added to the Project Priority List (PPL) and Intended Use Plan (IUP) by filling out a form available on the DEQ website. The PPL and IUP are updated annually, and applicants can begin the process in June each year. After the project listing-request is received, the DEQ ranks the project based upon water quality or public health benefits. The approved loans are offered on a "first come basis" until the funds are all distributed. While both programs have the legal ability to fund land protection projects, they have different requirements and ranking criteria that are used to choose projects (discussed next).

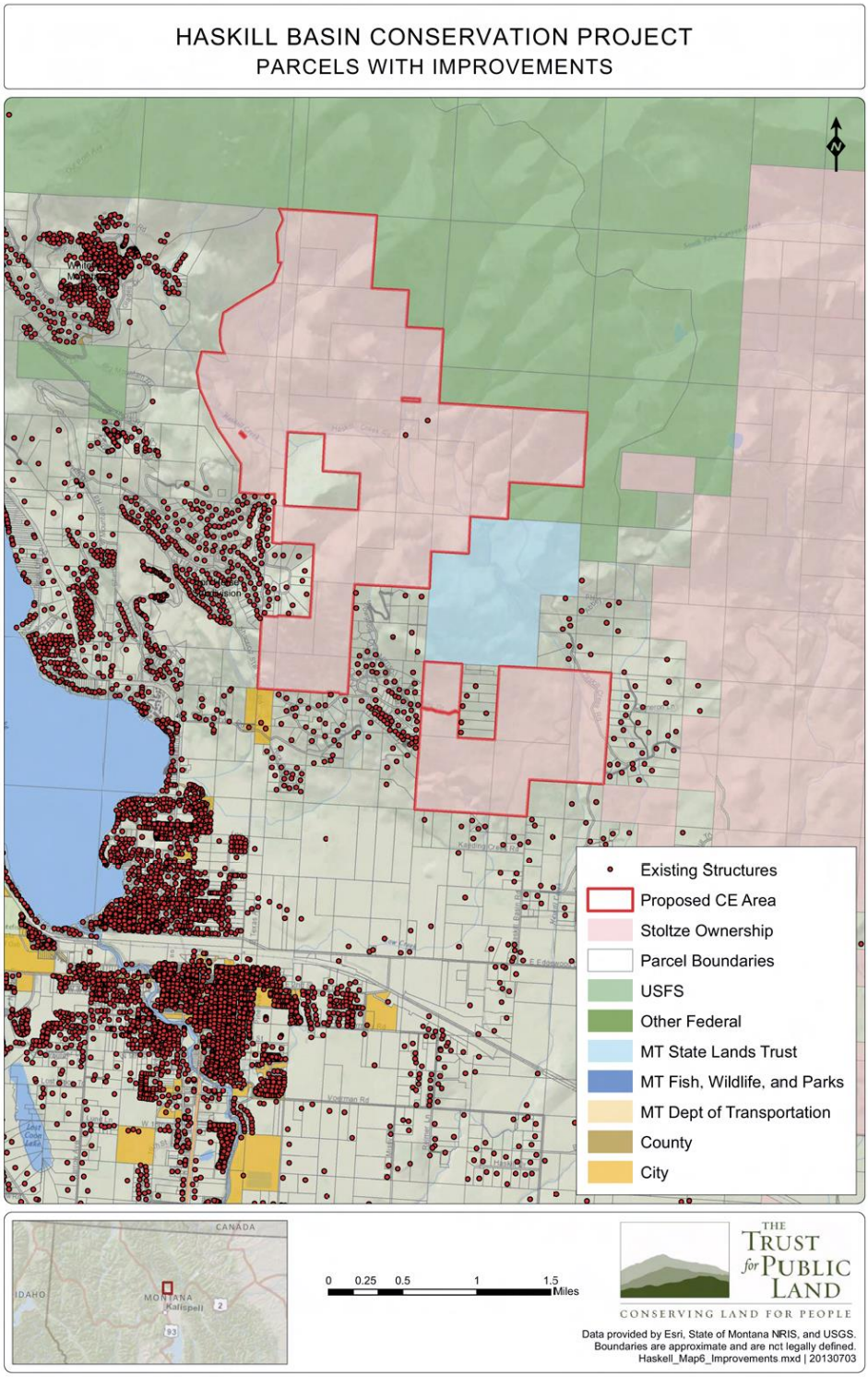
For a successful application, water quality needs to be the project's primary purpose (the EPA has established a lot of flexibility as to what water quality protection includes), and loan security needs to be clearly established.[33] As this property is located immediately next to the Whitefish Mountain Resort and the Iron Horse golf course community, and is considered extremely vulnerable to future development, protecting the land could address runoff issues and protect water quality. Furthermore, as the property being considered in this case is the source of 75% of the city's municipal water supply, protecting this land protects the drinking water quality for this city.

A note about the Drinking Water State Revolving Fund: The DWSRF seeks to help water suppliers achieve and maintain compliance with federal and state drinking water standards and to protect Montana's drinking water. While in some states land conservation related activities are eligible as a form of source water protection,[34] DWSRF funds in Montana have not been used to fund land conservation projects or purchase land. These types of activities are only allowed if the land is needed to locate a component of another eligible project (such as wastewater treatment plant or pipes).[35,36]

[33] Ibid.
[34] *In addition to Source Water Protection, these projects can also often qualify as an EPA Green Project, the guidelines for which allow for fee simple purchase of land or easements on land that has a direct benefit to water quality, such as riparian protection.*
[35] Montana DWSRF Intended Use Plans, 2000-2013. Available at: www.deq.mt.gov/wqinfo/srf/DWSRF/IUP-ppl/pastiupppl.mcpx.
[36] Mark Smith. Section Supervisor, Montana Drinking Water Revolving Fund. Personal Communication. Oct. 9, 2013.

Appendix D

Project Map



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Resort Tax Growth Estimates and ability to cover 10 year SRF loan

Prepared: 1/15/2015

	FY14 ACTUAL	FY15 ESTIMATE	BOND YR 1 FY16 ESTIMATE	BOND YR 2 FY17 ESTIMATE	BOND YR 3 FY18 ESTIMATE	BOND YR 4 FY19 ESTIMATE	BOND YR 5 FY20 ESTIMATE	BOND YR 6 FY21 ESTIMATE	BOND YR 7 FY22 ESTIMATE	BOND YR 8 FY23 ESTIMATE	BOND YR 9 FY24 ESTIMATE	BOND YR 10 FY25 ESTIMATE	Ten Year Totals
Estimated growth rate of Resort Tax Revenues		5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	
1% increase Resort Tax Revenues (actual or estimated)	$1,049,735	$1,102,222	$1,157,333	$1,215,199	$1,275,959	$1,339,757	$1,406,745	$1,477,083	$1,550,937	$1,628,484	$1,709,908	$1,047,318	$13,808,723
Option 1 - Full amount less 5% (Minimum amount of property tax relief required)			$1,096,457	$1,151,280	$1,208,844	$1,269,286	$1,332,750	$1,399,388	$1,469,357	$1,542,825	$1,619,967	$992,230	$13,082,385
Option 2 - Full amount less 25% (if we do full 25% property tax rebate)			$852,723	$895,359	$940,127	$987,133	$1,036,490	$1,088,314	$1,142,730	$1,199,867	$1,259,860	$771,664	$10,174,267
Amount of money needed for $8,532,000 SRF loan of 2.5% for 10 years with 110% coverage (based on DNRC SRF calculations)			$1,073,710	$1,171,500	$1,171,500	$1,171,500	$1,171,500	$1,171,500	$1,171,500	$1,171,500	$638,925		$9,913,135
Amount of money needed for $9,000,000 public markets underwritten tax exempt bond at 3.5% for 10 years with 125% coverage			$1,352,715	$1,173,295	$1,173,295	$1,173,295	$1,173,295	$1,173,295	$1,173,295	$1,173,295	$1,173,295	$1,173,295	$11,912,370
Option 2 (line 19) minus line 25			-$220,987	-$276,141	-$231,373	-$184,367	-$135,010	-$83,186	-$28,770	$28,367	$620,935	$771,664	$261,132

Resort Tax ends 1/31/2025

Can use reserve amount to pay last debt service payment - $532,575

	A	B	C	D	E	F	G	H	I	J	K	L	M
1													
2													
3													
4													
5													
6													
7	Water Revenue Bond and water rate increases for various levels of a Water Revenue Bond for the Stoltze Conservation Easement												
8													
9													
10			30 Year Bond	10 Year Bond									
11													
12	Net Funds Needed		$8,000,000	$8,000,000									
13	Issuance Costs (bond counsel & costs)		included	paid separately ~ $10,000									
14	Reserve Requirement (1/2 year debt service)		$201,000	$532,000									
15													
16	Total Size of Revenue Bond		$8,201,000	$8,532,000									
17													
18	Annual Debt Service Requirements (# of years at 2.5% interest rate)		$391,824	$1,064,650		Section 7-7-4432 MCA allows a maximum of 40 year revenue bond for water projects							
19	Bond Borrowing Capacity Coverage at 1.25; Assumaing SRF, it changes to 1.10		$39,182	$106,465		does not include using any of the current excess coverage - leaves that for other projects !							
20	Total Annual Debt Service		$431,006	$1,171,115									
21													
22													
23	Current Water Revenues (FY15 Budget)		$2,500,000	$2,500,000									
24	Percent Increase in Water Rates		17.24%	46.84%									
25													
26	Effect on average residential water bill												
27	Current Annual average bill - (4,302 gallons per month)		$467.52	$467.52		4,302 gallons average monthly consumption based on 12 months of bills							
28	Monthly Average Bill		$38.96	$38.96									
29	Effect on Average Monthly Bill (average based on 12 months)		$6.72	$18.25									
30	Annual effect		$80.60	$219.01									
31													
32													
33													
34													
35													
36	General Obligation Bond - Impact Calculations												
37													
38													
39			20 Year Bond	10 Year Bond									
40													
41	Net Funds Needed		$8,000,000	$8,000,000									
42	Issuance Costs (bond counsel & costs)		$25,000	$25,000									
43	Rating or Bond Insurance???		$15,000	$15,000									
44													
45	Total Size of General Obligation Bond		$8,040,000	$8,040,000									
46													
47	Annual Debt Service at X years at 3%		$540,414	$942,533									
48	Number of mills based on current mill value of $22,873.17		23.627	41.207									
49	Percentage Increase in City Tax Rate - 120.605 mills		19.59%	34.17%									
50	Percentage Increase in Total Number of Mills on City Taxpayer - 555.545 mills		4.25%	7.42%									
51													
52													
53	Impact on Average House												
54													
55	Free Market Value of Average House		$276,981	$276,981									
56	County Assessor Market Value after 15-6-222 Exemption		$175,000	$175,000									
57	County Assessor Taxable Value (above $175,000 * 2.47% or .0247) (15-6-134 MCA)		$4,323	$4,323									
58	Annual dollar impact on average residential house (mills/1000*taxable value)		$102.13	$178.12									
59													
60													

Resort Tax Collection Report
As of December 31, 2014

MONTH/YEAR	MOTELS	BARS & RESTAURANTS	RETAIL	COLLECTED	CHANGE FROM PRIOR YEAR
Total FY96 (Partial Yr)	$ 52,866	$ 97,611	$ 119,058	$ 269,535	
Total FY97	$ 174,460	$ 252,003	$ 343,611	$ 770,074	185.70%
Total FY98	$ 179,403	$ 253,170	$ 348,971	$ 781,543	1.49%
Total FY99	$ 184,293	$ 283,516	$ 366,635	$ 834,444	6.77%
Total FY00	$ 203,461	$ 312,893	$ 411,241	$ 927,595	11.16%
Total FY01	$ 204,534	$ 330,467	$ 440,242	$ 975,244	5.14%
Total FY02	$ 169,316	$ 386,015	$ 471,257	$ 1,026,587	5.26%
Total FY03	$ 184,947	$ 423,571	$ 526,427	$ 1,134,945	10.56%
Total FY04	$ 190,816	$ 476,709	$ 547,353	$ 1,214,878	7.04%
Total FY05	$ 207,487	$ 522,776	$ 578,256	$ 1,308,519	7.71%
Total FY06	$ 224,740	$ 567,913	$ 650,317	$ 1,442,970	10.28%
Total FY07	$ 263,894	$ 620,835	$ 721,698	$ 1,606,427	11.33%
Total FY08	$ 280,814	$ 633,270	$ 760,686	$ 1,674,770	4.25%
Total FY09	$ 269,389	$ 587,889	$ 749,573	$ 1,606,851	-4.06%
Total FY10	$ 245,171	$ 563,798	$ 730,393	$ 1,539,362	-4.20%
Total FY11	$ 274,688	$ 651,321	$ 747,615	$ 1,673,624	8.72%
Total FY12	$ 314,731	$ 679,063	$ 816,110	$ 1,809,903	8.14%
Total FY13	$ 345,570	$ 758,018	$ 893,617	$ 1,997,205	10.35%
Total FY14	$ 384,342	$ 792,081	$ 923,047	$ 2,099,470	5.12%
Total FY15 YTD	$ 254,024	$ 400,500	$ 439,282	$ 1,093,806	5.23%
Grand Total	**$ 4,608,945**	**$ 9,593,419**	**$ 11,585,389**	**$ 25,787,754**	**6.13% ***
% of Total Collections	18%	37%	45%		

**Does not include the change from FY96 to FY97 since FY96 only included 5 months.*

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CITY COUNCIL REGULAR MEETING AGENDA

The following is a summary of the items to come before the City Council at its regular session to be held on Monday, February 2, 2015, at **7:10 p.m.** at City Hall, 402 East Second Street.

Ordinance numbers start with 15-03. Resolution numbers start with 15-03.

1) CALL TO ORDER

2) PLEDGE OF ALLEGIANCE

3) COMMUNICATIONS FROM THE PUBLIC – (This time is set aside for the public to comment on items that are either on the agenda, but not a public hearing or on items not on the agenda. City officials do not respond during these comments, but may respond or follow-up later on the agenda or at another time. The Mayor has the option of limiting such communications to three minutes depending on the number of citizens who want to comment and the length of the meeting agenda)

4) COMMUNICATIONS FROM VOLUNTEER BOARDS

5) CONSENT AGENDA (The consent agenda is a means of expediting routine matters that require the Council's action. Debate does not typically occur on consent agenda items. Any member of the Council may remove any item for debate. Such items will typically be debated and acted upon prior to proceeding to the rest of the agenda. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC)
   a) Minutes from the January 20, 2015 Council executive session and regular session (p. 77)
   b) Ordinance No. 15-02; An Ordinance amending Whitefish City Code Title 2, Chapter 3, as it pertains to members of the Board of Adjustment to remove residence in the extraterritorial jurisdiction as a requirement (Second Reading) (p. 90)

6) PUBLIC HEARINGS (Items will be considered for action after public hearings) (Resolution No. 07-33 establishes a 30 minute time limit for applicant's land use presentations. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC))
   a) Ordinance No. 15-___; An Ordinance adopting by reference the 2012 International Fire Code as adopted by the State of Montana; amending Section 9-1-1 of the Whitefish City Code to recognize said adoption; and allow continual adoption by reference of subsequent versions of the International Fire Code (First Reading) (p. 93)
   b) Consideration of an application from Sean Averill on behalf of Whitefish Hotel Group, LLC for a Conditional Use Permit for a proposed hotel at 205 Spokane Avenue (Block 46) that exceeds 7,500 square feet and is proposed to contain 89 rooms with 72 parking spaces (p. 100)
   c) Resolution No. 15-___; A Resolution of Intention indicating its intent to adopt the Whitefish Highway 93 West Corridor Plan as an amendment to the 2007 Whitefish City-County Master Plan (2007 Growth Policy) (p. 240)

7) COMMUNICATIONS FROM CITY MANAGER
   a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 440)
   b) Other items arising between January 28th and February 2nd

c) Resolution No. 15-___; A Resolution relating to financing of certain proposed projects; establishing compliance with reimbursement bond regulations under the Internal Revenue Code (Tax Increment Bond for City Hall/Parking Structure) (p. 442)
d) Mid-year financial report – Finance Director (p. 446)

8) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS
a) Letter from Mark Van Everen of Bridgewater Innovative Builders, Inc. regarding subdivision payment-in-lieu of fees for parkland dedication requirements (p. 457)
b) Reconsideration of prior City Council action on December 1, 2014 to pursue LEED (Leadership in Energy and Environmental Design) Certification for the new City Hall building (p. 460)

9) ADJOURNMENT (Resolution 08-10 establishes 11:00 p.m. as end of meeting unless extended to 11:30 by majority)

The following Principles for Civil Dialogue are adopted on 2/20/2007 for use by the City Council and by all boards, committees and personnel of the City of Whitefish:

- We provide a safe environment where individual perspectives are respected, heard, and acknowledged.

- We are responsible for respectful and courteous dialogue and participation.

- We respect diverse opinions as a means to find solutions based on common ground.

- We encourage and value broad community participation.

- We encourage creative approaches to engage public participation.

- We value informed decision-making and take personal responsibility to educate and be educated.

- We believe that respectful public dialogue fosters healthy community relationships, understanding, and problem-solving.

- We acknowledge, consider and respect the natural tensions created by collaboration, change and transition.

- We follow the rules and guidelines established for each meeting.

Adopted by Resolution 07-09
February 20, 2007

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January 28, 2014

The Honorable Mayor Muhlfeld and City Councilors
City of Whitefish
Whitefish, Montana

Mayor Muhlfeld and City Councilors:

Monday, February 2, 2015 City Council Agenda Report

There will be a work session on Monday at 5:00 p.m. for a presentation of results from public opinion survey on the various financing options for local funding of a portion of the cost of the F.H. Stoltze Land and Lumber Company conservation easement followed by an explanation of the impact of various funding options on residents and visitors and options for an election on funding options requiring an election. Food will be provided.

The regular Council meeting will begin at 7:10 p.m.

CONSENT AGENDA (The consent agenda is a means of expediting routine matters that require the Council's action. Debate does not typically occur on consent agenda items. Any member of the Council may remove any item for debate. Such items will typically be debated and acted upon prior to proceeding to the rest of the agenda. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC)

a) Minutes from the January 20, 2015 Council executive session and regular session (p. 77)
b) Ordinance No. 15-02; An Ordinance amending Whitefish City Code Title 2, Chapter 3, as it pertains to members of the Board of Adjustment to remove residence in the extraterritorial jurisdiction as a requirement (Second Reading) (p. 90)

RECOMMENDATION: Staff respectfully recommends the City Council approve the Consent Agenda.

Item a is an administrative matter; item b is a legislative matter.

PUBLIC HEARINGS (Items will be considered for action after public hearings) (Resolution No. 07-33 establishes a 30 minute time limit for applicant's land use presentations. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC))

a) Ordinance No. 15-___; An Ordinance adopting by reference the 2012 International Fire Code as adopted by the State of Montana; amending Section 9-1-1 of the Whitefish City Code to recognize said adoption; and allow continual adoption by reference of subsequent versions of the International Fire Code (First Reading) (p. 93)

From Interim Fire Chief Joe Page's staff report:

The International Code Council (ICC) was established in 1994 as a not-for-profit organization dedicated to developing, maintaining, and supporting a single national set of comprehensive and coordinated model building and construction codes. In 2006, the ICC transitioned from the Uniform Fire Code (UFC) by issuing the International Fire Code (IFC). The IFC is a comprehensive code that establishes minimum requirements for the provision of a reasonable level of life safety and property protection consistent with nationally recognized practices. The IFC is one of fourteen International Codes published by the ICC. The City's Building Department uses the 2012 Edition of the International Building Code that was administratively adopted in November 2014 and became effective January 1, 2015.

As the 2012 International Building Code does reference the 2012 International Fire Code when applying life and fire safety requirements, use of the 2009 IFC could lead to code interpretation, application, and consistency issues between the Building and Fire Departments. Therefore, we would like the City Council to adopt the 2012 International Fire Code.

The Insurance Services Office (ISO) provides insurance companies with up-to-date information about a community's fire-protection services. One of their reports is the Building Code Effectiveness Grading Schedule (BCEGS) which assesses the building and fire codes in effect in a particular community and how the community enforces its codes. Similar to the Public Protection Classification (PPC) Program these ISO rating schedules do affect insurance premiums for residential and commercial properties.

RECOMMENDATION: Staff respectfully recommends the City Council approve an Ordinance adopting by reference the 2012 International Fire Code as adopted by the State of Montana; amending Section 9-1-1 of the Whitefish City Code to recognize said adoption; and allow continual adoption by reference of subsequent versions of the International Fire Code (First Reading)

This item is a legislative matter.

b) Consideration of an application from Sean Averill on behalf of Whitefish Hotel Group, LLC for a Conditional Use Permit for a proposed hotel at 205 Spokane Avenue (Block 46) that exceeds 7,500 square feet and is proposed to contain 89 rooms with 72 parking spaces (p. 100)

From Senior Planner Wendy Compton-Ring's transmittal memo:

Summary of Requested Action: Sean Averill on behalf of Whitefish Hotel Group LLC is proposing to construct a hotel with a building footprint that exceeds 7,500 square feet at 205 Spokane Avenue. The property is currently developed with a former professional office and temporary public parking lot and is zoned WB-3 (General Commercial District). The Whitefish Growth Policy designates this property as "Core Commercial". The hotel is proposed to be three stories with 89 rooms and 72 off-street parking spaces. The project has been before the Architectural Review Committee twice in a pre-application format.

Planning & Building Department Recommendation: Staff recommended approval of the above referenced conditional use permit with twenty (20) conditions set forth in the attached staff report.

Public Hearing: The applicant and consultant team spoke at the public hearings on December 18, 2014 and January 15, 2015 in support of the application.

There was considerable public testimony on the project. At the December public hearing five members of the public spoke and had the following comments:

- Concern the project is a chain hotel
- CUP process is important and needs to be adhered to
- Nonresidential parking in the neighborhood
- Too big of a project for the area
- Lack of important information

At the January public hearing six members of the public spoke and had the following comments:

- Support for the project
- Lack of full disclosure
- Continued concern with nonresidential parking in the residential neighborhood
- Out of character with the downtown
- Concerns with chain hotel and the uses within the hotel that may also be franchise
- Not a good location for a hotel
- Loss of the downtown's unique-ness with a chain hotel
- Noise from the rooftop patio

The draft minutes for this item are attached as part of this packet.

Planning Board Action: The Whitefish Planning Board met on December 18, 2014 then continued the hearing until January 15, 2015 to review additional information. Following the hearing, the Planning Board recommended approval of the above referenced conditional use permit with twenty (20) conditions as contained in the staff report and adopted the staff report as findings of fact (5-2, Norton, Ellis voting in opposition).

The Planning Board also amended condition #11 to give the applicant and staff an opportunity to review the landscaping requirements within the parking lot in order to provide a well-landscaped parking lot and implement the shared bike/pedestrian path along Spokane Avenue while maintaining all the proposed off-street parking. The revised condition states:

11. Prior to the issuance of a building permit, the applicant shall either dedicate right-of-way or grant an access easement for the shared pedestrian-bike path along Spokane Avenue. The bike path shall be 11-feet and the sidewalk shall be 8-feet. The applicant and the city shall work together with respect to the parking lot landscaping to ensure adequate landscaping, space room for the pedestrian-bike path and no loss of on-site parking.

The Planning Board also requested this report point out the concerns they heard considering the roof top patio, as they received public comment from neighbors identifying the excessive noise from the downtown especially since the Casey's roof top bar was approved. Having a roof top patio even closer to the residential neighborhood was a significant concern. In addition, the Planning Board wanted the Council to consider implementing a residential parking district in order to protect this residential neighborhood from nonresidential parking.

RECOMMENDATION: Staff respectfully recommends the City Council approve WCUP 14-11 along with the Findings of Fact in the staff report and the amended twenty conditions of approval, as recommended by the Whitefish Planning Board.

This item is a quasi-judicial matter.

c) Resolution No. 15-___; A Resolution of Intention indicating its intent to adopt the Whitefish Highway 93 West Corridor Plan as an amendment to the 2007 Whitefish City-County Master Plan (2007 Growth Policy) (p. 240)

From Planning and Building Director Dave Taylor's transmittal memo:

Summary of Requested Action: A request by the City of Whitefish to adopt a Highway 93 West Corridor Plan as a new neighborhood plan update to the 2007 Whitefish City-County Growth Policy.

Planning & Building Department Recommendation: Staff recommended approval of the above referenced Growth Policy update with two amendments.

If the council feels there is too much information to process, the item could be postponed and a work session or special meeting could be scheduled. Staff recommends the Council focus most specifically on Area B and the Idaho Timber site during your review, including the permitted and conditional uses, as well as the boundary of the districts.

Public Hearing: The consultant, WGM Group, and staff made a presentation to the Planning Board summarizing the plan development process and Steering Committee meetings. Committee members Doug Reed, Ann Shaw Moran, and Ian Collins spoke during the public comment. Ann Shaw Moran and Ian Collins spoke that they were fine with most of the plan, but had issues with some of the conditional commercial-type uses proposed in the plan for the future WT-3 zoning district in Area B, including micro-breweries and sandwich shops. Doug Reed, chair of the committee, stated the expanded uses for area B came from the public during the public process, and the intention is to increase possibilities not create a commercial strip like Highway 93 South, and he mentioned that a tap room is different than a bar with limited hours of operation. Neighborhood residents Susan Purlman (224 W Third, and Gail Linne, 106 Murray, spoke and also had concerns with changing the residential character of Area B. Mayre Flowers, Citizens for a Better Flathead provided a letter (attached in the packet) and spoke and said the corridor plan should be identified as a neighborhood plan (note, that change is added to the draft before you), and among other concerns wanted Area B to remain residential. Rhonda Fitzgerald, 412 Lupfer, spoke and said the proposed WT-3 was a recipe ripe for sprawl and should remain fully residential. The draft minutes for this item are attached as part of this packet.

Planning Board Action: After two previous work sessions on the Corridor Plan, the Whitefish Planning Board held a public hearing on January 15, 2015 and considered the request. Following the hearing, the Planning Board recommended approval 6-0 (Ellis abstaining) of the above referenced Corridor Plan, with the two staff recommended changes. Draft minutes are attached.

RECOMMENDATION: Staff respectfully recommend the City Council approve a Resolution of Intention indicating its intent to adopt the Whitefish Highway 93 West Corridor Plan as an amendment to the 2007 Whitefish City-County Master Plan (2007 Growth Policy) along with the Findings of Fact in the staff report, as recommended by the Whitefish Planning Board.

This item is a legislative matter.

COMMUNICATIONS FROM CITY MANAGER

a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 440)
b) Other items arising between January 28th and February 2nd
c) Resolution No. 15-___; A Resolution relating to financing of certain proposed projects; establishing compliance with reimbursement bond regulations under the Internal Revenue Code (Tax Increment Bond for City Hall/Parking Structure) (p. 442)

From Finance Director Dana Smith's staff report:

The City has started to incur costs for the City Hall and Parking Structure Project. We have long anticipated that Tax Increment Financing District (TIF) revenues are the anticipated source of funding for this project. We have set aside TIF funds since 2004 for this purpose. Due to the timing of future TIF revenues, a tax-exempt bond issue will likely be the proposed financing mechanism for the project.

There are many federal tax-exempt bond regulations which would apply to this type of bond issue. The City's Bond Counsel has prepared the Reimbursement Resolution to address one of those regulations that allows the City to spend funds prior to the bond issue and then be reimbursed for those expenditures. There are federal "safe harbor" and "de minimus" regulations which allow spending before bond issuance for most engineering fees. However, the way most bond issuers (state or cities) address using bond proceeds to "reimburse for prior expenditures" is to pass what is typically called a Reimbursement Resolution.

An estimated cost of the project and amount expected to be financed was required for the Reimbursement Resolution. Staff and Bond Counsel discussed the estimated costs including estimates for demolition, design, engineering, construction, bond issuance costs, and bond reserves. These figures are only estimates at this time and will become more accurate as the project continues to move forward.

RECOMMENDATION: Staff respectfully recommends the City Council adopt A Resolution relating to financing of certain proposed projects; establishing compliance with reimbursement bond regulations under the Internal Revenue Code (Tax Increment Bond for City Hall/Parking Structure).

This item is a legislative matter.

d) Mid-year financial report – Finance Director (p. 446)

Finance Director Dana Smith has a comprehensive, mid-year financial report in the packet. With some minor expenditure concerns that we are monitoring, the first half financial results were very good and revenues in most areas are very good.

COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

a) Letter from Mark Van Everen of Bridgewater Innovative Builders, Inc. regarding subdivision payment-in-lieu of fees for parkland dedication requirements (p. 457)
b) Reconsideration of prior City Council action on December 1, 2014 to pursue LEED (Leadership in Energy and Environmental Design) Certification for the new City Hall building (p. 460)

ADJOURNMENT

Sincerely,

Chuck Stearns, City Manager

"Cheat Sheet" for Robert's Rules						
Motion	In Order When Another has the Floor?	Second Required?	Debatable?	Amendable?	Vote Required for Adoption	Can be reconsidered?
Main Motion	N	Y	Y	Y	Majority unless other spec'd by Bylaws	Y
Adjournment	N	Y	N	Y	Majority	N
Recess (no question before the body)	N	Y	N	Y	Majority	N
Recess (question before the body)	N	Y	Y	Y	Majority	N
Accept Report	N	Y	Y	Y	Majority	Y
Amend Pending Motion	N	Y	If motion to be amended is debatable	Y	Majority	Y
Amend an Amendment of Pending Motion	N	Y	See above	N	Majority	Y
Change from Agenda to Take a Matter out of Order	N	Y	N	N	Two-thirds	N
Limit Debate Previous Question / Question	N	Y	N	Y	Two-thirds	Yes, but not if vote taken on pending motion.
Limit Debate or extend limits for duration of meeting	N	Y	Y	Y	Two-thirds	Y
Division of Assembly (Roll Call)	Y	N	N	N	Demand by a single member compels division	N
Division of Ques/ Motion	N	Y	N	Y	Majority	N
Point of Information	Y	N	N	N	Vote is not taken	N
Point of Order / Procedure	Y	N	N	N	Vote is not taken	N
Lay on Table	N	Y	N	N	Majority	N
Take from Table	N	Y	N	N	Majority	N
Suspend the Rules as applied to rules of order or, take motion out of order	N	Y	N	N	Two-thirds	N
Refer (Commit)	N	Y	Y	N	Majority	Neg. vote only

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WHITEFISH CITY COUNCIL CLOSED EXECUTIVE SESSION
January 20, 2015
5:00 – 6:00 p.m.

Closed Executive Session: Personnel Matter Pursuant to §2-3-203(3) MCA. Mayor Muhlfeld, Councilors Barberis, Frandsen, Hildner, Feury and Sweeney were in attendance. Also in attendance were City Manager Stearns and City Attorney VanBuskirk.

WHITEFISH CITY COUNCIL MINUTES
January 20, 2015
7:10 P.M.

1) CALL TO ORDER

Mayor Muhlfeld called the meeting to order. Councilors present were Barberis, Frandsen, Hildner, Feury and Sweeney. Councilor Anderson was seated at 7:40 p.m. City Staff present were City Manager Stearns, City Clerk Lorang, City Attorney VanBuskirk, Planning and Building Director Taylor, Public Works Director Wilson, Parks and Recreation Director Butts, Interim Fire Chief Page, and Police Chief Dial. Approximately 25 people were in the audience.

2) PLEDGE OF ALLEGIANCE

Mayor Muhlfeld asked Eric Sawtelle to lead the audience in the Pledge of Allegiance.

3) PRESENTATION – Whitefish Community Center (formerly Golden Agers) facility and program update – Chuck Wilhoit (CD 00:58)

Whitefish Community Center Board Member Chuck Wilhoit submitted the 2014 Annual Report to the Council, reporting that 2014 was a very productive year. Some of the established senior programs are daily lunches at the Center and Meals-On-Wheels deliveries, senior health and exercise programs including a new wellness class of T'ai Chi instruction. Also enjoyed by many, a popular monthly History of Whitefish in conjunction with the Stumptown Historical Society, facilitated by Walter Sayre who was mentioned in memoriam. A grant from the Whitefish Community Foundation along with in-memoriam donations on behalf of Helen Gustafson funded a kitchen remodel, tables and chairs. Another grant from the Whitefish Community Foundation has funded an Activities Coordinator staff position now filled by Kathy Cozad, There have been some great speakers who gave presentations on site and great field trips through the "Out and About Tours". They have expansion plans to their activities for 2015 and to that end are applying for more grants. They continue to seek revenue resources through site rental, grants and sponsoring special events, along with their annual mail campaign in February. Along with the two site manager, Marianne Dyon and Kathy Cozad, 50+ volunteers help to provide services to keep the Center there for the Senior population; it is a life line and an integral part of their daily lives. (Appended to the Council Packet).

4) COMMUNICATIONS FROM THE PUBLIC – (This time is set aside for the public to comment on items that are either on the agenda, but not a public hearing or on items not on the agenda. City officials do not respond during these comments, but may respond or follow-up later on the agenda or at another time. The Mayor has the option of limiting such communications to three minutes depending on the number of citizens who want to comment and the length of the meeting agenda) (CD 6:48)

Hayley Berger and Emma Nixon, from the Whitefish High School Community Greenhouse Project, addressed the Council, saying the Goal is to connect students to the community through experiential education of the food system. Richard and Carol Atkinson have agreed to help fund the greenhouse project by matching funds raised by the students and the community. Richard has been

walking 3 miles/day from September 29th to February 23rd; and the Atkinson's will match (up to $25,000) student and community pledges received towards Richard's daily walks. They hope to involve not only classes from the High School, but also those from the Middle and Muldown Schools, along with local businesses. They envision growing food for school cafeterias, as well as have food to donate to the Food Bank, and to be part of the local farmer's markets. By studying and working through the food system, students will not only make connections to earth's critical systems, they will make connections that affect their own lifestyle and ultimately become engaged members of the community. Construction is scheduled for Spring of 2015, and course implementation will begin in the Fall of 2015. Anyone interested in helping with the fundraising is encouraged to do so through the Whitefish Community Foundation website or call the High School. (Appended to the Council Packet).

Brian Labuda, 601 Park Avenue, said he was attending tonight as a representative of the Government Affairs Committee of the Chamber of Commerce.

Ben Cavin, 2130 Houston Point Drive, said his property lies in the Houston Lakeshore Tracts, and he was here to address the Agenda Item 9a) regarding the Preliminary Engineering Report on septic leachate. He had a letter from Sean S. Frampton from the Morrison & Frampton Law Firm representing Frampton's clients in the Houston Lakeshore Tracts and Stocking Tracts. Mr. Cavin submitted the letter to the Mayor and Council and City Clerk, which will be appended to the Council Packet. He read the letter to the Council which urged the Council to take action on those lands by "Worst First", according to the Contamination & Risk Assessment on page 55 of the Whitefish Lake Institute's report. Mr. Frampton's letter said that his clients' neighborhood (East Lakeshore) was listed below five other locations that are shown to be at a much higher risk of contaminating Whitefish Lake, according to the report.

Yvonne Slaybaugh, 2155 Houston Point Drive, said she was representing not only those in her subdivision, but also three properties to the north that were not part of her subdivision. They asked the Council to go after the "Worst First", not just the easiest. She listed the worst as City Beach Bay, Lazy Bay, Viking Creek, and Dog Bay below Lion Mountain. She said the City should spend their dollars working with the County and the property owners in those areas. She said she represents a lot of people.

5) COMMUNICATIONS FROM VOLUNTEER BOARDS

Councilor Frandsen reported that the Montana West Economic Development is holding their 13th Annual Flathead Valley Economic Forecast from 8:00 to 10:00 am on Wednesday, January 28th. One can register on their website of www.dobusinessinmontana.com.

Mayor Muhlfeld announced there would be an agenda change tonight; #8, Communications from City Manager will follow #6, the Consent Agenda, and the #7 Public Hearing will follow #8, because Councilor Anderson is unable to get here tonight until nearly 8:00 o'clock.

6) CONSENT AGENDA (The consent agenda is a means of expediting routine matters that require the Council's action. Debate does not typically occur on consent agenda items. Any member of the Council may remove any item for debate. Such items will typically be debated and acted upon prior to proceeding to the rest of the agenda. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC (CD 10:20)

a) Minutes from the January 5, 2015 Council regular session (p. 42)

b) Ordinance No. 15-01; An Ordinance rezoning approximately 0.17 acres of land located at 1016 Park Avenue, in Section 31, Township 31 North, Range 21 West, Whitefish, Montana, from County R-4 (Two-Family Residential) to City WR-2 (Two-Family

Residential District) and adopting Findings with respect to such rezone (Second Reading) (p. 47)

c) **Ordinance No. 15-02; An Ordinance amending Whitefish City Code Title 2, Chapter 3, as it pertains to members of the Board of Adjustment to remove residence in the extraterritorial jurisdiction as a requirement (First Reading) (p. 50)**

Councilor Sweeney made a motion, second by Councilor Barberis, to approve the consent agenda as presented. The motion passed unanimously.

8) COMMUNICATIONS FROM CITY MANAGER (CD 19:40)

a) **Written report enclosed with the packet. Questions from Mayor or Council? (p. 152)** – None.

b) **Other items arising between January 14th and January 20th**

City Manager Stearns said in his report on page 153 in the packet, the paragraph on Montana DEQ's upcoming meeting on March 12th, will start at 5:30, rather than the 6:00 p.m. start time that was listed in the packet. In addition, Manager Stearns noted that his report included the announcement that Public Works Director Wilson will be leaving the City of Whitefish to be the Public Works Director in Missoula. Tonight will be his last meeting, and February 6th will be his last day of work. Mayor Muhlfeld offered Congratulations and wishes of Good Luck to John Wilson on behalf of himself and the Council; he thanked him for all the good work he has done for the City of Whitefish and said he would be leaving a good mark for himself.

c) **Consideration of selecting Martel Construction as the General Contractor/Construction Manager for the future City Hall/Parking Structure project and authorize the City Manager to enter into negotiations with Martel Construction for a contract to be presented for future City Council approval (p. 170)** (CD 21:35)

Mayor Muhlfeld asked if the Council wished to proceed with this item #8c, or if they preferred to wait for Councilor Anderson to be in attendance; it was the consensus of the Council to proceed.

Manager Stearns said his staff report starting on page 170 explains the alternative construction methods of Design-Build or Construction Manager at Risk. On November 3, 2014, the City Council approved using the Construction Manager at Risk method so the City proceeded with the Request for Proposals. Seven proposals were received and reviewed by the selection committee: Mayor Muhlfeld, Councilor Hildner, Public Works Director Wilson, Sherri Baccaro from the Future City Hall Steering Committee, and Manager Stearns, and with the assistance of architect Ben Tintinger of Mosaic Architecture. Four firms were selected to submit more detailed RFPs and were interviewed by the selection committee; after which the selection committee is sending forth their recommendation for Martel Construction as the city's General Contractor/Construction Manager for the City Hall/Parking Structure project. The staff report includes the details of that decision.

Councilor Sweeney had some questions and architect Ben Tintinger spoke to the Council regarding his past work experience with Martel Construction. During this discussion Councilor Anderson was seated at about 7:40 p.m.

Councilor Hildner made a motion, second by Councilor Sweeney, to select Martel Construction as the city's General Contractor/Construction Manager for the new City Hall & Parking Structure, and to authorize Manager Stearns to enter into negotiations with Martel Construction for a contract to be presented for future City Council Approval. The motion passed unanimously.

d) Resolution No. 15-02; A Resolution authorizing participation in The Board of Investments of the State of Montana Annual Adjustable Rate Tender Option Municipal Finance Consolidation Act Bonds (Intercap Revolving Program), approving the form and terms of the Loan Agreement and authorizing the execution and delivery of documents related thereto (Water Tender Truck) (p. 194). (CD 29:36)

Finance Director Smith said that pursuant to Council's November 4, 2013 approval of purchasing a 3,000 gallon fire water tender apparatus from Rosenbauer, LLC, with $70,000 cash on hand; this Resolution completes the terms for financing the remaining $211,000 over 7 years with a Montana INTERCAP Loan.

Councilor Feury made a motion, second by Councilor Frandsen, to approve Resolution No. 15-02; A Resolution authorizing participation in The Board of Investments of the State of Montana Annual Adjustable Rate Tender Option Municipal Finance Consolidation Act Bonds (Intercap Revolving Program), approving the form and terms of the Loan Agreement and authorizing the execution and delivery of documents related thereto (Water Tender Truck) The motion passed unanimously.

7) PUBLIC HEARINGS (Items will be considered for action after public hearings) (Resolution No. 07-33 establishes a 30 minute time limit for applicant's land use presentations. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC))

a) Consideration of various design options and alternatives for the future City Hall/Parking Structure (CD 32:11)

i) Presentation by Mosaic Architecture (p. 53)

Architect Ben Tintinger, Mosaic Architecture, said his presentation includes comments he received during the Council's January 5, 2015 worksession, and subsequent comments he received after that. He said the project has come a long ways since they started in November 2012 with the design competition but he understands from comments from Mayor Muhlfeld that not all minds are made up. He said tonight's presentations still includes options on the stairs and the lobby. He said tonight they are hoping this is the final review of schematic design and they can get ready for design submittal. Currently the building is planned to be built to the lot line on all sides with a rectangular entry way at the corner of 2nd and Baker – with entry doors on both 2nd and Baker. Arched windows over the entryways and along the southern exposure depict historical architecture features of the old city hall. Their design also tried to address input regarding making the entry way a more prominent part of the building. The design includes the potential 3rd floor; he noted that one does not see the 3rd level at the street level by the building or from most vantage points. These drawings show columns supporting an overhang on both Baker and 2nd, which he realizes may be a challenge but if it is something the Council would like to pursue he can have the engineers meet with MDOT to see if they can be worked out. The entryway is set back some because of MDOT turning radius requirements at the corner of 2nd and Baker. From Baker Avenue there is an entry that goes either into the parking garage or the lobby of city hall. He showed the entire west elevation and said from comments received at the 1-5-15 review, the arched windows have been incorporated along this elevation as well as around the corner to the north side. Brick façade is all the way around, again from input gathered on 1-5-15. Ben then reviewed the

different options for the lobby and stairway; both with a separate stair that works as a buffer between office space and the lobby, or a stair that wraps around the elevator. He added a description of the dimensions with both options. His presentation had pictures of actual stairways that stand alone in lobbies in other buildings; and he explained how both stairways (both options) enter into each floor. The lobby space is open to the upper floors which should allow a lot of light to come in.

The parking structure goal is to provide 230 spaces. Whether or not there will be parking below ground is still to be determined, which also will determine the flow of the rest of the layout; they are continuing to work with the parking engineer and now will be working with the Martel, the new General Contractor/Construction Manager. There are possible water issues and/or shoring issues with subsurface parking. They have been considering how to make up for the loss of subsurface parking spaces which could possibly be done by going up to 45 feet on a portion of the alley side; all of these options are being considered. Designing around the retail space also affects the efficiency of the garage. The retail space can be redesigned; the scheme basically saves the space, and has hallways included for deliveries. The designs show one elevator, which, by standards, is sufficient for the size of this parking garage and is the architect's recommendation. Two elevators would provide more convenience but at the cost of a loss of a parking space and would also be an impact to the budget. There is a single use public restroom that is adjacent to the elevator, accessed off of 1st Street. He reviewed the outside of the parking structure from both the north and west elevations. Perforated metal screening at the windows screens the cars and fulfills the airflow requirements as it is classified as an open parking garage. That will also affect what is shown as the placement of the windows on these schematic designs; final design will depend on what is technically required. Technical design will also affect how those window panels will look on the west side, and how close to the ground they have to be extended. He said there are options on the west side; a canopy if it can be afforded, and the perforated metal screening could be printed with historic images, or whatever is deemed appropriate. Councilor Sweeney asked if snow gets through the perforated metal and Ben said he wasn't sure – he thinks it would keep snow out. He said the new parking garage in Missoula has the perforated metal on all sides of their structure. He said the different levels and break down at the west side was designed specifically to meet the requirements of the original RFP published by the City requesting a design of something different than a solid wall.

The Mayor and Council asked both Ben from Mosaic and Steve from Martel Construction some follow-up questions.

ii) City Manager discussion of history of square footage requirements and future City Hall square footage options (p. 148)

City Manager Stearns said he has been asked, by several, regarding square footage requirements for a new city hall, and, for the benefits of those who had not been following this recently, the evolution of the different designs this building has gone through. He said it isn't in the current packet, but from previous discussions, as recently as a month ago, there were four basic design options and he reviewed those; because he said he knew the Council was interested on gathering comments regarding the third floor, the entryway, as well as other options. He projected the design options on the wall, including, as we saw earlier tonight, a rectangular corner on 2nd and Baker with entries off both 2nd and Baker; but this option did not have the lobby built all the way out to the south lot line. The next screen showed an option with the lobby built all the way out to the south lot line; and with less glass than the previous option. A 3rd option is circular at the corner of 2nd and Baker with a single entrance that faced the intersection at a 45 degree angle. A forth option is again a single entry but with a chamfered corner, facing the intersection at a 45 degree angle, similar to two other buildings already at this corner. He said

he wanted to show these because he has heard comments from some of the Council that they would like to consider the chamfered corner.

Before going into the history of square footage requirements, Manager Stearns said there was a typo on his spreadsheet on page 148 in the packet. In Column K the square footage of the parking structure should read same as in Column D – 90,417 square feet; the difference being what is being set aside for a retail space – 4,563. He said it really didn't affect the rest of the spreadsheet. Regarding the history of the changes of square footage requirements brought forward by staff throughout this process; a space need analysis came forward in 2007 when the new city hall was planned to be built north of the library or in Depot Park, on land that would require a building on slab on grade, no basement because of the diesel plume from Burlington Northern, for an 18,000 square-foot building. Those plans allowed room for additional future expansion, which our current site and 2nd and Baker does not have. Building city hall here, at our current site, with an attached parking structure does not allow for expansion, unless the 3rd floor is not built initially and becomes an option for expansion. The basement is either built initially, or not, there is not an option to build a basement later. When our architect, Ben Tintinger, looked at the 18,000 square foot space needs study, he pointed out it was only a conceptual level of design and did not include wall thicknesses or other needs that adds square footage once you get into actual design. Manager Stearns said the 18,000 square-foot design was probably even undersized at the time. The 2007 space needs study had some allowances for some expansion, but did not include space for the three new positions now currently being planned; the new HR Director, the IT/GIS Technician and expansion in the Legal Department. We need to make sure we have enough space for our current needs as well as long-term needs in the future. Our architect looked at our lot size here and determined a 220' parking structure could be designed to fit our needs, leaving 80' for the city hall portion. Our lot width is 130', and by 80' that is 10,400 square feet per floor, gave us about 20,000 square feet of space, without a basement. Currently, under the City Clerk's office is an 1800 square-foot basement as well as a basement here at the corner under the Council Chambers that formerly housed the Police Department, both are being used for storage for the offices currently at this location. 3,535 square feet is a partial basement. That is how we got to the numbers on the spreadsheet on page 148 that shows now, in Column C, a basic city hall with 23,538 square feet including a 3,535 square foot basement. Column F reflects building a full basement – full width and full depth below city hall, adding 4,145 square feet of basement. Along with our current storage needs, when the Planning & Building and the Parks and Recreation Departments move over to this location, they will need storage space. Storage space needs are mandated by some state laws that require safe storage for original documents, including building plans. When the architects and some of the Ad Hoc New City Hall Committee toured the four sites in communities in the Seattle area of city halls that were comparable to what Whitefish will need; it came out more than once from those staff members who said they did not plan well enough for needed storage area; and were having to use hallways for storage, or store off-site. On the spreadsheet, Column G is the third floor which was originally planned for mostly a community space, a meeting hall space that could be used by the community – even during times when the rest of city hall is closed. If needed in the future, is could be a possible expansion area for needed office space. A third floor could be built in the future, but funding other than Tax Increment Funds would have to be found; funding would be needed, and some on the Ad Hoc New City Hall Committee have pointed out that construction costs in the future will probably be higher than current construction costs. The Council has some important costs decisions to make; he felt that to build a third floor later would be difficult and more expensive than to build it now. The retail space, a feature that has been identified and called out in the Downtown Master Plan as a connector between downtown and commercial space in the Railway District, adds 3,101 square feet, and adds cost to the project because of its impacts on the parking structure design. Again, it could become extra future flex space for needed city hall expansion. Manager Stearns said he hoped this

explanation, along with the spreadsheet, shows a better analysis of the changes in the square footage requirements. There was some follow-up discussion between Council, Manager Stearns, and Ben Tintinger and Steve Martel regarding costs for the third floor, the basement costs and shoring needs. Both Ben and Steve said costs have yet to be vetted when basic design features are set.

iii) Future City Hall Steering Committee Recommendations (p. 97)

There were no additional comments; Manager Stearns pointed out these were here in the packet.

iv) Public Hearing (p. 149)

Mayor Muhlfeld opened the public hearing.

Leo Keane, 514 Pine Place, thanked the Council for the opportunity to weigh in on the project. He said he likes the design, it is inviting, an important element, and will be a legacy for the Community of Whitefish. He likes the chamfered corner with a covered entryway, and he liked the open and curved stairway. He thought the curved stairway, an indoor feature but one that can be seen from outdoors because of all the glass, is an important and inviting feature and worth spending the extra money on; he said for a $14 million building the extra money should be spent on a curved staircase. He said the wrap-around stairway is just the opposite – an un-inviting feature that to him says "you don't want to go there", more like a dark hole and not inviting. Regarding grounding of the building, he feels that glass all the way down weakens the structure, it should be grounded by a 3-4 foot base which could be used for landscaping to soften the building. He supported the retail space. Regarding a basement, he wasn't in support of digging additional basement for parking, but since the existing building has existing basement already, he thought it smart and efficient to use that space for storage. He liked the 3rd floor for community space, he hopes that feature can be kept. He said once the numbers come in you can really start making those decisions.

Clerk's Note – for viewing the video at this point, go to the 2nd CD.

Mary Jo Look, 290 Fairway Drive, said she has been following this project from the beginning as much as she can. She likes the build out of the building to the lot lines. She likes the rectangular entryway, that is more traditional to Whitefish; and she likes being able to enter from either 2nd Street or Baker Avenue. She did not like the chamfered entry, she said two other buildings like that at this corner is enough. She agreed with Mr. Keane's comments regarding having a 3-4 foot base at the ground level, and she agreed the basement will need shoring. She thinks the lobby is too large – wasting space, and the elevator should not be the focal point – she said there isn't anything pretty about an elevator. She said to remember – this is a city hall – for offices to do city business – not a gathering place. She asked that question and Mayor Muhlfeld said yes, it is offices, but the public uses the building as well. She said there would be more office space if the lobby size was decreased. She addressed the retail in the parking structure saying it uses up prime parking space. As an experienced retailer, she disagreed with the plan to include this retail space in the design. She said it is prime parking, not prime retail, and would take a very special type of retailer to utilize that space. She said it would need to be a very stable retail business because small businesses come and go. She said the pedestrians will cross Baker Avenue if they need to; and whether or not that space is retail will not matter to the pedestrians. She said for the expense – it isn't worth putting the retail there.

Rhonda Fitzgerald, 412 Lupfer Avenue, said she also had comments that were included in the packet. She talked about former plans for a parking structure at the corner of 2nd and Spokane, across from the school and said that early in that process it was determined that going down, subsurface, was very expensive there. She said those plans also included retail space. She spoke in support of the retail in the current proposed structure for pedestrian connectivity, and she encouraged the Council to research and consider a 2nd elevator within the parking structure because she said that would help pedestrian connectivity as well. Regarding the new city hall – she feels that people in the community are very excited about building a new city hall that fits in the community – and using architectural features reminiscent of the old city hall makes the building fit in better. She thinks that with each new progression of the design the building is getting to be more Whitefish-like, and she thinks that is great. She supports a diagonal entry, a brick building, and less glass, then it might look like a building that had always been here in Whitefish.

Ian Collins, 898 Heron Drive, said he had comments in the packet as well. He doesn't like a 2-sided entry so he hoped the Council would continue seeking alternatives. He supports a wrap-around stair rather than a freestanding stairway, he said it leaves the lobby more open and gives it better flexibility. He supports the retail component as described and called out in the Downtown Master Plan. He said he is pleased that they will be working with Martel Construction.

Yvonne Slaybaugh, 2155 Houston Drive, she said she really like the proposal and thought the architects had done a great job. She is against the retail space just because it is so hard to find parking in Whitefish, she thinks the concentration should be on parking. She thought it was important to maximize the basement as much as possible, of course with consideration of shoring needs; and include completion of the third floor with new construction – don't look into the future for that but build it all now. She thought it would be more expensive to build it later. She thought one elevator is enough for the size of this parking structure, it might even encourage people to walk a little more and see more of the town.

Mayor Muhlfeld closed the public hearing and called for a break at 9:25 p.m. The Council reconvened at 9:35 p.m.

v) Discussion and direction from City Council (2nd CD 11:54)

Mayor Muhlfeld said the public hearing has been closed and now it is back to the Council for discussion. He said his expectations after discussion and direction from the Council, is that Ben will have direction so that he can do his job. This is the first public hearing for this project, and more public hearings will follow, and this is only the third opportunity that Council has had to meet with Ben to give guidance and feedback, previous meetings with Ben have mostly been with the Ad Hoc New City Hall Committee in addition to the meetings with staff regarding staff needs. He said he had compiled a list of comments he had received from members of folks in town, and members of the building committee and City Council, which he handed out prior to the meeting to City Council and Manager Stearns, (appended to the Council packet). He apologized to Ben that he only got it out about an hour before the meeting, but he only had a short time to compile it before tonight; and he hoped that the outline could be a basis for discussion tonight.

Based on the outline starting with the entryway, Councilor Barberis said discussion could start there. She noted this differed from the Council's vote for a rectangular entry at their previous meeting, but since then there has been increasing discussion along the lines to request another design option to

bring forward a classic chamfered entry. Mayor Muhlfeld asked the Council's preference regarding procedure and Councilor Hildner said he hoped there would be opportunities to debate individual issues, and others on the Council nodded in agreement. **Councilor Frandsen made a motion, second by Councilor Anderson, to build the building out to the lot line with a prominent entry, a singular prominent entry, on a chamfered corner.**

Councilor Hildner said he felt there was a near unanimous direction at the last meeting between the Council and our architect to go forward with a rectangular corner. He thought the doors were obvious. He said any chamfered corners are on buildings that have only been built within the last 10 to 20 years in Whitefish; chamfered corners are not part of the Whitefish historic vernacular. He noted that possibly the most historic building in Whitefish is the Presbyterian Church which has an entryway on 3rd Street and an entryway on Central Avenue. Councilor Sweeney said, without having a preference of entryways, to look at two of the four corners of this intersection with chamfered entryways, this would be the third, and there could be a fourth in the future. Is this a cookie cutter design for this intersection? He said it doesn't really set city hall out with a distinctive or unique design. He thought it was taste versus function and he felt two entries functioned well and were more accessible. Councilor Frandsen said she would like an entryway that is obvious and a focal point on the building, she thinks a chamfered corner solves the problem on this corner. Councilor Feury said he thinks people are looking for a design that really and clearly brings out the entryway. He thinks some are wishing for that design option, whether it is the one that is voted on as the final design, no one can be sure until they see the option. Councilor Sweeney asked if that was what the architect was looking for and Mayor Muhlfeld said, at this point, the motion is asking for more design options. Mayor Muhlfeld asked Ben if that was clear and Ben said yes, it is clear, but aggravating. It will cause a delay with that backtrack, at this point this project it getting stuck in the design phase rather than moving forward with design development and construction documents in anticipation with getting construction going this summer. Mayor Muhlfeld asked him to bear with the Council who all have to be comfortable with the building project going forward; and Ben said he would bear with them. Councilor Frandsen said the Council is trying to hear out all the concerns of the public which may take weeks or months. Ben said his office has put so many hours of work on this project, and according to the norm, they are so far behind, now there is additional backtracking. He said he has been through a lot of public process, this is not a normal public process. It is taking so much extra time he's not sure they can afford to do it; given they thought they already had direction from the building committee and the council from earlier meetings. In addition, he has a feeling that Crandall & Arambula is designing this from behind the scenes, which is frustrating, he said, and he apologized for expressing his frustration; but he said they will do what they need to do.

The motion passed with a five (5) to one (1) vote, Councilor Hildner voting in the negative.

Mayor Muhlfeld asked them to move on to the lobby, his compiled list included comments he had received from the Council and from the downtown master plan consultants, Crandall & Arambula. Ben had included a couple different options for the stairway in the lobby in tonight's presentation. The Mayor's list said the Council would like to move forward with a spacious and uncluttered lobby utilizing the wrap-around stair. In addition, if the final decision goes with a chamfered entryway, would the lobby, hallway, and front counters need to be reoriented to reflect that?

Councilor Anderson made a motion, second by Councilor Frandsen, to go forward with an uncluttered lobby and to request an optional lobby design matching a chamfered entryway, replacing the curved wall in the west hallway with a diagonal wall giving more office space as it moves out. And to go along with a two-storied chamfered entryway on the outside, utilize the

open-lobby space inside on the second floor with a conference room, or an extended conference room, whatever it might be.

Councilor Sweeney requested clarification, this motion would be in place if the chamfered entryway is chosen for final design. If the rectangular entryway is the final design, the lobby would have to be revisited and Councilor Anderson agreed. Councilor Barberis said the third floor hasn't been discussed yet, but by using the space on the second floor of an open lobby as described in the motion, it might be space that could be utilized by staff if the third floor isn't built. Councilor Hildner said his fear is that, if we choose the chamfered entryway, then we have to come back and look again at the interior walls, the curved hallway, etc., that have been in the design pretty much from the beginning; and will cause further delay. He thought this discussion point would evolve around the wrapped stair versus the irresistible stairway, but when you start talking again about that curved wall – that involves a design feature that is throughout all the interior schemes on the west side. Councilor Sweeney asked and Councilor Anderson clarified that his motion would still allow for a two-story open lobby, but to utilize some of the open space over the vestibule for a finished-off room. Councilor Frandsen said all along it has been her concern that some decisions on the interior were made before the outside was designed, and each has an effect on the other.

The motion passed with a five (5) to one (1) vote, Councilor Hildner voting in the negative.

Architect, Ben Tintinger, asked for clarification of the last motion. Councilor Anderson said they are requesting an optional design integrating a diagonal entrance with the straight western wall/hallway, diagonal counters matching the diagonal entrance, and front counters extended out into the lobby; with a build out of the second floor in the southwest corner over the entry-vestibule.

Mayor Muhlfeld clarified with Manager Stearns that earlier conversations was to carry the third floor option into schematic design which would give the opportunity for the Council to see cost estimates with and without the third floor. Mayor Muhlfeld said it is too early for that decision as we don't have those numbers yet, but he asked Ben if it would be easy to produce a rendering showing the south and west elevations without the third floor and Ben said that would be easy to do.

Councilor Anderson made a motion, second by Councilor Frandsen, requesting renderings without the 3rd floor and a siren tower within the height restrictions. The motion passed unanimously.

There was a general discussion between Council and Ben on design features. Some would like brick work more reminiscent of the original city hall brick detail. Ben said there are lots of materials to choose from for the finished product, including the type of brick. Councilor Barberis suggested a motion would not be needed at this time, maybe just provide the list of comments to Ben and the Mayor asked if the rest of the Council was fine with that. Councilor Anderson said he would like to see a show of hands of those who agree to incorporate these comments into the design as it evolves, he agrees with Ben these are small details, but they are details that catch citizen's eyes. He said he has received a lot of calls from a lot of citizens about city hall and how it is going to look. Ben said it is a little confusing to him because he thought they had been including those design elements from the old building into the new. Councilor Sweeney asked for clarification of the 4th bullet – elimination of wood posts under canopies; Councilor Frandsen said yes, this requests the columned canopy be replaced with a metal suspended canopy, all around the building. On a show of hands, requested by the Mayor, showing support or not for these design features, Councilors Frandsen, Anderson and Sweeney raised their hands,

others were unsure. Ben said he did not know that it was the general intention to mimic the old city hall exactly, they have shown some of it in the schematics. Ben said the problem is, these decisions are not made at this point in schematic design. Councilors Frandsen and Anderson explained they just weren't sure what is expected of them. Mayor Muhlfeld suggested he will get together with Manager Stearns and Ben so that a timeline can be set out as to when each of those decisions will need to be made.

Mayor Muhlfeld said the last three items on the list were cost considerations for a ½ finished basement, the retail component and the 3rd floor. He said it might be too early in the process to begin these discussions, since no numbers are out yet. He did note that during discussions with Ben and Steve earlier tonight that Steve had mentioned that a concrete floor for the 3rd floor could be poured with initial construction for future completion. The Mayor thought that was worth consideration, along with consideration of a second elevator. Discussion followed, no further motions were made on the project. The architect, Ben, asked the Council to understand they have been given direction at different levels of the process so far, even including from the Council at the work session on January 5th, and they had been proceeding down that road according to that direction. The have worked up a 3-D model of the project based on the direction they had been given, which takes quite a while to work up. Revisions will take up a lot of time; they can be done but he will be talking to Manager Stearns about whether or not this is additional service and if there should be additional cost of services. And, the revisions are extending the timeline way out complicating getting started on time in the summer to work throughout the winter. The Mayor said they realize they are back-peddling from decisions made on January 5th but they are hoping they have given him enough information to move forward. He said this is Council direction versus building committee direction. He hoped this was a productive meeting for all sides.

9) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS (2nd CD 1:04:35)

a) Letter from Whitefish County Water District regarding funding assistance to complete Preliminary Engineering Report for Lazy Bay neighborhood septic leachate and treatment options (p. 236)

Mayor Muhlfeld asked Mike Koopal to give his report. Mike Koopal, Whitefish Lake Institute (WLI) said he had a memo in the packet on page 237 giving an update on their work with the Whitefish Community Wastewater Committee (WCWC) regarding septic leachate. After the last worksession that WLI attended, Council had asked them to seek out partners to help support Preliminary Engineering Report (Per) completions in at least two neighborhood areas identified in the WCWC's Management Plan report. After discussions with many they have narrowed down the two areas for PERs, the Lion Mountain area and the East Lakeshore area. A management plan and a draft budget is printed with the memo in the packet. The Mayor asked what dollar amount from the City will be needed for each of these projects? Koopal said it is dependent on quotes that come in through the RFQ process. After working with Public Works Director Wilson they are estimating the PERs to be about $55,000 each. Estimates are as follows for East Lakeshore Drive:

DNRC RRGL Planning Grant $5,000 - $15,000
TSEP Planning Grant up to $15,000
Flathead Conservation District $10,000
City of Whitefish $25,000

For Lion Mountain: DNRC RRGL Planning Grant $5,000 - $15,000
TSEP Planning Grant up to $15,000
Whitefish County Water District – letter in packet, administrative support

Lion Mountain HOA (possible individual contributions)
Underwood Estates HOA (possible individual contributions)
City of Whitefish $35,000

Mayor Muhlfeld said that is $60,000 and he asked Public Works Director Wilson if those funds were available in this year's Wastewater Budget. Director Wilson said they were not programmed in this budget specifically but the Council could consider deferring some projects to make room for it. Manager Stearns said they could check to see if it was budgeted in the Water Fund also, which he thought was a possibility. The Mayor said while staff is looking for available funds, he brought it to the Council's attention that at the bottom of Mike Koopal's memo it is stated that WLI has spent considerable pro-bono time facilitating and building partnerships for this project. The Mayor said that work is certainly appreciated, but WLI will have a continual role serving as technical facilitator for both these projects and the draft budget printed in the packet proposed WLI will need about $8,000 to provide the technical support. Manager Stearns said they do not see any line item for PERs in either the Water or the Wasterwater Budget, so to pay for this request something else will have to be deferred. The Mayor asked and Koopal said funds wouldn't be needed from the City until after July 1st, so the Mayor said these can be programed in the next budget, and Councilor Hildner said a note could be made to consider this during the next budget preparation. Councilor Frandsen said that in a memo from WLI for their October 20, 2014 worksession, WLI had recommended then that the City plan for $200,000 for the next four years to participate in the PER process, so Councilor Frandsen said that is about $50,000/year and that it looks like it has already been talked about.

Councilor Anderson made a motion, second by Councilor Barberis, to commit $35,000 for the Lion Mountain PER, $25,000 for the East Lakeshore PER, and $8000 for the contract management of the project as indicated on page 241 in the packet.

Councilor Feury said it is time to address the singular problem of the degradation of water quality in Whitefish Lake.

The motion passed unanimously.

(2nd CD 1:19:51)

b) Letter from Christian Rasch regarding a Non-Discrimination Ordinance (p. 242)

No comments.

c) Notice sent from Montana Fish and Wildlife Commission regarding Administrative Rule revision for changes to the Whitefish River regulations (p. 243)

No comments.

d) Select elected official(s) to serve on selection committee for Owner's Representative for the City Hall/Parking Structure construction project

Manager Stearns said that both Mayor Muhlfeld and Councilor Hildner have been on the Ad Hoc New City Hall Committee from the beginning, and both of them served on the General

Contractor/Construction Manager selection committee, and he wondered if it would be the Council's pleasure to have them continue with this selection committee or if they wanted to involve anyone else.

Councilor Sweeney made a motion, second by Council Feury, to appoint Mayor Muhlfeld and Councilor Hildner to serve on the selection committee for Owner's Representative for the City Hall/Parking Structure construction project. The motion passed unanimously.

Council Comments:

Councilor Hildner said on the bike paths he is seeing lots of dog waste not picked up and he beseeched dog owners to pick up after their pets and discard it properly.

Councilor Frandsen and Councilor Anderson thanked Public Works Director Wilson for his years of good service to the City of Whitefish. And Councilor Anderson commended the Public Works Department for their management of snow removal; it was recently a big challenge with a huge snowfall. Director Wilson said he would pass that along to those who did the work.

Councilor Barberis congratulated Whitefish Lake Institute on their 10-year anniversary. And she said she was sorry the conditions couldn't be worked out to allow Great Northern Brewery to hold their event during Winter Carnival; and hoped it could be worked out for the future.

(2nd CD 1:23:46)

Mayor Muhlfeld said he would like to revisit the Council's decision regarding LEED Certification for the new City Hall. It was a split vote at the time and he broke the tie for a non-specified level of LEED Certification. He said during the interviews and selection process for the General Contractor/Construction Manager there were discussions on the merits of LEED Certification which has given him doubts about his decision.

Mayor Muhlfeld made a motion, second by Councilor Anderson, to reconsider the decision to have LEED Certification on the new City Hall.

Staff advised that, under Council's rules, the motion should be to direct staff to place this item on their next agenda for consideration.

Mayor Muhlfeld amended his motion to direct staff to place the reconsideration of the decision to have LEED Certification on the new City Hall on the next agenda. Councilor Anderson said that was fine with the second. The motion passed unanimously.

10) ADJOURNMENT (Resolution 08-10 establishes 11:00 p.m. as end of meeting unless extended to 11:30 by majority) (2ndCD 1:27:19)

Mayor Muhlfeld adjourned the meeting at 10:48 p.m.

Attest:

_____
Mayor John M. Muhlfeld

_____
Necile Lorang, Whitefish City Clerk

ORDINANCE NO. 15-02

An Ordinance of the City Council of the City of Whitefish, Montana, amending Whitefish City Code Title 2, Chapter 3, as it pertains to members of the Board of Adjustment to remove residence in the extraterritorial jurisdiction as a requirement.

WHEREAS, the City Council established the seven-member Board of Adjustment as a standing committee by Ordinance No. 01-08 on March 5, 2001; and

WHEREAS, Whitefish City Code Section 2-3-3 provides that the Board of Adjustment shall have seven (7) members appointed by the City Council, with at least one member residing in the extraterritorial jurisdiction; and

WHEREAS, by Ordinance No. 14-21 the City of Whitefish adopted text amendments to the Zoning Regulations in Title 11 of the Whitefish City Code to remove references to the former extraterritorial planning jurisdiction; and

WHEREAS, as a result of amending Whitefish City Code Section 11-7-5, Section 2-3-3 must now be amended to require City residency for all members serving on the Board of Adjustment to conform to the jurisdictional boundaries of the City; and

WHEREAS, at the January 5, 2015 meeting, the City Council reviewed the December 30, 2014 staff report and considered a text amendment to Title 2 of the Whitefish City Code to remove references to the former extraterritorial jurisdiction and reduce the number of members to five (5) appointed by the City Council and determined the number of members should remain the same but the reference to the extraterritorial jurisdiction should be removed; and

WHEREAS, it will be in the best interests of the City of Whitefish and its inhabitants to approve the amendment to Title 2 of the Whitefish City Code.

NOW, THEREFORE, be it ordained by the City Council of the City of Whitefish, Montana, as follows:

Section 1: Whitefish City Code Section 2-3-3(A) is hereby amended in its entirety to provide as follows:

> A. Appointments; Compensation: The board shall have seven (7) members. Members shall reside within the corporate limits of the City. Members shall be appointed by the city council ~~with at least one member residing in the extraterritorial jurisdiction and the remaining residing within the corporate limits of the city~~. Board members shall receive no compensation.

Section 2: All other provisions of Title 2, Chapter 3, shall remain unmodified.

Section 3: In the event any word, phrase, clause, sentence, paragraph, section or other part of the Ordinance set forth herein is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid, and the remaining provisions thereof shall continue in full force and effect.

Section 4: This Ordinance shall take effect thirty (30) days after its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS _____ DAY OF _____, 2015.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Necile Lorang, City Clerk

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ORDINANCE NO. 15-___

An Ordinance of the City Council of the City of Whitefish, Montana, adopting by reference the 2012 International Fire Code as adopted by the State of Montana; amending Section 9-1-1 of the Whitefish City Code to recognize said adoption; and allow continual adoption by reference of subsequent versions of the International Fire Code.

WHEREAS, on March 2, 2000, the Whitefish City Council adopted by Ordinance No. 00-03, the 1997 Uniform Fire Code, as published by the International Fire Code Institute, which amended Section 14-16-010 of the Whitefish City Code in its entirety; and

WHEREAS, on June 6, 2011, the City Council adopted by Ordinance No. 11-07, the 2009 International Fire Code, which superseded the 1997 Uniform Fire Code; and

WHEREAS, the State of Montana, Department of Justice, has adopted, with modifications, the International Fire Code (IFC) 2012 Edition; and

WHEREAS, pursuant to MCA §7-33-4208, the governing body of an incorporated city or town may adopt technical fire codes, in whole or in part, by reference under the procedure provided in MCA §7-33-4202; and

WHEREAS, MCA §7-33-4202 requires a notice of intent to adopt a technical code in whole or in part by reference be published as provided by MCA §7-1-4127; and

WHEREAS, the City of Whitefish published in the *Whitefish* Pilot notice of intent to adopt the 2012 International Fire Code by reference into the Whitefish City Code, the type required by MCA §7-1-4127, on January 21 and 28, 2015; and

WHEREAS, in order to initiate the process for adopting technical fire codes as allowed by MCA §7-33-4208, in whole or in part by reference under the procedure provided in MCA §7-5-4202, the City scheduled a public hearing before the Whitefish City Council to be held at 7:10 PM on Monday, February 2, 2015; and

WHEREAS, at the February 2, 2015 public hearing, the City Council received written and oral reports from the Fire Department, invited public input, and considered all input and written comments received prior to the hearing, which were made a part of the public record; and

WHEREAS, upon completion of the public hearing, the City Council determined it would be in the best interests of the City, and its inhabitants, to approve the 2012 International Fire Code as adopted by the State of Montana and allow continual adoption by reference of subsequent versions of the International Fire Code by reference.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: The City of Whitefish hereby adopts those portions of the 2012 International Fire Code, which were adopted by the State of Montana, Department of Justice, exactly as

proposed, with modifications.

Section 2: Whitefish City Code Section 9-1-1(A), shall be amended as follows:

9-1-1: FIRE CODE.

A. Adoption by reference of the International Fire Code.

1. The current edition of the International Fire Code together with any supplements, adopted by the Fire Prevention and Investigation Bureau of the Montana Department of Justice (or its successor), as set out in the Administrative Rules of Montana, and as amended from time to time by the Bureau, are adopted by reference and incorporated in this chapter as if set forth in full, with the additions, amendments, and deletions enumerated with the Administrative Rules, except as may be noted in this chapter, by future Administrative Order, or by any regulations not applicable to local government jurisdictions.

2. One (1) copy of the current edition of the code shall be kept on file in the office of the Clerk of the City of Whitefish, 418 East 2nd Street, Whitefish, Montana, and one (1) copy shall be kept on file in the office of the Whitefish Fire Department, 275 Flathead Avenue, Whitefish, Montana.

3. Any amendments adopted by the Fire Prevention and Investigation Bureau which apply to local government jurisdictions, including the adoption of the latest editions of the International Fire Code or applicable Administrative Rules of Montana shall become effective upon execution of an Administrative Order of the City Manager, unless a different effective date is specified in the Administrative Order.

4. A copy of the amendment notification and the corresponding new edition will be kept in the office of the Whitefish Clerk and the Whitefish Fire Department.

5. The International Fire Code, Administrative Rules of Montana, as adopted above, are applicable within the city limits of Whitefish.

Section 3: All provisions of the ordinances of the City of Whitefish in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other provisions of the ordinances of the City of Whitefish not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4: This ordinance does not affect the rights and duties that matured, penalties that were incurred or proceedings that were begun before the effective date of this ordinance.

Section 5: That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Whitefish City Code as a whole.

Section 6: This Ordinance shall take effect thirty (30) days after its adoption by the City Council of the City of Whitefish, Montana, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS _____ DAY OF _____, 2015.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Necile Lorang, City Clerk

Staff Report

To: Mayor John Muhlfeld and City Councilors

From: Joe Page, Interim Fire Chief

Date: January 26, 2015

Re: Recommendation for Adoption of the 2012 Edition – International Fire Code

Introduction / History

The International Code Council (ICC) was established in 1994 as a not-for-profit organization dedicated to developing, maintaining, and supporting a single national set of comprehensive and coordinated model building and construction codes. In 2006, the ICC transitioned from the Uniform Fire Code (UFC) by issuing the International Fire Code (IFC). The IFC is a comprehensive code that establishes minimum requirements for the provision of a reasonable level of life safety and property protection consistent with nationally recognized practices. The IFC is one of fourteen International Codes published by the ICC. The City's Building Department uses the 2012 Edition of the International Building Code that was administratively adopted in November 2014 and became effective January 1, 2015.

Current Report

As the 2012 International Building Code does reference the 2012 International Fire Code when applying life and fire safety requirements, use of the 2009 IFC could lead to code interpretation, application, and consistency issues between the Building and Fire Departments. Therefore, we would like the City Council to adopt the 2012 International Fire Code.

The Insurance Services Office (ISO) provides insurance companies with up-to-date information about a community's fire-protection services. One of their reports is the Building Code Effectiveness Grading Schedule (BCEGS) which assesses the building and fire codes in effect in a particular community and how the community enforces its codes. Similar to the Public Protection Classification (PPC) Program these ISO rating schedules do affect insurance premiums for residential and commercial properties.

Financial Requirement

None

Recommendation

We recommend adoption of the 2012 Edition – International Fire Code by Ordinance No. 15- . Adoption of the 2012 IFC will remove any inconsistencies that currently exist between the codes used by the Fire and Building Departments allowing them to work more efficiently. Additionally staying current with the family of International Code Council (ICC) codes such as the IBC and IFC will reflect positively when insurance companies establish appropriate fire insurance premiums for residential and commercial properties.

CITY OF WHITEFISH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that at its regular meeting on Monday, February 2, 2015, at 7:10 PM, in the Whitefish City Council Chambers, located at 402 East 2nd Street, Whitefish, Montana, the Whitefish City Council will conduct a public hearing for the purpose of receiving public input regarding adopting the 2012 International Fire Code in whole by reference, as published by the International Code Council, Inc.

Individuals may appear or submit written testimony at the hearing to comment on adopting the 2012 International Fire Code. Written comments may be delivered or mailed to the Whitefish City Clerk, 418 East 2nd Street, PO Box 158, Whitefish, Montana 59937, or emailed to nlorang@cityofwhitefish.org. Additional information may be obtained by visiting the City Clerk's Office or by calling 863-2400.

For publication on January 21 and January 28, 2015, in the Legal Notices Section of the *Whitefish Pilot*.

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PLANNING & BUILDING DEPARTMENT
510 Railway Street, PO Box 158, Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409

January 27, 2015

Mayor and City Council
City of Whitefish
PO Box 158
Whitefish MT 59937

RE: Block 46 Hotel, 205 Spokane Avenue; (WCUP 14-11)

Honorable Mayor and Council:

Summary of Requested Action: Sean Averill on behalf of Whitefish Hotel Group llc is proposing to construct a hotel with a building footprint that exceeds 7,500 square feet at 205 Spokane Avenue. The property is currently developed with a former professional office and temporary public parking lot and is zoned WB-3 (General Commercial District). The Whitefish Growth Policy designates this property as "Core Commercial". The hotel is proposed to be three stories with 89 rooms and 72 off-street parking spaces. The project has been before the Architectural Review Committee twice in a pre-application format.

Planning & Building Department Recommendation: Staff recommended approval of the above referenced conditional use permit with twenty (20) conditions set forth in the attached staff report.

Public Hearing: The applicant and consultant team spoke at the public hearings on December 18, 2014 and January 15, 2015 in support of the application.

There was considerable public testimony on the project. At the December public hearing five members of the public spoke and had the following comments:

- Concern the project is a chain hotel
- CUP process is important and needs to be adhered to
- Nonresidential parking in the neighborhood
- Too big of a project for the area
- Lack of important information

At the January public hearing six members of the public spoke and had the following comments:

- Support for the project
- Lack of full disclosure

- Continued concern with nonresidential parking in the residential neighborhood
- Out of character with the downtown
- Concerns with chain hotel and the uses within the hotel that may also be franchise
- Not a good location for a hotel
- Loss of the downtown's unique-ness with a chain hotel
- Noise from the rooftop patio

The draft minutes for this item are attached as part of this packet.

Planning Board Action: The Whitefish Planning Board met on December 18, 2014 then continued the hearing until January 15, 2015 to review additional information. Following the hearing, the Planning Board recommended approval of the above referenced conditional use permit with twenty (20) conditions as contained in the staff report and adopted the staff report as findings of fact (5-2, Norton, Ellis voting in opposition).

The Planning Board also amended condition #11 to give the applicant and staff an opportunity to review the landscaping requirements within the parking lot in order to provide a well-landscaped parking lot and implement the shared bike/pedestrian path along Spokane Avenue while maintaining all the proposed off-street parking. The revised condition states:

11. Prior to the issuance of a building permit, the applicant shall either dedicate right-of-way or grant an access easement for the shared pedestrian-bike path along Spokane Avenue. The bike path shall be 11-feet and the sidewalk shall be 8-feet. The applicant and the city shall work together with respect to the parking lot landscaping to ensure adequate landscaping, space room for the pedestrian-bike path and no loss of on-site parking.

The Planning Board also requested this report point out the concerns they heard considering the roof top patio, as they received public comment from neighbors identifying the excessive noise from the downtown especially since the Casey's roof top bar was approved. Having a roof top patio even closer to the residential neighborhood was a significant concern. In addition, the Planning Board wanted the Council to consider implementing a residential parking district in order to protect this residential neighborhood from nonresidential parking.

Proposed Motion:

- I move to approve WCUP 14-11 along with the Findings of Fact in the staff report and the amended twenty conditions of approval, as recommended by the Whitefish Planning Board.

This item has been placed on the agenda for your regularly scheduled meeting on February 2, 2015. Should Council have questions or need further information on this matter, please contact the Planning Board or the Planning & Building Department.

Respectfully,

Wendy Compton-Ring, AICP
Senior Planner

Att: Exhibit A: Planning Board Recommended Conditions of Approval
Minutes, Planning Board, 12-18-14
Draft Minutes, Planning Board, 1-15-15

Exhibits from 1-15-15 Staff Packet

1. Staff Report – WCUP 14-07, 1-8-15
2. Adjacent Landowner Notice, 12-29-14
3. Advisory Agency Notice, 12-23-14
4. Email, James Freyholtz, Montana Department of Transportation, 12-10-14
5. Email, McCamley, 12-8-14
6. Email, Howard, 12-9-14
7. Letter, Rosenthal, 12-10-14
8. Email, Cutforth, 12-10-14
9. Petition, Dominick, 12-12-14
10. Petition, Dominick, 12-12-14
11. Letter, Collins, 12-15-14
12. Email, Schnee, 12-15-14
13. Letter, Kratz, 12-23-14
14. Email, Watkins, 12-29-14
15. Email, James Freyholtz, Montana Department of Transportation, 12-31-14
16. Email, McCamley, 1-2-15
17. Email, McCann, 1-4-15
18. Letter, Nelson, 1-5-15
19. Email, Fuller, 1-5-15
20. Email, Scruggs, 1-6-15
21. Email, Arnold, 1-7-15

The following were submitted by the applicant:

22. Application for Conditional Use Permit, 11-26-14
23. Traffic Study, 12-22-14
24. Additional Information Submitted by the Applicant, 1-5-15

Additional Public Comment Received After Planning Board Packets Were Mailed:

25. Email, Stanley, 1-11-15
26. Email, Kermath, 1-12-15
27. Email, Robison, 1-12-15
28. Letter, Pilote, 1-14-15
29. Email, Arnold, 1-15-15
30. Email, Ballard, 1-15-15
31. Email, McCamley, 1-23-15

c: w/att Necile Lorang, City Clerk

c: w/o att Sean Averill, Whitefish Hotel Group llc, PO Box 275 Bigfork, MT 59911

Exhibit A
Block 46 Hotel
WCUP 14-11
Whitefish Planning Board
Recommended Conditions of Approval
January 15, 2015

1. The project shall be in compliance with the application submitted on November 26, 2014 and the revised site plan dated December 18, 2014, except as amended by these conditions. Any significant deviation from the plans shall require approval (§11-7-8, WCC).

2. Prior to any ground disturbing activities, a plan shall be submitted for review and approval by the City of Whitefish Planning Department. The plan shall include, but may not necessarily be limited to, the following:
   - Dust abatement and control of fugitive dust.
   - Hours of construction activity.
   - Noise abatement.
   - Control of erosion and siltation.
   - Routing for heavy equipment, hauling, and employees, including signage to direct equipment and workers.
   - Construction office siting, staging areas for material and vehicles, and employee parking.
   - Measures to prevent soil and construction debris from being tracked onto public road, including procedures remove soil and construction debris from road as necessary.
   - Detours of vehicular, pedestrian, and bicycle traffic as necessary.
   - Notation of any street closures or need to work in public right-of-way. (Engineering Standards, Appendix K)

3. Prior to any construction, excavation, grading or other terrain disturbance, plans for all on and off-site infrastructure shall be submitted to and approved by the Whitefish Public Works Department. The improvements (water, sewer, roads, street lights, sidewalks, etc.) within the development shall be designed and constructed by a licensed engineer and in accordance with the City of Whitefish's design and construction standards. The Public Works Director shall approve the design prior to construction. Plans for grading, drainage, utilities, sidewalks and other improvements shall be submitted as a package and reviewed concurrently. No individual improvement designs shall be accepted by Public Works. (Engineering Standards, Chapter 1)

4. All areas disturbed because of road and utility construction shall be re-seeded as soon as practical to inhibit erosion and spread of noxious weeds. (Engineering Standards, Chapter 7)

5. Proper sight distance measures shall be designed and put in place for the intersection of the east-west alley and Kalispell Avenue. Such measure shall be reviewed and approved by the Public Works Department. (Finding 6)

6. The interior lot lines located between Lots 1 and 11 shall be abandoned prior to the issuance of the building permit. (§11-2-3B(3), WCC)

7. Approval from the Architectural Review Committee shall be obtained prior to submitting an application for a building permit. (§11-3-3B, WCC)

8. A copy of the state of Montana Restaurant Beer Wine license shall be provided to the Planning Department. Any other alcohol permit shall require approval of a Conditional Use Permit by the city of Whitefish. (§11-2L-3, WCC)

9. An encroachment permit shall be obtained from Montana Department of Transportation (MDT) for any construction within the right-of-way. Any revisions to the site plan based on MDT requirements shall be reviewed and approved by both the Planning & Public Works Departments. (Finding 5)

10. Coordinate with Public Works Department regarding required Structural and Construction Encroachment Permits, which are issued independently from this Conditional Use Permit. (§7-2-1, WCC)

11. Prior to the issuance of a building permit, the applicant shall either dedicate right-of-way or grant an access easement for the shared pedestrian-bike path along Spokane Avenue. The bike path shall be 11-feet and the sidewalk shall be 8-feet. <u>The applicant and the city shall work together with respect to the parking lot landscaping to ensure adequate landscaping, space room for the pedestrian-bike path and no loss of on-site parking.</u> (Findings 1, 5)

12. The refuse location shall be reviewed and approved by the Public Works Department and North Valley Refuse. (§4-2, WCC)

13. An engineered stormwater plan, including the additional alley width, shall be submitted for review and approval to the Public Works Department. (Whitefish Engineering Standards, Section 5)

14. No groundwater from Block 46 shall be discharged to the City stormwater collection system without specific written approval from the Public Works Department. The developer shall reimburse the City for reasonable expenses necessary to evaluate such a proposal. Those expenses may include, but will not necessarily be limited to, the services of an independent professional consultant. (Finding 3)

15. Necessary business licenses and sign permits shall be obtained. (§3-1, §11-5-7, WCC)

16. The applicant shall comply with all city fire codes for this classification of occupancy and the building shall be equipped with a fire sprinkling system. The alleys are the emergency access and shall be improved to a width of 20-feet. The additional width shall either be in the form of an easement or right-of-way dedication and shall be recorded or otherwise granted prior to the issuance of a building permit. (IFC)

17. All on-site lighting shall be dark sky compliant. (§11-3-25, WCC)

18. All exterior mechanical equipment shall be screened visually and acoustically. (4.6.1., Arch Review Standards)

19. A landscaping plan pursuant to §11-4 shall be reviewed and approved by the Planning Department prior to the issuance of a building permit. This plan shall also include screening along the eastern edge of the parking lot. (§11-4, WCC)

20. The conditional use permit is valid for 18 months and shall terminate unless commencement of the authorized activity has begun. (§11-7-8, WCC)

BOARD DISCUSSION	Rebecca is concerned with the parking but admits that other studios in the area have worked the parking issue out. Also, safety in the alley is a concern but Rebecca felt it wasn't worth holding up the application. Melissa suggested signs reinforcing use of cross walks to minimize jaywalking. Rebecca asked what the maximum occupancy at any one time might be and Bailey said that would be addressed through the Building Permit process. Jim said there is an allocation of four parking spaces, but other than that, the Planning Board doesn't have any ability for input on that. Ken S. called for the question.
VOTE	The motion passed unanimously. The matter is scheduled to go before the Council on January 5, 2015.
2. ZONE CHANGE ON PROPERTY RECENTLY ANNEXED INTO CITY LIMITS	Request by the City of Whitefish for a Zone Change on a parcel recently annexed into City limits. The property is developed with a residential use. The subject property is located at 1016 Park Avenue, legally described as Tract 1AA in S31 T31N 22W.
STAFF REPORT WZC 14-09 (Minnich)	Planner Minnich reviewed her staff report and findings. The purpose of the rezone is due to recent annexation of the property into City limits. No comments were received from notified property owners. Staff recommended adoption of the findings of fact within staff report WZC 14-09 and that the map amendment from County R-4 (Two-Family Residential) to City WR-2 (Two-Family Residential District) be recommended for **approval** to the Whitefish City Council.
APPLICANT / AGENCIES	None.
PUBLIC COMMENT	None.
MOTION	Rebecca moved and Frank seconded, to accept staff report WZC 14-09.
BOARD DISCUSSION	None. Ken M. called for question.
VOTE	The motion passed unanimously and the matter is scheduled for City Council on January 5, 2015.
3. WHITEFISH HOTEL GROUP LLC	Whitefish Hotel Group, LLC, is requesting a Conditional Use Permit to construct a hotel that exceeds 7,500 square

CONDITIONAL USE PERMIT REQUEST

feet per § 11-2L-4, WCC, of the WB-3 zoning district at 204 Spokane Avenue, legally described as Lots 1-11 and 19-25 in Block 46 of Whitefish Original Townsite in S36 T31N R22W, P.M.M., Flathead County, Montana.

STAFF REPORT WCUP 14-11 (Compton-Ring)

Senior Planner Compton-Ring reviewed her staff report and findings, including that four letters were sent out with the Planning Board packet and that four letters were received since the packet went out, which were also given to Planning Board Members for review. Two of the letters were in support and the other letters mentioned concerns with parking, impacts on snow removal, change in character of downtown, impact on infrastructure, inappropriate location for bar (near school), and rumors that it might be a chain hotel. The project has been reviewed by the Architectural Review Committee (ARC) on two occasions and the Committee has made suggestions to the design, but their formal review will occur following Council approval. The WB-3 zone does not require parking, but they are providing 67 spaces. The conversion of this lot to hotel parking rather than public parking will impact downtown parking. The Montana Department of Transportation requires an encroachment permit and is concerned with the right-in/right-out and its proximity to the East 2nd Street/Spokane Avenue intersection.

Staff recommended adoption of the findings of fact within staff report WCUP 14-11 and that the Conditional Use Permit be recommended for **approval** to the Whitefish City Council subject to 19 Conditions of Approval.

John asked whether there is any other reason why this project needs a CUP other than exceeding 7,500 square feet and Wendy said no. He asked how and when historically this property was zoned commercial. Dave said it was the location on the corner of Stacey Oil, a gas station, for many years, but Planning staff wasn't sure when or why it became commercial. John also asked for the current proposed square footage of the building and Wendy said there have been so many different proposal that John needed to ask the Applicant. John also asked if a DEQ analysis was done and Wendy replied that the Public Works Department does that part. John wondered if the Planning Department or Public Works ever does an independent study or they simply accept what the Applicant says. Wendy replied that the Applicant hires a consultant and staff reviews their findings. John wanted to know if aligning the building lengthwise along

Spokane Avenue had been considered rather than on East 2nd Street and Wendy said it had been suggested and rejected by the applicant because there are sewerlines that are in the alley that would need to be abandoned. John asked whether a parking structure with more than one level had been considered and Wendy said John would need to ask the Applicant. John asked what the highest building is in the area and Wendy replied the towers at the Middle School are 55'. John asked what the height of the building at 3rd and Spokane was and Wendy didn't know. John asked about the possibility of blocking off the alley that enters onto Kalispell Avenue. John asked if the Applicant would pay for the easements and Wendy replied the Applicant owns the entire block. Ken S. asked about the newsletter article that TIF money might be available to move the sewer line and Jim asked if they can't discharge into stormwater, where do they go? Wendy said they would need to work with the City to determine an appropriate method. Frank clarified that the newspaper article referred to a proposal for a prior hotel project utilizing TIF funds to move sewer and that the Council would entertain that request if the same proposal was made for this project. Rebecca said other communities have done bonds for off-site damage and wondered if Whitefish has done that. Wendy didn't know of any.

APPLICANT / AGENCIES

Sean Averill addressed the Planning Board on behalf of Whitefish Hotel Group, LLC. They brought their traffic study with them tonight, and showed an updated site plan via PowerPoint. They have an investor out of Florida, Bruce Boody is working on the site plan, Montana Creative is the architect, and TD&H is the engineer. There are 19 lots included in the building footprint, seven facing Spokane Avenue and 12 facing East 2nd Street. Sean said they are not taking this lightly and are trying to build a year-round hotel to be proud of.

Scott Elden spoke for architects Montana Creative. He said the limit of 7,500 sq. ft. comes from ARC guidelines regarding the Old Town District to prohibit large "box style" buildings. Several buildings (Middle School, Rocky Mountain Real Estate office, etc.) in area have larger footprints. They have already incorporated several recommendations made by the ARC.

Frank asked how many square feet were in the footprint and Scott replied 14,997 square feet. Frank asked for the square footage of the building and Scott said he hadn't done the

math, but it would equal three levels with 14,997 square feet with jigs and jogs. Mellisa said she thought it was a beautiful building, but doesn't think it looks like it fits with the character of Whitefish. Scott said breaking up of long façade into different colors and sections will help. The Middle School is the largest building in Whitefish and right across the street, and Scott felt the proposed hotel would complement it.

Bruce Boody, Landscape Architect, addressed the Planning Board and new site plans were distributed. Rebecca asked what changes have been made. Bruce pointed out there will now be no access off Spokane Avenue and the main access is now the north-south alley off E. 3rd Street, with a drop-off area on the south end of building. Currently the alley is 16', but will become 24' wide with an easement. There will also be a 7' landscape buffer to the east of that. Access off Kalispell Avenue is proposed with a 20' roadway and they are showing 69 parking spaces. Local hotel owners say their occupancy rate is 60-70% if they are really doing well. If there are 89 rooms, 60% would be 54 needed parking spaces and 70% would be 63. They are still looking for ways to make employee parking work. Tom Kennelly, Whitefish Fire Marshal, was satisfied with the original access and Bruce believes they have made it much better since Tom reviewed it. Bruce said the hotel has been moved 13' to the East to accommodate the promenade. On Spokane Avenue there is now an 11' bike way, a 4' street tree separation, and 11' sidewalk next to building. There is still a 15' setback on Kalispell, and the setback on East 2nd Street varies between 20-25'.

Rebecca asked why Whitefish Hotel Group was not using the other portions of Block 46 and Sean replied that those lots are zoned WR-4, a totally different zone with different requirements, and is not zoned for a hotel or parking.

John asked Bruce about traffic onto Kalispell Avenue and Bruce said the traffic study showed most trips will be via the other two access areas. John wanted to know why the access on Kalispell Avenue couldn't just be eliminated and Bruce replied that Fire Marshal Tom Kennelly said the access was needed for emergency vehicles. John asked about setback requirements and Bruce said WB-3 has no requirements. John also asked about a wall or fencing to block the other portion of the block. Bruce said a 7' landscaping buffer off the alley is proposed as he pointed out before. Ken S. asked

who would maintain the buffer and Bruce said the hotel, and Sean agreed. Frank asked about north end of block that is not being developed, and why no landscape screening is proposed along the South side of Kalispell Avenue access. Sean agreed that would be a good idea to consider. Rebecca asked that extra copies of the site plan be distributed to the public.

Brian Averill addressed the Board regarding their goals, services provided, etc. They want the outside of the building to be timeless and he feels that utilizing wood and glass as depicted on the drawings will be timeless. He explained that Whitefish traditionally has a high occupancy rate in the summer and low occupancy rate in "off season". Brian feels 70% occupancy that Bruce mentioned is way too high. Because of the varying occupancy rate and high development and construction costs, 89 rooms is the minimum they felt would be cost effective. Food and beverage services as depicted will be limited so people will go out into the community, but they have to have some services. They have no plans for a full restaurant and lounge for the public, more just for guests, and they will only apply for the beer and wine license, rather than a full liquor license. The Downtown Master Plan calls for a downtown hotel because it is the economic driver for the community. The State of Montana produced figures show the ratio of hotel visitor revenue to dollars spent in a community as if a customer spends $1 on a hotel room, they will spend $9 in the community. Frank asked what percentage of guests that Brian anticipates will need to park a car. Brian said 75% of hotel guests at Whitefish Lake Lodge have a car, but that they also have a large restaurant and marina. The only time they run out of parking is when they have an event, and that is rare. They will provide airport, train, etc., pickup. Staff will be there during the day and guests will be parking at night. Leased parking has also been offered to them. Brian thinks the number of parking spaces is adequate. John asked how many rooms and parking spaces the Lodge. Brian replied 140 rooms but didn't know how many parking spaces. John asked if they also rent parking spaces from the Methodist Church and Brian said they do for events and staff in the summer and that they shuttle staff and guests. John said that the Lodge is unique in that there is no opportunity to park in residential areas and asked how that would be controlled in this area. Brian agreed that parking is a problem in the downtown area. Brian was asked what the occupancy would be for the proposed meeting room and he

replied approximately 50, and that no large conference rooms like The Lodge has are proposed.

Melissa said Wikipedia defines "boutique hotel" as having less than 100 rooms and often containing luxury facilities in unique or intimate settings with full service accommodations and she doesn't think this is technically a "boutique hotel" but she thinks the design is nice. She said the design shows providing "some services" so she assumed food and beverages and Brain agreed. She said the plans indicate a workout facility and retail and asked if that meant a sundry type of store, and Brian said that meant newspapers, sodas, snack food, and typically things forgotten by guests. Melissa asked about the two proposed treatment rooms for guests and whether the hotel would hire an independent contractor or would they be staffed by an actual employee. Brian said the rooms would be just used to provide treatments such as massages to guests and independent contractor(s) would be utilized, not employees. Melissa said realistically this project causes a parking deficit of approximately 50 spaces because the location is currently being utilized by the City as a parking lot. She feels check-in and check-out times coincide with the Middle School arrival and departure times and thinks this causes safety issues in the area. Brian said statistically guests' arrivals and departures are very staggered and there is not a set rush time. Rebecca said Sean talked about this project being more responsible than the last hotel project envisioned, but she feels this is a larger scale project than envisioned by the community. Sean said they have a vested interest in making this a pleasing project. Melissa asked about there being a GoBoard® as indicated in the plans, which is an interactive, touch screen information display panel, located in lobbies of Marriott Hotels, and asked if they anticipated this being a franchise hotel. Brian said they have looked at franchise hotels, including the Marriott. There are definitely tremendous benefits, but they have not made any decisions. Rebecca asked when they might decide and Brian said he didn't know for sure and that they are still evaluating whether to franchise or stay independent. Sean said the Averills have never had a franchise hotel and are looking at the benefits of doing it, but that they are not franchise people. John asked about where the hotel sign might be located and Sean replied that a monument sign on the south end of the building is currently envisioned. Ken S. asked where the air conditioning units might be located and Scott said they will all be on rooftop, and that the equipment will be hidden like it is at Casey's.

Rebecca asked Doug Peppmeier, TD&H Engineering, about environmental concerns, including stormwater issues. He said this is not a new technology that is being proposed, just new to Whitefish. Roger Noble, Applied Water Consulting, is working with them, along with Public Works. The plan needs to be approved by the DEQ.

PUBLIC COMMENT

Ian Collins, 898 Blue Heron Drive, is on the ARC and explained the preliminary nature of this project when they looked at it. Ian made a motion to table the project based on the outcome of the CUP process so it would be reviewed on a much larger basis than ARC review. He felt Scott Elden trivialized the CUP process in his presentation. The 7,500 square foot threshold is very clearly in the zoning code and triggers all the same considerations of any project. He feels strongly that this project is subject to all the same criteria that any project being brought forward that requires a CUP would have.

Leo Rosenthal, 236 Columbia Avenue, urged the Board not to approve this CUP because of the changes to the historic residential character of the area, problems with cars parking during snow removal times (residents are currently required to move their cars but hotel guests may not be) and reduced available parking. He feels the project needs to be scaled back, that a downtown hotel is needed but that this proposed hotel is too large for the neighborhood.

Dan Cutforth, 224 Spokane Avenue, owns the Downtowner and the Stumptown Inn, and is in favor of this project but is concerned about parking. He feels occupancy is higher in the summer than the Averills estimated, but the rest of the year, 70% would be a goal he would appreciate. Ken M. asked how many of Dan's customers stay in his hotels without parking a vehicle and Dan said maybe previously 10%, but now that the train has become so unreliable, that it is probably lower. John asked how many rooms and parking spots Dan has and he said 24 rooms, and 40 parking spots. He said if non-guests park in his parking spots and don't move after being warned, he does have to tow. Melissa asked how this would be a positive thing for Dan's hotels and why he would be in favor of the project. He replied that in addition to raising property values, the proposed hotel would have different customers who would pay more for a hotel room, which would make his prices look better.

Andy Huntsberger, 574 Somers Avenue, said he felt a downtown hotel would be a great thing for the community, but feels this one is too large, and that parking for 89 rooms would directly impact downtown parking negatively.

Mayre Flowers, Citizens for a Better Flathead, 35 4th Street West, Kalispell, asked whether approval of a CUP for this particular project could be transferred to another owner. She said she was disappointed about the lack of information in the staff report, the fact that there is no traffic study available to the public, and that the current proposed site plan was only passed out tonight. She thought the formula business issue was a concern, and that as a CUP, the Board and City were being asked to provide a major exception to the zoning with a building twice the size of what would normally be approved to be built in this location. Because of the uncertainty of the design and lack of information about a drainage plan and other issues, residents in this area and downtown businesses all need more assurance that what is being proposed will be what is actually built at this site. She feels the standard used for needed parking should be full occupancy rather than average occupancy as a week or a month of congestion in downtown area impacts a lot of people. She said there is not a lot of detail on lighting, i.e., how headlights will be buffered and how building lighting will impact the neighborhood. In this area of downtown the school yard is just down the road, and there are a lot of farmers' markets and festival activities that take place in this area and traffic really needs to be considered. Leased parking may solve this facility's needs but leased parking is limited and she feels the Board and public needs to understand the capacity of leased parking. She said the previous plans not including a bar or restaurant was mentioned in the staff report but now tonight we've been told there will be those services, and she feels the public needs time to review the information. She recommended the public hearing be continued.

MOTION

Rebecca moved and John seconded, to continue the public hearing to the next Planning Board meeting so more detail can be provided. Rebecca said she is not ready to turn the CUP down but still has a lot of concerns. Whether to *table* or *continue* the hearing was discussed and clarification provided was that *tabling* the motion would indefinitely postpone the consideration, but *continuing* it until next month proposes a definite time to reconsider.

BOARD DISCUSSION

Frank asked Sean if continuing the project will cause a problem and Sean replied that when they originally started the project, they didn't know they needed a CUP. There has already been a lot of delay and there is definitely an expense of carrying this for another month, and he asked exactly what the Planning Board would need to see.

John wants to see the traffic study at least two weeks in advance of the meeting. He also wants to hear from the Public Works Department regarding stormwater issues, the possibility of closing or restricting access to Kalispell Avenue, and whether residents could have stickers or some other type of indication that they are residents. He urged the Board to continue the hearing.

Rebecca said part of this Board's responsibility is to represent the public and that this is a major project. She wants the ability to review the traffic study and read a report from the DEQ since this is a critical intersection for our town and it would be very serious if something happened. The Whitefish Growth Policy calls for a boutique hotel, which has a special, unique character, and she has concerns about whether this is going to be a Marriott. She said Page 21 of the Growth Policy addresses the detrimental effects of bringing in a franchise hotel because of the harm it can do to current businesses. If the Whitefish Hotel Group could outline whether they are presenting a franchise opportunity for the City, it would be better for the public to know rather than being surprised later.

Frank asked that the parking issue be adequately addressed.

Ken M. admitted that while this is a very nice looking project, he has really struggled with the parking issue. He feels it seems that cumulative decisions keep being made that add to the parking issue. He said the impact on the neighborhood and the parking situation are his major concerns, but that it is still a very nice looking project.

Frank said the density that could go in there without any requirement for parking could cause even more horrific problems for the parking.

Rebecca asked if a PUD would be more appropriate. Wendy said a PUD would not be appropriate since the applicant is not asking for any deviations to zoning. A CUP is appropriate because of the mass, etc., of the building. She

pointed out that a CUP is for 18 months and does run with the land, so if approved, even if the owners changed, it would be for 18 months.

Ken M. said the traffic study is done, just not yet distributed, and the landscape plan has come a long way. He thought the formula business issue was addressed in the staff report, and that the restaurant and bar not being designed for the public, but rather hotel guests, has also been addressed.

Jim said the Applicants have worked really hard to address the questions and problems, but feels this Board needs more time to look at issues.

Jeff from the Whitefish Hotel Group said he has seen the traffic report and feels the Board will be shocked by the minimal effect, which has been summarized as less than 4% impact, probably more like 2-4%, even during peak times.

VOTE

The motion passed unanimously. The matter is scheduled to go before the Council on January 5, 2015.

NEW BUSINESS (Taylor)

1. Work Session on the Final Draft of the *Highway 93 West Corridor Land Use Plan*. The Planning Board went into a Work Session. Several members of the Highway 93 West Committee were present, and Doug Reed, Chairman, gave a brief introduction. Doug said the vote in favor of this *Plan* was 7 or 8 to 1.

Frank asked why it was not unanimous and Anne Moran said she voted against the *Plan* as she represented the Area A and C (the residential owners of the neighborhood) and when the Committee was composed it was partly in reaction to a microbrewery on the north side of the highway. The residents had an issue with that and the developers didn't have enough information and she felt the residents continued to have very strong reservations regarding the microbrewery in Area B.

Bruce Lutz, Sitescape Associates, who served as the local guy on the planning consultant team, gave a PowerPoint presentation on the *Plan*.

Director Taylor discussed the initial draft of the *Plan* and the staff's review and revisions.

Melissa complimented *Plan* and work done by Committee.

DRAFT

WHITEFISH PLANNING BOARD
MINUTES OF MEETING
JANUARY 15, 2015

CALL TO ORDER AND ROLL CALL

The regular meeting of the Whitefish Planning Board was called to order at 6:00 pm. Board members present were John Ellis, Councilor Richard Hildner, Jim Laidlaw, Ken Meckel, Rebecca Norton, Melissa Picoli, Ken Stein. Councilor Frank Sweeney was absent. Planning Director David Taylor and Senior Planner Wendy Compton-Ring represented the Whitefish Planning and Building Department.

APPROVAL OF MINUTES

Rebecca moved and Jim seconded to approve the December 18, 2014 minutes with no amendments. The motion passed unanimously with Richard abstaining since he was not in attendance at the meeting.

COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA)

Mayre Flowers spoke representing Citizens for a Better Flathead, a business that encourages public participation, 35 Fourth Street West in Kalispell, regarding giving the public a reasonable opportunity to participate. She felt there were too many items on the agenda tonight with too broad of a nature to the community, and felt there was a lack of adequate time to try to address all the issues on the agenda and the meeting would run too late. She thought maybe some of the items could have, and suggested they still could be, rescheduled. She also thought it was misleading to list the CUP for the Block 46 hotel under Old Business on the agenda and that it was not listed as a public hearing. In the legal notice it is, and she felt that in order to ensure informing the public at large, the agenda should be consistent with the legal notice. She also thought it was too difficult to find the Planning Board's packet on the City's Website and that it should be much more straightforward to locate and include all attachments, not just staff reports.

OLD BUSINESS:
1. CONTINUATION OF PUBLIC HEARING ON WHITEFISH HOTEL GROUP, LLC'S, CONDITIONAL USE PERMIT REQUEST

Whitefish Hotel Group, LLC, is requesting a Conditional Use Permit to construct a hotel that exceeds 7,500 square feet per § 11-2L-4, WCC, of the WB-3 zoning district at 204 Spokane Avenue, legally described as Lots 1-11 and 19-25 in Block 46 of Whitefish Original Townsite in S36 T31N R22W, P.M.M., Flathead County, Montana.

STAFF REPORT WCUP 14-11 (Compton-Ring)

Senior Planner Compton-Ring reviewed her staff report and findings which now reflect the changes made in the site plan that was submitted at the December 18, 2014 Planning Board meeting, along with addressing the items members asked for more information on at that meeting and the traffic study which was

submitted on December 22, 2014, and sent out with Planning Board packets for this meeting. Since that time, the applicant submitted another site plan with one additional parking space as the only change, for a current total of 72.

More comments have been received and distributed to the members since the second notice to the public and neighboring properties, which include concerns with parking, stress on downtown, stress on neighborhood parking, change in downtown character, bar too near school, concerns about it being a franchise hotel but also not caring whether it was a franchise hotel, wanting it to be more historical in design and pedestrian safety while crossing surrounding roadways. A neighborhood parking permit system was discussed with the police department and apparently this is one method used in Whitefish. The Police Department said it is complaint-driven and working well.

The revised site plan was submitted to the MDT and they were pleased to see entrance on Spokane eliminated. The Traffic Study showed 720 daily trips with all intersections still at an acceptable level. The Study showed most traffic anticipated south on Spokane Avenue and west on Highway 93 W.

Wendy visited with the Public Works and Fire Departments regarding closing the alley access off Kalispell and the Fire Department was still against that idea.

Staff recommended adoption of the findings of fact within staff report WCUP 14-11 and for **approval** to the Whitefish City Council, subject to 20 Conditions of Approval. Wendy addressed the ones that have changed (Nos. 5, 9 and 14) since the staff report for the December 16 meeting.

BOARD QUESTIONS OF STAFF

Richard asked if Condition No. 11 is consistent with Downtown Master Plan, and whether the vegetation planned along Spokane will work for pedestrians, kids walking to school, etc., and Wendy said yes. Rebecca asked whether the Applicants have submitted anything indicating whether they intend for this to be a Marriott franchise hotel. Wendy said there was a letter in the packet submitted by the Applicants. She said franchise hotels are not disallowed in the Whitefish City Code, but what is located within the hotel is addressed, i.e., a McDonald's could not be located inside the hotel.

Ken M. reiterated that the board wants to hear all comments, but there is a large agenda and he asked that folks try to talk about any new issues, etc., and refrain from rehashing previously presented information and/or questions.

APPLICANT / AGENCIES

Sean Averill spoke for Whitefish Hotel Group and went over some of the high points from their slide presentation shown at the December 16 meeting.

Aaron Wallace, Montana Creative, principal architect, showed a new design with no change to the footprint of the building, but many changes to the external look, including materials, lighting, the building slopes down a couple of feet with steps to the front revolving door, front windows with a two-story entrance, arches, cut natural stone, a cleaner look awning, tumbled brick in darker tone in upper two stories and different features to break of façade. He feels the look is a little more contemporary but thinks it will still look good 50 years from now. There is also a rooftop patio with glass railing proposed, with only tables and chairs for getting outside only – no restaurant or bar on the roof.

Rebecca asked how many pop-up areas beyond the height restriction of 35' were included and Aaron said three core towers (stairway and elevator), which were all allowed. He said the highest point is the elevator core, but demonstrated how the tower is not seen from front the front of the building, and that it will be the same height as the elevator tower at Casey's, approximately 42'. John asked about the main entrance tower height and the square footage of the building footprint and Aaron said approximately 40' for the front entrance, and 14,970 square foot average per floor. Rebecca requested the design changes be shown to the audience since they hadn't seen them. John asked for a rendering from Kalispell Avenue, but none was available. However, Aaron said the brick wrapped around the entire building and the character was the same. He said the smallest setback is 15', and Sean said there is a 4' difference in a king versus a queen room, and this design makes a natural use of that difference to bring walls in and out.

Bruce Boody said the setbacks are now pretty significant, with 15-20' setbacks most of the way around. The corner at the main entrance is now setback 32', which is a significant public space (roughly 30' x 30'). On Spokane Avenue, there is an 11' promenade, and 8' pedestrian way, and an additional 3' of paving next to the building, so roughly 22'. For the parking lot planting buffer, the applicants need a little give and take, as they can fit a 5' buffer, not a 7' one, without losing seven parking spaces. They are requesting a modification to Condition No. 11 so that City staff and developers work together to find an equitable solution. Richard asked whether there would be enough room for viable landscaping if the planting buffer was reduced to 5' from 7' and

Bruce said there would be as the angle of the parking stalls will be 80° rather than 90°, which will allow some extra room and he thinks there can still be a good strong buffer there that will work, and it will be similar to what the City has on Central Avenue. John asked about on-street parking on Third Street East and Bruce said there is existing parking along the east side of the alley, but not on west. New curbing will give between four and six parking spaces additional spaces.

Brian Averill reminded us the project has 89 guest rooms, and that number was arrived at based on making enough profit to be viable. They plan limited food and beverage services as an amenity for guests, but nowhere near the type available at Whitefish Lake Lodge. They envision beer and wine enjoyed in a cozy lobby or something similar. He reminded us that research shows $1 spent on a hotel room equals $9 spent in the community. Bruce and his staff have squeezed out five additional parking spaces, for a total of 72. They are also entering into an agreement for leasing 12 more, for a total of 84 spaces. They are also willing to shuttle staff, if necessary, which they currently do at the Lodge and it works well. They continued to consider the benefits and logic of whether to have a franchise hotel or not. They wrote a letter and it was included in the Planning Board's packet. They have found it would be economically better for them to build a franchise hotel, but this is a big step for them. He has spoken to a lot of folks in the community and some like the idea of a franchise hotel and some don't. Whether a franchise hotel or not, the look will be the same, and it's not going to be operated by a locally owned and operated company, not by a national chain. They want to hear the Planning Boards concerns, and if the City feels the franchise issue is a deal breaker, they want to know, so they are looking for members to speak up. John asked how many employees they envision hiring and what percentage would need a parking space? Brian thought maybe 37 or so, with maybe 10-15 working at any one time, so it won't be a heavily staffed operation, but the majority would probably drive to work. The peak parking is in the summer and on holidays. If they have a problem, they would shuttle staff with designated shifts. John asked if franchise agreements run for period of time, in other words, could they try it and then change their mind if not happy with the franchise. Brian said no, they would be locked down pretty good. Rebecca asked where the leased parking will be and where shuttled employees would park, and Brian replied probably the same place where Lodge staff parks, which is at the Methodist Church south of The Lodge. They have also talked to First Interstate Bank, who is fine with them using some of their lot at night. The hotel will also plan

to open up some of their lot during low occupancy times. Jim asked about policing and Brian said he didn't know right now. Brian said looking at the overall picture, a franchise would probably increase occupancy by 12 to 14%, and help them compete better with Kalispell, and help increase occupancy during the shoulder season. He said the modern traveler seems to go to franchise hotels for points, etc. He said they really, sincerely want to know how the members and community feel about the franchise issue.

Rebecca said she feels they will be successful with whatever they decide to do. She asked if the public would be allowed to use the food service area and Brian said they would be welcome to, but it would be designed more for hotel guests.

Richard asked what type of signage the hotel would have to get guests to the parking lot without using up all their signage allotment. Brian replied directional signs should get them to Third, that signs will be down near the ground, not up on building, and that the City's Wayfinding signs would probably also come into play. Bruce said the primary sign is planned to be a ground-mounted sign on the southeast corner of the parking lot. He said the entry for check-in will have maple trees on both sides so will "read" as main entrance to hotel. Sean said they are entering into a lease for 12 spaces (24 hours) very near the hotel, but wouldn't disclose where until the lease was signed.

Roger Noble, hydrologist with Applied Water Consultants, spoke regarding the stormwater plan. Rebecca said she found it scary to consider doing anything underground at that intersection as it could be disastrous in a high water year if anything happened. Roger said there is high water here and a basement is planned in this building, so there will need a dewatering plan. As far as contamination, there was an old gas station there and several others in Whitefish and probably all of those have contaminates, but the ones here are relatively low. They received a letter from the DEQ, and the DEQ doesn't even want the materials removed as they don't think there's an issue. John Wilson has copies of all the materials that Roger received. He said they will treat the water in order to discharge it into the stormwater sewer system. He said it is not uncommon here, and DEQ has a mechanism where they recommend that as an alternative. The developers will need a permit to discharge with monitoring, laboratory testing, etc. John asked if other cities are doing it and Roger said there are currently three in Helena, and one in Billings. The DEQ gave Roger a copy of one they just issued to Sydney. Sydney is allowed to discharge 800 gallons to the wastewater system and 400 gallons to the

stormwater system and he said we are talking 5-15 gallons a minute here, so it is much less. Richard asked about odor and Roger said there probably wouldn't be any at this level. Rebecca said on P. 10 of Staff Report WCUP 14-11 it says, "It is unlikely the City will permit discharge of this water to the City's storm system." Roger referred her to Condition No. 14. Rebecca asked if using the City's stormwater sewer system is the only possibility and Roger said yes. Rebecca asked whether there will be an opportunity to make changes once excavation starts and putting in the dewatering system starts and Roger said yes, there will get further data and make changes as appropriate. John asked how far below ground level the bottom of the swimming pool is and Aaron said they are only displacing about 4' of water as the slab goes down 11' and the first 7' are dry. Maximum depth of pool is 6'.

PUBLIC COMMENT

Patty Scruggs, 611 Delrey Road, said she feels the Board is not getting full disclosure unless they ask very specific questions. She is very concerned about the water and where it's going to go, she feels parking is a huge issue and doesn't like the idea of using the First Interstate Bank parking lot because others need to use it. The City should monitor the water, etc., not the developers. She thinks the hotel is too large for the character of downtown, and doesn't like alcohol being served so close to the school, but knows that Montana allows that. The site is zoned for 7,500 square feet and wonders why we have a zoning law if we're going to allow 15,000 square feet. She doesn't trust some of what the developers say because every time a Board members asks a question, they get more information, and feels the developers are not forthcoming enough. She agrees with Mayre Flowers that not enough information has been available to the public. She urged the Board to be careful when deciding, and feels the meeting should be postponed.

Marcus Duffy, 326 Somers Avenue, and local business owner. He supports this project and thinks it is a great economic driver for Whitefish, and that the developers are two families who have brought a lot of economic good to this community. He supports the project wholeheartedly.

Mayre Flowers, Citizens for a Better Flathead, appreciates the fact that the Board allowed the applicant to provide additional information and that they brought experts to answer questions. What is missing is looking at 2007 Growth Policy and Downtown Master Plan, which says "One of the primary objectives of the Downtown Master Plan is to preserve and enhance the special character and qualities of downtown Whitefish," and "discourage or prohibit formula business from locating in the downtown area."

She thinks the Marriott requires businesses called "Bistro" and "Market" within their hotels, which are franchise businesses. Lodging should be designed to be on scale with the surrounding architecture and not affect parking. She thinks the Board should prohibit franchise and make it a condition that no formula business be allowed at this site. She also questions the traffic study and wonders how the 720 trips were arrived at, she thinks the number should be based on the peak season when downtown businesses are relying on making their money and parking is most needed. She questioned the accuracy of some of the numbers being related to peak seasons. She also didn't understand what Bruce meant that they would lose 11 parking spaces if they were required to have 7' for the landscaping buffer instead of being able to reduce that to 5'.

Lauren Walker, 155 Fonner Road, feels she has a unique perspective on all the growth here as she lived here and then was gone for several years. She objects to the developers saying this is the only place where a downtown hotel could be located, and possibly the worst place for a hotel. She also doesn't feel this is a "boutique" hotel. She also reminded us of the new subdivision going in on East Second Street and thinks traffic will be hugely affected. She feels there are many locations that would be much better, like where the Noodle Shop is located or the Church across from the post office. She asked the developers to consider a different location.

Ian Collins, 898 Blue Heron Drive, said he saw a lot of the same people at the Downtown Master Plan meeting last night. He feels the community has been extremely successful and we live here because of the uniqueness of our community. He doesn't think a franchise hotel would be a good fit for Whitefish and doesn't think we have enough of an answer from the developer on what they have planned. He still thinks we need the question answered. Ian provided the plans provided to the Architectural Review Committee in the packet and it is clearly a cookie-cutter Courtyard Marriott. The intent of the Growth Policy is very clear and people in the community want it to stay unique, and there is no need for a franchise. He feels we will have more success if we are patient and stick to the Plan.

Leo Rosenthal, 236 Columbia Avenue, was here at the last meeting, and wanted to say again how concerned he is about parking in the neighborhood where he lives. He also sees traffic as an issue, and is concerned about the proposed rooftop patio and alcohol on the patio directly across from the Middle School. He said at his house four blocks away he can hear people from Casey's, and this location is only one block away. He urged the

Board to deny the CUP.

Melissa wanted to clear up that this hotel does meet the definition of a "boutique hotel".

BOARD DISCUSSION

Ken S. made a motion to approve WCUP 14-11 along with Findings of Fact and the 20 Conditions as presented. Melissa seconded. Ken S. made an amendment to Condition No. 11 that City staff and the applicant work together to review the landscaping to retain the proposed 15 spaces on the west side of the parking lot and include 5' landscaping areas within the parking lot. John E. seconded. Ken S. reminded the Board that they are an advisory board and thinks it's appropriate to pass baton to other groups who have more expertise. Unanimous vote in favor of amendment.

Richard said when this goes to the ARC, some of the historic elements will receive a great deal of scrutiny and the franchising issue, and exactly what will be located inside and who it will be controlled or operated by, will be major concerns that will be well addressed by the Council. Melissa suggested adding a Condition about residential permits, but Wendy said only group who can restrict parking is Council, but that could be added to her staff report, and Ken M. would also like the Council to look at the rooftop patio issue as he has heard people complain about the noise from Casey's.

VOTE

Ken M. called for question on motion. The motion passed with five voting in favor (Richard, Ken S. Melissa, Jim and Ken M.), and two opposed (Rebecca and John). The matter is scheduled to go before the Council on February 2, 2015.

PUBLIC HEARING 1: IRON HORSE HOMEOWNERS' ASSOCIATION REQUEST TO RECONFIGURE THE ENTRYWAY

A request by the Iron Horse Homeowners' Association to reconfigure the entryway by installing a center landscape median that will include a single story welcome center. The project will be located on Iron Horse Drive in the vicinity of the existing guard house which will be removed.

STAFF REPORT WPP-97-01A (Compton-Ring)

Senior Planner Compton-Ring reviewed her staff report and findings. They are asking to reconfigure the entryway, not gate it, so it does meet the requirements of the Engineering Standards and Subdivision regulations that prohibit gating. The Neighborhood Plan, approved in 1996, and the PUD of Phase II, say the roads will be privately owned and maintained but will be open to the public with the same rights of usage as owners and residents.

BLOCK 46 HOTEL
CONDITIONAL USE PERMIT
WCUP 14-11
January 8, 2015

This is a report to the Whitefish Planning Board and the Whitefish City Council regarding a request for a conditional use permit to construct a hotel with a building footprint in excess of 7,500 square feet. This application has been scheduled before the Whitefish Planning Board for a public hearing on Thursday, **January 15, 2015**. A recommendation will be forwarded to the City Council for a subsequent public hearing and final action on Monday, **February 2, 2015**.

HISTORY

At the December 18, 2014 the Planning Board unanimously approved a motion to continue the public hearing until the January 15, 2015 Planning Board meeting. In making this motion, the Board wanted time to review new information presented by the applicant at the meeting and requested additional information both from the applicant and the City.

New Information.
The new information presented at the Planning Board meeting included a revised site plan and a draft Traffic Study. The Traffic Study was submitted to the City on December 22, 2014 and forwarded onto the Planning Board with the January packet.

Additional Information.
The Board requested additional information on the following topics:

- Management of any contaminated groundwater at this site, DEQ rules and regulations pertaining to this activity and more information on how other communities are handling similar situations. *(Discuss on pages 9-10)*
- Closing the alley access onto Kalispell Avenue so all traffic would enter and exit onto E 3rd Street; perhaps the entrance onto Kalispell could be an emergency only entrance/exit. *(Discussion on page 15)*
- Residential only parking system – what might this look like. *(Discussion on page 12)*
- Management of possible groundwater. *(Discussion on page 9-10)*
- Management of parking (employees and guests) and traffic within the neighborhood. *(Discussion on page 12)*

The December site plan, reviewed by the Planning Board for the December 18th, 2014 meeting, included:

- A proposed right-in/right-out on Spokane Avenue for the main vehicular entrance;
- A separate access to the parking lot from E 3rd Street, but no direct access to the north-south alley;
- 67 total off-street parking spaces; and
- No pedestrian amenities or landscaping features at the intersection of E 3rd Street and Spokane Avenue.

The remainder of this staff report will review the January site plan (dated 12-18-14).

CURRENT PROJECT SCOPE

Sean Averill, on behalf of Whitefish Hotel Group llc, is requesting a Conditional Use Permit in order to construct a hotel with a building footprint greater than 7,500 square feet along with an associated off-street parking of 71 spaces. The 3-story hotel is proposed to have 89 rooms, an indoor pool, exercise area, spa/treatment area and a lobby that includes two outdoor patios. The roof will also include a roof-top patio area.

The hotel will be located along the north portion of Block 46 (lots 1-11). Access to the hotel is proposed be from the existing City alleys off E 3rd Street and Kalispell Avenue. The alley access onto Spokane Avenue will be closed and developed into a one-way circular vehicular drop-off area at the entrance of the hotel and pedestrian plaza space. The east-west alley will be widened to 20-feet in order to accommodate emergency access and the north-south alley off E 3rd Street will be widened to 24-feet to serve as the main entrance to the hotel. Traffic will circulate north along the alley then west to the main entrance of the hotel. Traffic will then enter the parking lot in a counterclockwise fashion and exit at the alley at either the southeast corner of the parking lot or at the northeast corner and exit to the east-west alley. Vehicles will then either exit onto E 3rd Street or Kalispell Avenue.

Although no off-street parking is required in the WB-3 zone, the applicant is proposing to install a parking lot to the south of the hotel along Spokane Avenue to E 3rd Street for the hotel customers (Lots 19-25 of Block 46). The parking lot will have 60 parking spaces. The parking lot will be accessed off E 3rd Street with an access off the alley and along the north of the parking lot off the east-west alley. There will be an additional 11 parking spaces south of the hotel along the east-west alley.

BACKGROUND

This project is located within the Old Town Central District of the WB-3 (General Commercial District) zone, which requires a Conditional Use Permit (CUP) for buildings with a footprint that exceed 7,500 square feet (§11-2L-4 – Bulk and Scale). As proposed, the building is in excess of 7,500 square feet.

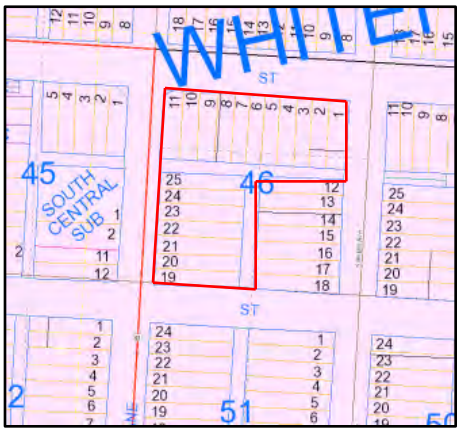
While the zoning chapter addresses which projects require a CUP, there are design standards within the Architectural Review Standards for the Old Town district and Old Town – Central district. This staff report will discuss the pertinent items.

Finally, the adopted 2005 Downtown Master Plan also addresses items related to the development of this lot. These topics will also be addressed in the staff report.

A. OWNER/APPLICANT:

Sean Averill
Whitefish Hotel Group llc
PO Box 275
Bigfork, MT 59911

B. SIZE AND LOCATION OF PROPERTY:



The project is approximately 1.3 acres and is located at 205 Spokane Avenue. The project can be legally described as Lots 1-11 and 19-25, Block 46 Whitefish Original Townsite S36 T31N R22W, P.M.M., Flathead County, Montana.

C. EXISTING LAND USE:

The subject property is currently developed with a small professional office that was formerly a National Parks Real Estate office and a temporary public parking lot to the south along Spokane Avenue.

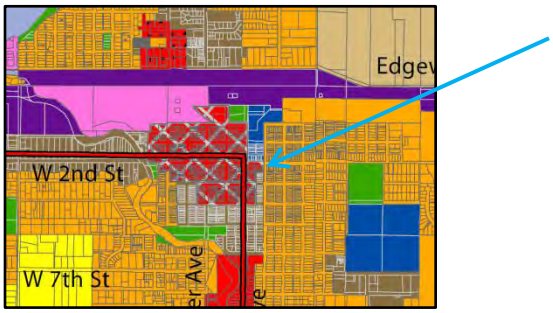
D. ADJACENT LAND USES AND ZONING:

North:	Whitefish Middle School	WB-3
West:	Church	WR-2
South:	Commercial Use	WB-3
East:	Commercial Use	WB-3

E. ZONING DISTRICT:

The property is zoned WB-3 (General Commercial District). The purpose of the WB-3 District is 'a broad commercial district intended to accommodate financial, retail, governmental, professional, institutional and cultural activities.'

F. WHITEFISH CITY-COUNTY GROWTH POLICY DESIGNATION:



The Growth Policy designation is Core Commercial which corresponds to the WB-3 zoning district.

> "This designation describes the downtown area of Whitefish as well as surrounding transitional and mixed use areas. The major uses are retail commercial, professional and government offices, financial institutions, restaurants and taverns, hotels, and art galleries and studios. The Commercial Core is also characterized by mixed and multi-use developments such as residential above retail, mixed residential and office, and "artist lofts" which may have residential, studio, and gallery components.
>
> Urban forms in the Core are dense and usually multi-level. Street connectivity is high, with minimal or zero setbacks, and accessible, human scale storefronts. Character is decidedly pedestrian. On-street parking is provided for ease of accessibility, but parking serving employees and residents is generally located in parking structures or in small lot accessed from alleys. Streets in the Core are active, and streetscapes are attractive with street trees, planters, and street furniture. Architecture is of very high quality and contributes to the established local theme. Zoning is mostly WB-3, but the Commercial Core can also be implemented through WR-4."

G. UTILITIES:

Sewer:	City of Whitefish
Water:	City of Whitefish
Solid Waste:	North Valley Refuse
Electric:	Flathead Electric Co-op
Natural Gas:	Northwestern Energy
Phone:	CenturyLink
Police:	City of Whitefish
Fire:	City of Whitefish

H. PUBLIC COMMENTS:

A notice was mailed to adjacent land owners within 150-feet of the subject parcel on December 1, 2014 and on December 29, 2014. A notice was emailed to advisory agencies on December 1, 2014 and December 23, 2014. A notice of the public hearing was published in the Whitefish Pilot on December 3, 2014 and on

December 31, 2014. As of the writing of this report, 16 letters have been received. Three letters of support and 14 letters that identify the following concerns:

- Inadequate parking – stress on the downtown, employee parking
- Increased nonresidential parking in the residential neighborhood
- Impacts on snow removal with additional on-street parking in the winter months
- Increase traffic in residential neighborhood – including people attempting to avoid downtown traffic
- Impact of increased traffic in the downtown
- Impact of hotel traffic and the traffic of the school start and end times
- Dramatic change in character to the historic neighborhood
- Mass of the building is not in keeping with the downtown
- Impact on existing infrastructure
- A less than desirable neighbor to the school
- Too great an impact for the east side of Spokane Avenue
- What other uses will be in the building requiring additional parking
- Inappropriate location for a bar
- Concerns that the hotel will be a franchise hotel/not concerned if it is a franchise
- The building presented is not a true boutique hotel
- Building should be a historical design
- Concerns with the pedestrian crossing at E 3rd Street and Spokane Avenue
- The role of the City in alleviating parking issues in the downtown
- Concerns selling alcohol across the street from the middle school

REVIEW AND FINDINGS OF FACT

This application is evaluated based on the "criteria required for consideration of a Conditional Use Permit," per Section 11-7-8(J) of the Whitefish Zoning Regulations.

1. Growth Policy Compliance: The Growth Policy designates this area as Core Commercial which is consistent with the WB-3 zoning District.

In 2005, the Whitefish City Council approved the Downtown Master Plan as an amendment to the City's Master Plan[1]. A boutique hotel, possibly on Central Avenue, was identified in this plan as a Catalyst Project. Lodging opportunities in the downtown was identified as an important element of any successful downtown – especially in Whitefish with its tourist economy.

The other aspect of the Downtown Master Plan related to this lot is the Shared Pedestrian/Bike Trail along Spokane Avenue (also known as the Whitefish Promenade). The purpose of this shared path is to create a pedestrian/bike loop around the downtown that will provide connections to the city's existing and proposed trail system. In the 2005 Plan, the bike path portion is suggested to be

[1] The Downtown Master Plan was subsequently included as a part of the adopted 2007 Growth Policy.

two-way bike traffic adjacent to a sidewalk for pedestrians, which could be separated by landscaping or material changes.

Encouraging bicycling and pedestrians is identified in the Plan as important to the health of the downtown and its citizenry. The city has been a leader in constructing bike paths for the community and identifying safe routes to school for children to encourage riding bikes to school. It is the City policy to create more opportunities for bicyclists and pedestrians. As this project is not constructing the minimum amount of parking, it is expected that not everyone staying at the hotel will be traveling in a vehicle and will have a need to use pedestrian and possibly bicycling facilities. Many hotels across the country rent bikes or otherwise provide bikes for their patrons. Due to the proximity of the hotel to City pedestrian and bicycling facilities, this project will have an impact on the City's pedestrian and bicycling facilities.

As part of the 2014 update, Crandall-Arambula was requested to provide more detail on the Promenade – especially north of E 2nd Street. Staff provided the consultants with recent site plans for Block 46 development and they discovered, in order to maintain the current vehicular lane configuration, an additional 10 to 11-feet would be needed from the Block 46 development. The site plan shows the western edge of the building setback approximately 13-feet from the property line, which should be wide enough to accommodate the bike path and sidewalk while maintaining the existing curb line and a narrow area for landscaping next to the building.

Finding 1: The proposed use complies with Growth Policy Designation of Core Commercial because it is zoned WB-3 (General Commercial District) and the proposed use is consistent with the WB-3 zone. Aspects of the development are implementing the 2005 Downtown Master Plan because they are providing additional right-of-way or easement along Spokane Avenue to develop the Pedestrian/Bike Trail (also known as the Whitefish Promenade) along the western edge of Block 46 and they are developing a hotel in the downtown.

2. Compliance with regulations. The proposal is consistent with the purpose, intent, and applicable provisions of these regulations.

Zoning. The property is zoned WB-3 which permits hotels. Development in the WB-3 zone requires a 15-foot setback (side and rear) when adjacent to residential districts otherwise no setbacks are required. The site plan shows a 15-foot setback on the side and rear along the western portion of the building where it is adjacent to two residential districts (WR-4 and WR-2). No off-street parking is required in the WB-3 zoning district; however, the applicant is providing 71 spaces.

In earlier discussions, the applicant indicated the hotel would have a restaurant and bar. This is not included in the current application. The zoning regulations require a Conditional Use Permit (CUP) for 'bar/lounge', but it specifically exempts a

cabaret license. A cabaret license is related to a restaurant and is a term no longer used by the state of Montana – it is now called a Restaurant Beer Wine (RBW) license. If the applicant is able to obtain an RBW license from the state of Montana, our regulations will not require a CUP. If the applicant obtains any other type of alcohol permit, a CUP will be required. Staff will request a copy of this license as a condition of approval.

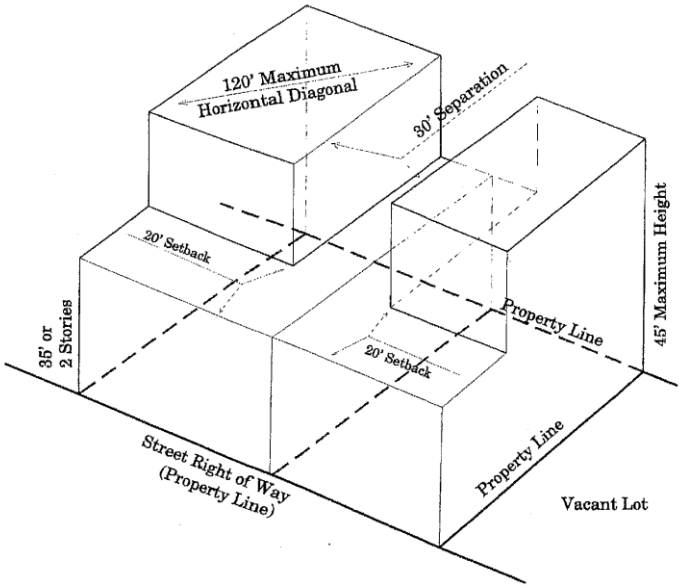
Finally, there are rumors this hotel might be a chain hotel; however, hotels do not fall under the City's definition of formula retail, but any retail or restaurant located within the hotel would fall under this definition.

The WB-3 zoning prohibit both formula restaurants and retail. The zoning defines Formula Retail as:

> "A type of retail sales activity or retail sales establishment, including restaurant, which, along with twelve (12) or more other retail sales establishments, maintains two (2) or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, uniform apparel, standardized signage, a trademark or service mark.
>
> Color Scheme: Selection of colors used throughout, such as on the furnishings, permanent fixtures, and wall coverings, or as used on the facade.
>
> Decor: The style of interior finishings, which may include, but is not limited to, style of furniture, wall coverings or permanent fixtures.
>
> Facade: The face or front of a building, including awnings, looking onto a street or an open space.
>
> Service Mark: A word, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of a service from one party from those of others.
>
> Signage: Shall be defined pursuant to this section.
>
> Standardized: Does not mean identical, but means "substantially the same".
>
> Standardized Array Of Merchandise: Fifty percent (50%) or more of in stock merchandise from a single distributor bearing uniform markings.
>
> Trademark: A word, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of the goods from one party from those of others.

Uniform Apparel: Standardized items of clothing including, but not limited to, standardized aprons, pants, shirts, smocks or dresses, hats, and pins (other than nametags) as well as standardized colors of clothing."

Building height.[2] The building height in the WB-3 zoning district is 45-feet with special provisions. These provisions limit no more than two stories or 35-feet within 20-feet of a street right-of-way. Beyond the 20-foot setback, the building height may go up to 45-feet and three stories. Only aerials, belfries, chimneys, church spires and flagpoles are exempt from the 45-feet height limit; all other appurtenances are required to be within the maximum building height – including stairwells and elevator shafts.



The applicant is proposing a variety of methods to ensure only two stories are located within 20-feet of the street right-of-way including a two-story lobby with hotel rooms at the 3rd floor and ensuring the hotel rooms on the 2nd floor above the lobby are outside the 20-foot setback. They are also proposing two-story 'bump-outs' along E 2nd Street and Kalispell Avenue where the 3rd floor is setback 20-feet from the property line.

The building height provisions were designed to allow ample floor to ceiling internal height, but this method meets the technical requirements of the zoning. The overall height will be verified at the time of building permit.

Architectural Review Standards. The applicant has met with the Architectural Review Committees on two separate occasions and the Committee has offered suggestions, but has not acted on the project. The Architectural Review Committee will act on the application once the Council approves the Conditional Use Permit. The Council is not the final decision for architectural review matters; however, there are standards associated with site development for the Council to consider.

<u>Design Standards for Off-Street Parking (Section 4.3 of the Architectural Review Standards):</u> If parking lots are required to be located at corners, the Standards direct an applicant to provide added pedestrian features at corners such as benches, exceptional landscaping, plaza and/or art. The

[2] This drawing is an Appendix in the zoning regulations.

applicant has included a plaza with benches at the corner of E 3rd Street and Spokane Avenue to meet this requirement.

Finding 2: The project complies with the zoning regulations because all the zoning standards are being met or will be met with conditions of approval.

3. Site Suitability. The site must be suitable for the proposed use or development, including:

Adequate usable land area: The subject parcel is approximately 1.3 acres in size. There is adequate land area for the project for the building and the required setbacks.

Access that meets the standards set forth in these regulations, including emergency access: Emergency access will be from either the public streets or the public alleys. The public streets meet emergency access standards, but the alleys are only 16-feet wide. The Fire Department has requested the alleys be widened to 20-feet, which will meet their standards. The additional 4-feet will come from adjacent private properties in the form of an easement or right-of-way dedication. This is shown on the drawings and staff will recommend this as a condition of approval.

The applicant is proposing to expand the north-south alley to 24-feet to serve as more of a main entrance to the hotel.

Absence of environmental constraints that would render the site inappropriate for the proposed use or development, including, but not necessarily limited to floodplains, slope, wetlands, riparian buffers/setbacks, or geological hazards: The proposed development is not located within the 100-year floodplain nor are there any water bodies within 200-feet the project. This property is located within the potential high groundwater area. This will need to be confirmed as the project progresses. If it is a high groundwater area, high groundwater construction measures will need to be considered and implemented.

From the Applicant (1/5/15). At this time, CMG Engineering has completed subsurface borings for the proposed hotel. We understand a basement with a pool in the basement is planned for the structure. Due to the planned temporary excavation and permanent improvements being below the high groundwater levels, CMG is recommending water be collected beneath the concrete slab on grade floor and pool, and behind all embedded retaining walls. The drainage system will utilize nonwoven

drainage geotextile placed between fine grained clay soils and open graded angular drain rock. The drain rock thickness will range between 2 and 3 ft thick and will be compacted using vibratory methods. In addition, a series of connected perforated drain pipes will be included within the drain rock to promote the flow of water from the basement area. Due to the lack of elevation to remove the water, CMG anticipates the water will need to be removed by mechanical pumping methods. CMG recommends designing a redundant system with more than one pump and an electrical backup generator to reduce the risk of mechanical failure affecting the drainage system. The water will be pumped to an outlet that will be determined by others.

The base of the swimming pool will be at a depth of approximately 23 feet below grade and the water table occurs at a depth of approximately 6 to 7 feet below grade. As such, it will be necessary to dewater the excavation. The intent is to install and operate a dewatering system to maintain the water level below the swimming pool. If allowed by the City, the developers would like to discharge the water to the stormwater conveyance system.

Staff met with the applicant in November to discuss the status of the site as a former gas station with a leaking underground storage tank. Remediation work was completed around 2005 and low levels of groundwater contamination remain. The applicant presented a concept to treat any groundwater captured by a perimeter drain around the new hotel. This is the first request of this type ever received by the Public Works Department and staff is reviewing regulatory questions with Department of Environmental Quality (DEQ), as well as practices in other communities. It is unlikely the City will permit discharge of this water to the City's storm system. Because this is an unknown, staff recommends a condition of approval concerning the discharge of the groundwater and adherence to DEQ standards.

From the Applicant (1/5/15). Applied Water Consulting (AWC) received a work plan request from DEQ dated December 29, 2014. The work plan limits the remedial action to the excavation and removal of the petroleum contaminated soils. The work plan request specifically states: "Given that the current concentration for benzene in groundwater is nearing water quality standards and source mass removal has been proposed, soil vapor extraction and groundwater pump and treat are not considered necessary to remediate the site."

The DEQ specifically allows for the discharge of hydrocarbon contaminated wastewater as specified in Technical Guidance Document #10. One option is to discharge the storm sewer. The DEQ has a Petroleum Cleanup General Permit to authorize to discharge under the Montana Pollutant Discharge Elimination System (MPDES). As such, we intend to prepare and submit an

application for petroleum cleanup MPDES permit from DEQ. This procedure has been previously used in Helena, Billings, and Sidney, Montana. The most recent example is the Sidney MPDES permit which allowed for the discharge of 800 gpm of treated groundwater; about 500 gpm of treated water is discharged to sewage treatment plant and 300 gpm to the storm sewer system. In the case of the Block 46 hotel, it is estimated the discharge rate will be in the range of 5 to 10 gpm. The treatment system will consist of a shallow tray air stripper that is off-the-shelf technology.

Staff will continue to recommend a condition of approval that any decision concerning discharge of groundwater to the City's stormwater system shall be made by the Public Works Director (Condition #14).

Finding 3: Project is suitable for the site because there is adequate usable land area, the existing alleys will be widened to meet emergency access standards, while there is a possibility of high groundwater, this will be reviewed by the Public Works and Building Departments at the time of construction and there are no other environmental constraints. Staff will carefully review measures to treat groundwater and ensure compliance with Department of Environmental Quality standards.

4. Quality and Functionality. The site plan for the proposed use or development has effectively dealt with the following design issues as applicable.

Parking locations and layout: The proposed parking lot is located at the intersection of E 3rd Street and Spokane Avenue. They are proposing an access off the existing north-south alley and on the north end of the parking lot off the east-west alley. Circulation through the parking lot will be one-way in a counter-clockwise fashion. The applicant worked with Planning and Public Works staff to design a lot that meets City requirements. The revised plan to have the access off the alley instead of off E 3rd Street provides an opportunity for additional on-street parking where there currently is no parking. This could possibly add 4 to 5 more spaces.

This project is located within the WB-3 zone which does not have any parking requirements. A hotel in another zoning designation would require 1 space per hotel room plus one space per every two employees per maximum shift. With 89 rooms, more than 89 parking spaces would be required and the applicant is providing 67 spaces.

A portion of the site has been used as a temporary public parking lot leased by the City from the previous owner. The loss of this lot will be a challenge for this part of town. In addition, the hotel will generate a need for parking that is not entirely being met off-street. While the project is providing significantly more parking than the underlying zoning requires, it may exacerbate an already challenging parking issue and the residential neighborhood to the south and east could most feel its effects. The hotel does anticipate some guests to come by rail or air. No commercial use in

the WB-3 has been required to provide off-street parking by the City. In addition, the new City Hall parking garage will also help off-set some of the loss of public parking once it is completed.

> *From the Applicant (1/5/15).* Hotel management will take measures to encourage employees to walk, bicycle, take public transportation and will also make available free parking in a Lodge leased parking lot offering shuttle service to Downtown Hotel. Additional measures are being made to lease off-site parking for over flow use should it be needed after standard business hours.

The only 'residential only' parking program in the city adjacent to the high school. Residents in this neighborhood complained to the City about students parking resulting in reduced residential parking. The City installed 'residential parking only' signs to the west of the high school for approximately one block. The no parking program is complaint driven. If a resident notices a student parking in a residential only area, they notify the police and the offending vehicle is ticketed. According to the Police Department, the program has worked well and has addressed the concerns it set out to achieve for minimal costs and staff time. The Council could consider this type of program if parking becomes an issue. If the Council wanted to see something more elaborate, staff could be directed to research other options.

Traffic Circulation: Traffic will circulate using the existing alleys (east-west and north-south). Traffic will circulate to the front door on the south side of the building from the alley off E 3rd Street for check-in and check-out services. See item #6, Neighborhood/Community Impact for traffic generation discussion.

Open space: The applicant is providing landscape areas around the building and patios for customers of the hotel. No open space is required through a Conditional Use Permit.

Fencing/Screening: The applicant is proposing low fencing/wall around their outdoor patios. They are not proposing any other fencing or any screening. The zoning regulations require screening when a parking lot abuts a residential use or residential zoning district. There is a residential district to the east of the parking lot. The applicant indicated at the December Planning Board that a wall or fence and landscaping will be installed along the backs of the residential lots to screen the parking lot from view. Staff will recommend screening as a condition of approval and will review their plan at the time of building permit.

Landscaping: There are some existing trees on the property that were associated with the former single family homes removed a number of years ago. It seems unlikely that any these trees or shrubs will be retained with this project. While this project is in the WB-3 zoning district because it is not being constructed lot line to lot line, all the landscaping requirements apply – including the site landscaping and

the parking lot landscaping. Staff will recommend this as a condition of approval and will review the landscaping plan at the time of building permit.

Signage: Staff has not seen any proposed signage. All new signage is required to obtain a permit from the Planning & Building Department.

Undergrounding of new and existing utilities: There are existing overhead utilities within the north-south alley that will be undergrounded as part of widening the alley to 24-feet.

Finding 4: The quality and functionality of the proposed development has effectively dealt with the site design issues because they are providing parking when no parking is required, the circulation is being addressed, there is adequate open space and a landscaping plan along with screening will be required to accompany the building plan.

5. Availability and Adequacy of Public Services and Facilities.

Sewer: Sewer is in place and adequate to service the project.

Water: Water is in place and adequate to service the project.

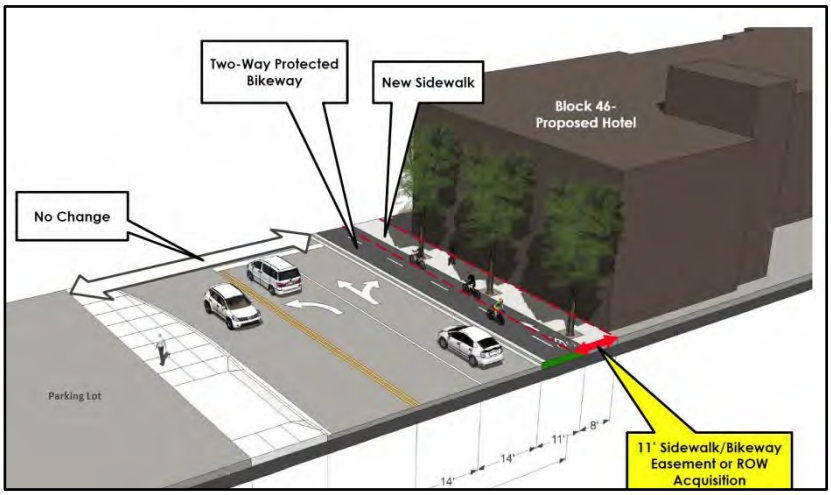
Storm Water Drainage: An engineered stormwater plan will be required to be reviewed and approved by the City Public Works Department, as the new impervious surface exceeds 5,000 square feet. In addition, the stormwater generate by the widened alley will also need to be considered with the stormwater plan. Staff will recommend this be a condition of approval.

Fire Protection: The Whitefish Fire Department serves the site and response times and access are good. The proposed use is not expected to have significant impacts upon fire services.

Police: The City of Whitefish serves the site; response times and access are adequate. The proposed use is not expected to have significant impacts upon police services.

Streets: The project is proposed to access off E 3rd Street and Kalispell Avenue. These are paved streets with various frontage improvement including curbs, gutters, sidewalks, some planter strips and street lighting. There are a number of driveway cuts along the block from previous uses. These will be upgraded to continuous curb and regular driveway cuts.

The site plan has shown a wider sidewalk that is the shared bike/pedestrian path. According to the latest Crandall-Arambula drawings there should be an eleven-foot bike path and 8-foot sidewalk area that will include a 4-foot tree grate. Further south, they have suggested a 4-foot sidewalk easement or right-of-way acquisition.



The site plan shows the additional width along the building setback in order to accommodate the bike path and the sidewalk. The space along the parking lot will need to be widened by one-foot in order to accommodate the 8-foot sidewalk. Staff will recommend this as a condition of approval.

The January site plan eliminated the right-in/right-out off Spokane Avenue. This will make a safer situation for the shared bike/pedestrian path. Both Montana Department of Transportation and the Public Works Department believe this is the best scenario for traffic flow and the shared bike/pedestrian path.

The applicant has had some early discussions regarding frontage improvements to this block with city staff. There has been some talk about using Tax Increment Financing (TIF) to make those improvements, but, if requested, that will occur under a separate request and is not a part of this proposal.

Finding 5: Public facilities and services are available and adequate to serve the development because municipal water and sewer are available to the site, response times for police and fire are not anticipated to be affected due to the proposed development, the property has adequate access to city streets and in order to implement the Downtown Master Plan, an additional easement or right-of-way dedication along the building and parking lot shall be obtained for the shared pedestrian/bicycle trail. Due to the proposal to make improvements to the state

highway an encroachment permit from Montana Department of Transportation will be required.

6. Neighborhood/Community Impact:

Traffic Generation: The Traffic Study submitted for the January Planning Board states that the project will have a minimal overall impact on the city's transportation system. The hotel will produce 727 daily vehicle trips and the intersections will continue to operate at an acceptable level. The Traffic Study does not recommend any additional improvements be required at any intersections to improve capacity. As expected, most traffic generated from the site will go south on Spokane Avenue and west on E 2nd Street. Both Montana Department of Transportation and the Public Works Department have reviewed the Study and concur with its findings.

This study considers the current layout of the project with no access onto Spokane Avenue. Staff requested the applicant see what, if any, effects closing the Kalispell Avenue access would have on the traffic. Their traffic engineer found it would not have the desired effect of reducing traffic within the residential neighborhood.

City staff was also concerned with closing the access. The Fire Department would like to see the access remain open for emergency services – otherwise the access will need to either be designed with a turnaround or would need to be plowed through the gate during the winter. The Fire Department has seen limited success with winter plowing through these types of gates. The Public Works Department suggested proper sight distance be incorporated into the design of the alley. Staff agrees and will suggest this as a condition of approval.

Noise or Vibration: No impacts are anticipated beyond what would be expected from a typical commercial use.

Dust, Smoke, Glare, or Heat: No impact is anticipated beyond what would be expected from a typical commercial use.

Smoke, Fumes, Gas, and Odor: No impact is anticipated with regards to smoke, fumes or gas.

Hours of Operation: The hours of operation will be typical hotel hours with guests arriving and departing in the mornings and evenings.

Finding 6: The proposed development is not anticipated to have a neighborhood impact because negative impacts concerning noise, dust, smoke, odor or other environmental nuisances are not expected, all outdoor lighting is required to meet city standards and traffic will have little impact on the surrounding road system.

Proper sight distance at the intersection of the east-west alley and Kalispell Avenue will be employed to mitigate traffic leaving the site onto Kalispell Avenue.

7. Neighborhood/Community Compatibility:

Structural bulk and massing: *Mass* means a building's bulk, size and magnitude – the overall volume. This will be one of the larger buildings in the downtown, especially as it relates to adjacent residential neighborhoods. The Whitefish Middle School is more massive than this building, but it is a long-standing public building. Since the various residential and commercial buildings were removed a number of years ago from the site, the block has an open feel and the community has grown accustomed to this openness. While the size of the building will seem massive to adjacent residential uses, it is in keeping with other commercial buildings in the WB-3

Scale: *Scale* means the spatial relationship with neighboring buildings. This building is proposed to be setback from property lines and will provide landscaping around its perimeter in order to better transition to the residential district.

Context of Existing Neighborhood: The proposed project is at the edge of the commercial district and residential district. There are commercial uses to the west and south of this project, the Whitefish Middle School to the north and a church to the east. Further to the east and south east is an older single family residential district.

Density: This project will not change the density of the neighborhood.

Community Character: As described above, this block over the years has seen the removal of residential homes and commercial uses opening up views across the property. The community certainly has become used to this character, while it was not intended to be a permanent character.

The intersection of E 2nd Street and Spokane Avenue is a main gateway into the downtown and design of the project is important to the success of the project and the downtown. Its connection to the downtown commercial activity both as a structure and for the users of the hotel is very important.

The Architectural Review Committee will consider carefully the materials and design of the building to ensure it fits into the downtown and meshes with the community character.

Finding 7: The project is compatible with the neighborhood and community because the design will be reviewed by the Architectural Review Committee to ensure compatibility, but it will be a significant change to the neighborhood.

RECOMMENDATION

It is recommended that the Whitefish Planning Board adopt the findings of fact within staff report WCUP 14-11 and that this conditional use permit be recommended for **approval** to the Whitefish City Council subject to the following conditions:

1. The project shall be in compliance with the application submitted on November 26, 2014 and the revised site plan dated December 18, 2014, except as amended by these conditions. Any significant deviation from the plans shall require approval (§11-7-8, WCC).

2. Prior to any ground disturbing activities, a plan shall be submitted for review and approval by the City of Whitefish Planning Department. The plan shall include, but may not necessarily be limited to, the following:
   - Dust abatement and control of fugitive dust.
   - Hours of construction activity.
   - Noise abatement.
   - Control of erosion and siltation.
   - Routing for heavy equipment, hauling, and employees, including signage to direct equipment and workers.
   - Construction office siting, staging areas for material and vehicles, and employee parking.
   - Measures to prevent soil and construction debris from being tracked onto public road, including procedures remove soil and construction debris from road as necessary.
   - Detours of vehicular, pedestrian, and bicycle traffic as necessary.
   - Notation of any street closures or need to work in public right-of-way. (Engineering Standards, Appendix K)

3. Prior to any construction, excavation, grading or other terrain disturbance, plans for all on and off-site infrastructure shall be submitted to and approved by the Whitefish Public Works Department. The improvements (water, sewer, roads, street lights, sidewalks, etc.) within the development shall be designed and constructed by a licensed engineer and in accordance with the City of Whitefish's design and construction standards. The Public Works Director shall approve the design prior to construction. Plans for grading, drainage, utilities, sidewalks and other improvements shall be submitted as a package and reviewed concurrently.

No individual improvement designs shall be accepted by Public Works. (Engineering Standards, Chapter 1)

4. All areas disturbed because of road and utility construction shall be re-seeded as soon as practical to inhibit erosion and spread of noxious weeds. (Engineering Standards, Chapter 7)

5. Proper sight distance measures shall be designed and put in place for the intersection of the east-west alley and Kalispell Avenue. Such measure shall be reviewed and approved by the Public Works Department. (Finding 6)

6. The interior lot lines located between Lots 1 and 11 shall be abandoned prior to the issuance of the building permit. (§11-2-3B(3), WCC)

7. Approval from the Architectural Review Committee shall be obtained prior to submitting an application for a building permit. (§11-3-3B, WCC)

8. A copy of the state of Montana Restaurant Beer Wine license shall be provided to the Planning Department. Any other alcohol permit shall require approval of a Conditional Use Permit by the city of Whitefish. (§11-2L-3, WCC)

9. An encroachment permit shall be obtained from Montana Department of Transportation (MDT) for any construction within the right-of-way. Any revisions to the site plan based on MDT requirements shall be reviewed and approved by both the Planning & Public Works Departments. (Finding 5)

10. Coordinate with Public Works Department regarding required Structural and Construction Encroachment Permits, which are issued independently from this Conditional Use Permit. (§7-2-1, WCC)

11. Prior to the issuance of a building permit, the applicant shall either dedicate right-of-way or grant an access easement for the shared pedestrian-bike path along Spokane Avenue. The bike path shall be 11-feet and the sidewalk shall be 8-feet. (Findings 1, 5)

12. The refuse location shall be reviewed and approved by the Public Works Department and North Valley Refuse. (§4-2, WCC)

13. An engineered stormwater plan, including the additional alley width, shall be submitted for review and approval to the Public Works Department. (Whitefish Engineering Standards, Section 5)

14. No groundwater from Block 46 shall be discharged to the City stormwater collection system without specific written approval from the Public Works Department. The developer shall reimburse the City for reasonable expenses necessary to evaluate such a proposal. Those expenses may include, but will

not necessarily be limited to, the services of an independent professional consultant. (Finding 3)

15. Necessary business licenses and sign permits shall be obtained. (§3-1, §11-5-7, WCC)

16. The applicant shall comply with all city fire codes for this classification of occupancy and the building shall be equipped with a fire sprinkling system. The alleys are the emergency access and shall be improved to a width of 20-feet. The additional width shall either be in the form of an easement or right-of-way dedication and shall be recorded or otherwise granted prior to the issuance of a building permit. (IFC)

17. All on-site lighting shall be dark sky compliant. (§11-3-25, WCC)

18. All exterior mechanical equipment shall be screened visually and acoustically. (4.6.1., Arch Review Standards)

19. A landscaping plan pursuant to §11-4 shall be reviewed and approved by the Planning Department prior to the issuance of a building permit. This plan shall also include screening along the eastern edge of the parking lot. (§11-4, WCC)

20. The conditional use permit is valid for 18 months and shall terminate unless commencement of the authorized activity has begun. (§11-7-8, WCC)

Planning & Building Department
PO Box 158
510 Railway Street
Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409

Public Notice of Proposed Land Use Action

continuation of public hearing

The City of Whitefish would like to inform you that the public hearing for the Block 46 hotel was continued until the January meeting.

Sean Averill on behalf of Whitefish Hotel Group llc is requesting a Conditional Use Permit in order to develop a hotel that exceeds 7,500 square feet. The property is partially developed with a professional office building. The property is zoned WB-3 (General Business District). The property is located at 205 Spokane Avenue and can be legally described as Lots 1-11 and 19-25 of Block 46 Whitefish Original Townsite in S36 T31N R22W.

You are welcome to provide comments on the project. Comments can be in written or email format. The Whitefish Planning Board will hold a public hearing for the proposed project request on:

Thursday, January 15, 2015
6:00 p.m.
Whitefish City Council Chambers, City Hall
402 E. Second Street, Whitefish MT 59937

The Whitefish Planning Board will make a recommendation to the City Council, who will then hold a public hearing and take final action on Monday, February 2, 2015 at 7:10 p.m., also in the Whitefish City Council Chambers.

On the back of this flyer is a ***revised*** site plan of the project. Additional information on this proposal can be obtained at the Whitefish Planning Department located at 510 Railway Street. The public is encouraged to comment on the above proposals and attend the hearings. Please send comments to the Whitefish Planning Department, PO Box 158, Whitefish, MT 59937, or by phone (406) 863-2410, fax (406) 863-2409 or email at *wcompton-ring@cityofwhitefish.org*. Comments received by the close of business on Wednesday, January 7, 2015, will be included in the packets to the Planning Board members. Comments received after the deadline will be summarized to Planning Board members at the public hearing.

PLEASE SHARE THIS NOTICE WITH YOUR NEIGHBORS

PLANNING & BUILDING DEPARTMENT
PO Box 158
510 Railway Street
Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409

Date: January 1, 2015

To: Advisory Agencies & Interested Parties

From: Whitefish Planning & Building Department

The regular meeting of the Whitefish Planning Board will be held on Thursday, January 15, 2015 at 6:00 pm. During the meeting, the Board will hold public hearings on the items listed below. Upon receipt of the recommendation by the Planning Board, the Whitefish City Council will also hold subsequent public hearing on items 3-5 on Monday, February 2, 2015 and items 1-2 on Tuesday, February 17, 2015. City Council meetings start at 7:10 pm. Planning Board and City Council meetings are held in the Whitefish City Council Chambers, Whitefish, Montana.

1. A request by the Iron Horse Homeowners' Association to reconfigure the entryway by installing a center landscape median that will include a single story welcome center. The project will be located on Iron Horse Drive in the vicinity of the existing guard shack which will be removed. WPP-97-01A (Compton-Ring)

2. A request by the city of Whitefish for review of the updated Downtown Master Plan. The Downtown Plan is a portion of the Whitefish City-County Growth Policy. WGPA 15-01 (Compton-Ring)

3. A request by the city of Whitefish to review the Highway 93 West Corridor Plan as a new neighborhood plan for the Whitefish City-County Growth Policy. WGPA 15-02 (Taylor)

4. A request by the City of Whitefish for an amendment to Section 11-2S, WPUD, Planned Unit Development District, to clarify the blending of uses and density where a PUD overlays multiple underlying zones. WZTA 15-01 (Taylor)

5. Continuation of a request by Whitefish Hotel Group LLC for a Conditional Use Permit to construct a hotel that exceeds 7,500 square foot per §11-2L-4 of the WB-3 zoning district. The property is located at 204 Spokane Avenue and can be legally described as Lots 1-11 and 19-25 in Block 46 of Whitefish Original Townsite in S36-T31N-R22W. WCUP 14-11 (Compton-Ring)

Documents pertaining to these agenda items are available for review at the Whitefish Planning & Building Department, 510 Railway Street during regular business hours. Inquiries are welcomed. Interested parties are invited to attend the hearing and make known their views and concerns. Comments in writing may be forwarded to the Whitefish Planning & Building Department at the above address

prior to the hearing or via email: *dtaylor@cityofwhitefish.org*. For questions or further information regarding these proposals, phone 406-863-2410.

Wendy Compton-Ring

From: Freyholtz, James <jfreyholtz@mt.gov>
Sent: Wednesday, December 10, 2014 10:55 AM
To: Wendy Compton-Ring
Cc: Karin Hilding; Engman, Gary; Oliver, Dennis; Stack, Shane
Subject: Whitefish - Block 46 Hotel proposal comments

Wendy,

Thanks for contacting the Montana Department of Transportation (MDT) regarding the proposed Hotel in Whitefish which is planned to be located along the east side of Spokane Ave. (US 93) and on the block between 2nd Street East and 3rd Street East. The proposal includes a direct access to US 93 thus the owners will need to obtain a new approach permit from MDT.

The developer's engineer has already been in contact with MDT regarding the proposal to discuss what may be allowed for an access to US 93. Our initial comments were that MDT is open to an option of permitting a restricted movement access from US 93 to the proposal. If a right-in/right-out access is permitted it should be located farther to the south then the existing access location to better accommodate egress traffic due to the proximity of the signalized intersection. If a right-in only access is permitted there would be more flexibility to the location since egress traffic would not be need to be accommodated. Either of the two options will need to be designed to direct traffic from attempting to make any left turn movements.

Please understand that MDT's initial comments were made without the understanding of some type of bike path being included along the eastside of US 93. This type of facility does cause concern since a direct access to US 93 would cause a conflict point with the path and thus will require additional consideration to determine if an access can be designed to adequately accommodate everything.

One other comment is that any work (i.e. sidewalk, curb & gutter) within the US 93 right-of-way will need to be covered by an MDT permit (either an approach permit or an encroachment permit).

Please feel free to contact me if you have any questions.

James Freyholtz, P.E.
Kalispell Area Traffic Engineer
Montana Department of Transportation (MDT)
(406) 751-2066

EXHIBIT
4

Wendy Compton-Ring

From: Rick McCamley <mccamley@aboutmontana.net>
Sent: Monday, December 08, 2014 10:48 AM
To: Wendy Compton-Ring; David Taylor
Subject: Block 46 comment

Hello,
Our Company owns the 3rd & Spokane Building right across the street from this proposed hotel. If these folks can jump through all the hoops required by the Architectural Review Committee I don't object to the Conditional Use Permit to exceed the 7500 sf building footprint. I believe they need to follow all other City building requirements completely. However, I think this project (as described in the Interlake) is not thought out very well. If this hotel is successful, where are the guests going to park? This will add more problems to the already messed up parking situation downtown. I think the number of rooms should be less than the number of off street parking spaces that they can create. I'm assuming they will have employees that will need a place to park as well? What about a restaurant and bar? If there is a restaurant and bar they will need even more off street parking. If there is going to be a bar at this place I don't like the location due to the proximity of the school. I think there needs to be a lot more questions asked before the City allows them to move forward.

Thank you,

Rick McCamley, Chief Operating Officer

Rick McCamley
Richatti Investment Corp.
807 Spokane Avenue, Ste. 200
Whitefish, MT 59937
406-862-8304-Office
406-862-2024-Fax
406-253-9679-Cell
mccamley@aboutmontana.net

EXHIBIT
5

Wendy Compton-Ring

From: nh <calmquietday@gmail.com>
Sent: Tuesday, December 09, 2014 10:46 AM
To: wcompton-ring@cityofwhitefish.org
Subject: Comment on Proposed Hotel project

Date: December 9, 2014

To: Whitefish Planning Department

From: Nola Howard - Owner 224 Columbia Avenue, Whitefish near proposed site.

Re: Proposed Hotel at 205 Spokane Avenue

I do not support the building of a 7000 square foot Hotel at 205 Spokane for the following reasons.

1. Congestion of parking:
My house at 224 Columbia would be impacted by increased street parking due to inadequate parking spaces. I counted 60 spaces on the site plan. Considering the number of employees needed to run this hotel and the number of cars from guests, their visitors, and illegal parking by non-hotel people, there would be an overflow of parking along Columbia Avenue preventing the use of these parking spaces for persons living in these close residential streets. I think that it will also change the residential character of the nearby streets of Kalispell, Columbia, Somers, etc due to an increase in non-residential use and purpose.

What about a terminal instead of parking where a hotel shuttle can connect the patrons from the Whitefish Parking Terminals situated outside of the City. We may as well start thinking acting on the future plans for parking in the downtown.

2. Increased traffic:
My house would also be impacted by increased traffic being used by locals and visitors to avoid the congestion at the hotel at the intersection and area of 2nd Street East and Spokane. The grade school already impacts traffic heavily during drop off and pick up times and the additional traffic associated with the hotel will cause even more frequent interference at this small and heavily used intersection. Highway 93 south of this stop light is not designed for this sort of increased traffic during high tourist season and will cause frustrating delays. In addition, this blocking of Highway 93 and 2nd Street East will increase the traffic on Columbia Avenue to the south in an effort to avoid this congestion and delays. That will turn a quiet residential street into a busy thoroughfare and impact the homes along this entire street.

3. Infrastructure of the water and sewer may need upgrading for the streets east of the proposed Hotel. These will surely be impacted. A huge building like this would create the need for improvements on all infrastructure in the entire area and not just the building site.

4. The grade school would be impacted by a Hotel across the street. The tourists walking from the bars will be crossing by the school on a regular basis. This is not the same as local residents walking or driving in the area. Tourists are not part of the community. They are on vacation and this increases the potential for negative behavior that is not desirable for children in a school setting. I would suspect louder noise and activity will occur near the school both during class and when students are coming to school and going home.

I do not have a better use of this piece of prime land at this time. I only envision the downtown after years of growth being squeezed into a few block with no room for restaurants, pubs, stores, farmers markets, and other tourist friendly activities. A hotel in the center of such a small downtown area would eventually be out of place. The huge parking area will look extravagant as the city builds into every open space. I don't see the purpose of putting such a high density business in this particular location. It doesn't attract anyone to our downtown that would not come already. It is better suited on the west side of highway 93 where there are not hotels at all at this time. That makes more sense to me than this location.

Thank you for the opportunity to express my concerns.

Regards,
Nola Howard

EXHIBIT
6

Leo Rosenthal
236 Columbia Avenue
Whitefish, MT 59937
406-544-3058

To whom it may concern:

I am writing this letter in response to an application for a conditional use permit (CUP) for a hotel to be built on the downtown lot known as "Block 46". The proposed hotel exceeds the allowed footprint for construction and by approving the CUP, the city will likely affect the neighboring downtown community. While this property is zoned for commercial use, development should be conducted in a manner that serves to benefit Whitefish but not degrade long-standing, established residential neighborhoods.

My specific concerns regarding the application for a CUP are the number of proposed hotel rooms and the number of available parking spaces. The proposed hotel plans for 89 hotel rooms, while only providing 67 parking spaces. At 89 rooms, the proposed hotel would be the largest downtown hotel (Downtowner-24 rooms, Pine Lodge-75 rooms, Best Western Rocky Mountain Lodge-79 rooms) but is conveniently referred to as a "boutique hotel". If the hotel were completely booked, 22 guests would have to find alternate parking areas with only 67 parking spaces being provided. This does not even include hotel staff parking which would be significant for a hotel of this size. Overflow parking would naturally encroach into the adjacent neighborhood, increasing traffic and degrading the overall feel of that local community. In addition to being inconvenient for neighborhood residents, this overflow parking would limit the City's ability for snow removal on nearby streets (Kalispell, Columbia, and Somers). Currently, neighborhood residents are required to move their vehicles on days of snow accumulation so staff can plow the roads. Hotel guests will be leaving vehicles unattended for many days at a time and ultimately streets will not be able to be effectively cleared. The application for a CUP states that the applicant must address all of the findings in the document. The applicant does not sufficiently address any of the aforementioned parking/traffic issues in the application for a CUP (Section 6 under Findings). I urge the planning board to deny this CUP and consider scaling this proposed hotel back so that the applicant can provide sufficient parking for their guests and staff.

My wife and I purchased our home on Columbia Avenue (1.5 blocks east of the proposed hotel) in 2009 after almost two years of shopping for the perfect location. We chose to live in the historic part of Whitefish because of the tight-knit community, old charming houses, and because of the quiet way of life small-town Montana offers. I recognize the need for high-end downtown lodging, but this kind of development must not come at the expense of what makes Whitefish so special. I attend and watch many of the city council meetings and commonly hear that Whitefish wants to remain a working, living community and not just another resort town. Allowing this hotel to encroach into the historic downtown residential neighborhood flies in the face of preserving the way of life so many have chosen by making Whitefish their home.

EXHIBIT
7

Wendy Compton-Ring

From: Downtowner Inn Staff <info@downtownermotel.cc>
Sent: Wednesday, December 10, 2014 12:02 PM
To: wcompton-ring@cityofwhitefish.org
Subject: Re: Proposed Land Use Action

To whom it may concern:

Regarding the parking for the proposed block 46 hotel development:

There is only 67 parking spaces for an 88 room hotel.
Plus there is no employee parking projected.This could be a deficit of 30 parking spaces at peak times. This is my concern because parking is at such a premium in the summer and during holidays.

Thank You

Dan Cutforth
Owner
Downtowner Inn
Stumptown Inn

This email has been checked for viruses by Avast antivirus software.
www.avast.com

EXHIBIT 8

Letter of Support

Downtown Hotel Development

Whitefish, Montana

This letter requests that the City of Whitefish support the proposed 89 room hotel on Block 46 in downtown Whitefish. The location is convenient to public transit (ie. Snowbus), walking distance to the train station and downtown businesses and has been identified in the Whitefish Downtown Business District Master Plan as suitable for a hotel. The new hotel will provide jobs and bolster the local economy year round infusing approx. $28 million annually into the community.

I, the undersigned, wish to urge the City of Whitefish to approve the building of the hotel on Block 46 in downtown Whitefish.

Printed Name	Business Name	Date
Bayard Dominick	Dominick + Dominick, LLC	12/12/14

Signature

Street	City	State	Zip
124 Wisconsin Avenue	Whitefish	MT	59937

EXHIBIT

9

received
12/15/14

Letter of Support

Downtown Hotel Development

Whitefish, Montana

This letter requests that the City of Whitefish support the proposed 89 room hotel on Block 46 in downtown Whitefish. The location is convenient to public transit (ie. Snowbus), walking distance to the train station and downtown businesses and has been identified in the Whitefish Downtown Business District Master Plan as suitable for a hotel. The new hotel will provide jobs and bolster the local economy year round infusing approx. $28 million annually into the community.

I, the undersigned, wish to urge the City of Whitefish to approve the building of the hotel on Block 46 in downtown Whitefish.

Printed Name	Business Name	Date
BAYARD DOMINICK	Hunter + Co	12 Dec. 14

Signature

200 Wisconsin Ave. Whitefish, MT 59937

Street City State Zip

EXHIBIT

10

December 16, 2014

Dear Planning Board Members:

As a member of the City's Architecture Review Committee (ARC), I have reviewed the proposed Block 46 hotel on two occasions. On both occasions, detailed lobby plans were presented to the ARC, which had a number of proprietary features of the Courtyard by Marriott brand. Attached is a copy of the lobby plan presented to the ARC and a copy of a plan from a Courtyard by Marriott development prospectus. As you can see, both plans include proprietary features including: a GoBoard ™, Market, Media Pods, Communal Table, Reception kiosks and S-Bar.

I presented this information to the applicant at the ARC meeting on 11/18/14, and specifically asked the applicant if the Block 46 hotel is intended to be a Courtyard by Marriott. The applicant's evasive response was that he was not required to disclose that information as part of the ARC review process. I am bringing this information to your attention because I reviewed your packet and I noticed that all of this information has been 'scrubbed' from your plans.

Additionally, in the local media the applicant is presenting the project to the community as an upscale, boutique hotel, which "will add a great new, modern destination hotel to town." I have stayed in a Courtyard Marriott and this characterization does not add up with my experience. Furthermore, reviewing Marriot's Courtyard development prospectus, I was disturbed to read Marriott's claim that "Courtyard is a category killer that delivers superior returns to owners and franchisees."

Here's how *Wikipedia* defines a category killer: "A category killer is a product, service, brand, or company that has such a distinct sustainable competitive advantage that competing firms find it almost impossible to operate profitably in that industry (or in the same local area). The existence of a category killer eliminates almost all market entities, whether real or virtual. Many existing firms leave the industry, thereby increasing the industry's concentration ratio."

Is this the type of business we want to promote in our unique, one-of-a-kind downtown? The Growth Policy clearly indicates otherwise. After reviewing chapters 2 & 3 of the Growth Policy, it is clear to me that the citizens desire to keep Whitefish unique and avoid becoming just another "Any Town, USA". The Growth Policy clearly indicates no community preference for franchise or 'category killer' businesses.

As you know, Growth Policy compliance is the #1 consideration of the CUP review, therefore the community deserves to know whether the applicant intends to build a unique, one-of-a-kind hotel or a franchise hotel.

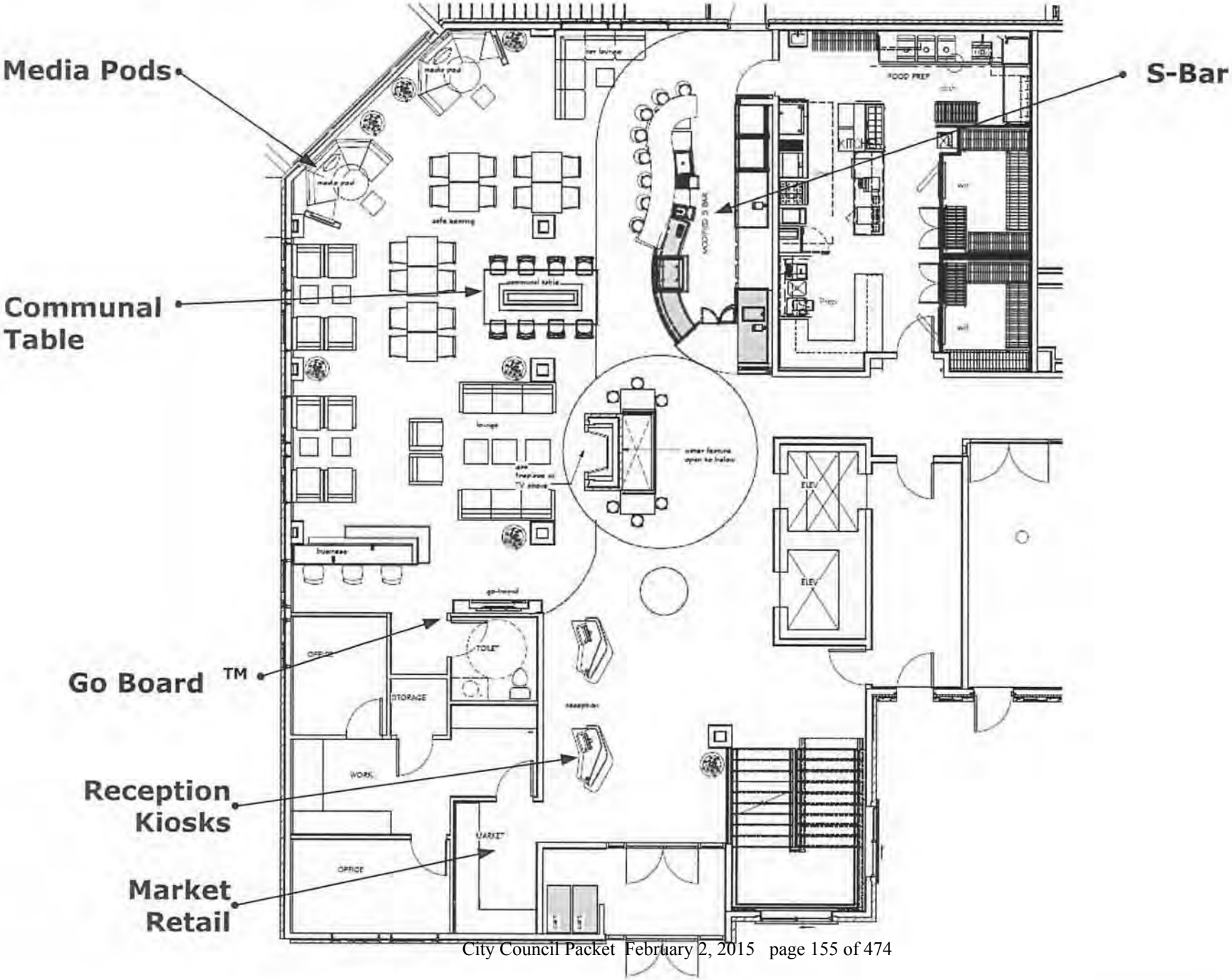
Sincerely,

Ian Collins

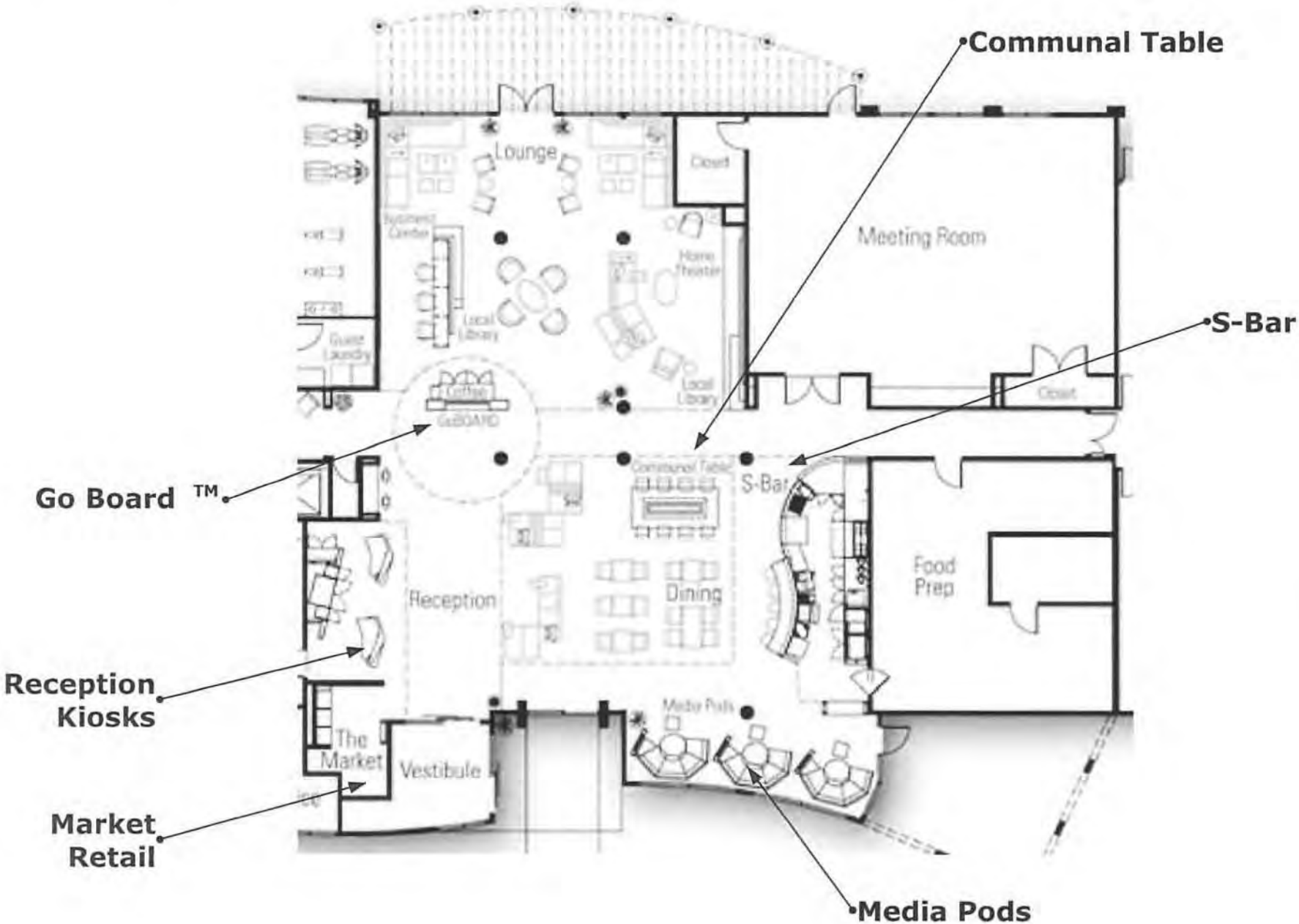
EXHIBIT

11

Block 46 Lobby Plan presented to ARC



Courtyard by Marriott franchise prototype development



Wendy Compton-Ring

From: Necile Lorang <nlorang@cityofwhitefish.org>
Sent: Tuesday, December 16, 2014 8:43 AM
To: cstearns@cityofwhitefish.org; Wendy Compton-Ring
Subject: Fwd: letter to the council/proposed hotel corner of Spokane and Second

-------- Original Message --------
Subject:letter to the council/proposed hotel corner of Spokane and Second
Date: Mon, 15 Dec 2014 19:59:27 -0700
From: Susan Schnee <schnee@aboutmontana.net>
To:<nlorang@cityofwhitefish.org>

Members of the City Council and Mayor:

I was recently approached while at work at my store downtown by Mr. Averill about his proposal to build a hotel. He asked for my thoughts/input about said project. I told him I have no objection to a hotel going in at the corner of Spokane and Second. But I did ask him the obvious question that all business owners downtown will ask, and that is "How much parking will you provide?." I then asked him how many rooms they were planning.

He then asked me to sign a petition in favour of the proposed hotel. Now, I don't oppose a hotel there, but I do have misgivings about the impact on downtown merchants with more stress put on parking. I decided to sign it, with misgivings, and told him so.

Later, after I was done working and had more time to think about it, I realized I hadn't asked where his employees were going to park. That will impact the parking even more.
At that point, I regretted signing the petition.

So I would like to inform the council that when he presents those petitions, that I regret signing it and withdraw my support from said proposal, unless significant changes are made to parking issues.

He told me they want to build a hotel with 89 rooms and supply 67 parking spaces, I believe. He said 1st Interstate had agreed to lease parking to them if they needed it for special occasions. So once I realized that, to my knowledge, they have made no provision for employee parking, as well as not enough parking for the guests themselves, that I made a mistake in signing his petition in favour of said hotel as presented, until I have more information on how they are going to deal with/mitigate the parking issue.

Susan Schnee
1405 East Second St
Whitefish, MT 59937
406-212-8334
Copperleaf Chocolat Co./ Voyageur Booksellers
242 Central Ave
Whitefish, MT 59937

EXHIBIT
12

Mr. Rick Kratz
5002 Portage Way
Whitefish, MT 59937

12-31-2014 P03:40

Decenber 23, 2014

Mr. Ken Meckel, Chairman
Members of the Whitefish Planning board
504 Central Avenue
Whitefish, MT 59937

Dear Chairman Meckel and members of the board,

We have grave concerns about the boutique hotel being proposed for block 46 in downtown Whitefish.

The Averills have done a great job with the lodge at Whitefish and it remains one of our favorite places to eat. This letter is in no way derogatory towards the Averill family.

However, There are too many unanswerable questions to give the project the green light. Our concerns are as follows:

1. There is already a big parking problem downtown. Block 46 has on any given day at least 35-45 cars parked on it. The people using this to park to do their downtown shopping, as well as staff for the present downtown businesses will be unable to access the downtown area.
2. The proposed hotel is offering 67 parking spots for 89 rooms. In our many years of owning hotels and hotels, the general "bare minimum" of parking required has always been 1.5 parking spots per room. It goes without saying there are a lot of people including their guests and certainly their staff who will not have anywhere to park, and will affect an already serious parking shortage downtown. In addition this will be a huge headache for the residents nearby.

EXHIBIT
13

3. The wait for the light at spokane and second street will be worse than it is now. We have waited for 2-3 light changes at times and obviously this will not get better with the reduction in parking spots and the addition of yet more traffic.

4. In the event this project is approved, who is going to pay to re-route traffic to avoid the traffic jam that it will cause, the taxpayer who is already pitching in to help finance this project? Or will it be the present downtown businesses that have had their business severely impacted by this project and its addition to the lack of parking?

5. What will this huge parking shortage do to the character of downtown Whitefish when cars are cruising around and around the area like sharks looking for a parking spot such as it has become the norm in southern California? This is already happening now and I know people who no longer shop downtown because they can not park.

6. A hotel generally has an outlet for the consumption of alcohol. The city does not allow alcohol service within I believe, 600 feet of a school. Quite a few years ago city council turned down an application for liquor service by the Downtowner motel. Why are you even considering allowing a hotel right across the street from Whitefish middle school?

7. We understand that the developers are considering franchising the hotel with one of the many chains. How will this impact the current sign regulations of the city of Whitefish that surely do not allow the size of sign required by the chain hotels? And what would a larger sign do to the character of downtown whitefish?

8. Finally, is the present infrastructure able to handle what is a big increase in use to our water, sewer, etc? Surely the taxpayers can not be expected to pay for changes that may need to be made to the present infrastructure are they? We already have the highest water and sewer rates in the valley!

Thank you for your consideration to my comments.

Respectfully,

Wendy Compton-Ring

From: Bookworks <bookworks@bresnan.net>
Sent: Monday, December 29, 2014 1:07 PM
To: 'Wendy Compton-Ring'
Subject: Latest Averill Project

To whom it may concern,

I spoke with Brian Averill last Saturday concerning the new hotel project. We discussed the beer/wine licensing, lighting at Third and Spokane, and parking issues.

I absolutely believe Averill should be allowed to have a business, but when he tells me there has to be 89 rooms to be cost effective, my reaction is to suggest they paid too much for the property and are over building.

My immediate concern is construction parking, but in the long term I'm concerned about parking for the hotel's guests. Brian said there will be a fenced off area where construction people will be required to park. With regards to the hotel's guests, Brian insisted they have done their homework about people who fly to the area or take the train. He ignored the fact that summer tourists rent cars-- I'm guessing 100%. I'm sure local car agencies could give you exact numbers.

They have approached First Interstate Bank about leasing the bank's customer parking lot for 'special events', but that is a block away and my building is across the street. A car tag of some kind should be given to each 'check-in' for the dashboard or mirror. I would like to know which cars can legally be towed at 9:00 each morning.

Brian said they will have an employee shuttle, but it is my opinion that an employee will park on the city streets to avoid an extra 30 minutes on either end of their day. It came to my attention looking at the concept drawing that there is no pull-up area for 'check-in.' Will potential customers' park on Second Street or the city lot?

What will the city do about parking before this project proceeds? There are currently 30-40 cars daily in that lot. It is completely full in the summer. Where are those people going to park? Will the city lot across from Whitefish Middle School be all day parking? When will your city garage be built? Will it be free to downtown employees?

I don't remember the exact details, but a few years ago the Downtowner Hotel was deemed too close to the school for a liquor license of some sort. Has the law changed? It seems this hotel is even closer.

Finally, Third and Spokane is a dangerous pedestrian crossing-- no lights, no crosswalk.

Cheryl Watkins

Bookworks Owner

Third and Spokane Building Owner

Copies to Whitefish City Council and the Whitefish Planning Board

EXHIBIT
14

Wendy Compton-Ring

From: Freyholtz, James <jfreyholtz@mt.gov>
Sent: Wednesday, December 31, 2014 10:09 AM
To: Wendy Compton-Ring
Cc: Engman, Gary; Karin Hilding; Oliver, Dennis; Stack, Shane
Subject: RE: Whitefish - Block 46 Hotel proposal comments

Wendy,

Thanks for sending the updated information. I do not have any comments regarding the TIS.

The only comment I have is that since there will not be any direct access to Spokane Avenue then the developer will only need to get an encroachment permit from MDT before doing work (sidewalk, curb & gutter) within the right-of-way.

James Freyholtz, P.E.
Kalispell Area Traffic Engineer
Montana Department of Transportation (MDT)
(406) 751-2066

From: Wendy Compton-Ring [mailto:wcompton-ring@cityofwhitefish.org]
Sent: Wednesday, December 31, 2014 9:51 AM
To: Freyholtz, James; Engman, Gary; Karin Hilding; Oliver, Dennis; Stack, Shane
Subject: FW: Whitefish - Block 46 Hotel proposal comments

I just got off the phone with the applicant and they are not pursuing the right-in option. They want to eliminate all access onto Spokane Avenue (attached site plan).

From: Wendy Compton-Ring [mailto:wcompton-ring@cityofwhitefish.org]
Sent: Monday, December 29, 2014 12:00 PM
To: 'Freyholtz, James'
Cc: 'Karin Hilding'; 'Engman, Gary'; 'Oliver, Dennis'; 'Stack, Shane'
Subject: RE: Whitefish - Block 46 Hotel proposal comments

James –

At the public hearing on December 18th, the applicant submitted two revised site plans (eliminating all accesses onto Spokane Avenue and one showing a right-in only). In addition, they provided a copy of the Traffic Study on December 22nd. The Planning Board did not act on this application, but postponed the public hearing until the January meeting (1/15).

If you have any additional comments or suggestions, please let me know by **January 5th**, as our packets will be mailed out to the Planning Board on January 8th. We appreciate any and all thoughts/comments. Thanks!

From: Freyholtz, James [mailto:jfreyholtz@mt.gov]
Sent: Wednesday, December 10, 2014 10:55 AM
To: Wendy Compton-Ring
Cc: Karin Hilding; Engman, Gary; Oliver, Dennis; Stack, Shane
Subject: Whitefish - Block 46 Hotel proposal comments

EXHIBIT 19

Wendy,

Thanks for contacting the Montana Department of Transportation (MDT) regarding the proposed Hotel in Whitefish which is planned to be located along the east side of Spokane Ave. (US 93) and on the block between 2nd Street East and 3rd Street East. The proposal includes a direct access to US 93 thus the owners will need to obtain a new approach permit from MDT.

The developer's engineer has already been in contact with MDT regarding the proposal to discuss what may be allowed for an access to US 93. Our initial comments were that MDT is open to an option of permitting a restricted movement access from US 93 to the proposal. If a right-in/right-out access is permitted it should be located farther to the south then the existing access location to better accommodate egress traffic due to the proximity of the signalized intersection. If a right-in only access is permitted there would be more flexibility to the location since egress traffic would not be need to be accommodated. Either of the two options will need to be designed to direct traffic from attempting to make any left turn movements.

Please understand that MDT's initial comments were made without the understanding of some type of bike path being included along the eastside of US 93. This type of facility does cause concern since a direct access to US 93 would cause a conflict point with the path and thus will require additional consideration to determine if an access can be designed to adequately accommodate everything.

One other comment is that any work (i.e. sidewalk, curb & gutter) within the US 93 right-of-way will need to be covered by an MDT permit (either an approach permit or an encroachment permit).

Please feel free to contact me if you have any questions.

James Freyholtz, P.E.
Kalispell Area Traffic Engineer
Montana Department of Transportation (MDT)
(406) 751-2066

Wendy Compton-Ring

From: Rick McCamley <mccamley@aboutmontana.net>
Sent: Friday, January 02, 2015 1:52 PM
To: Wendy Compton-Ring
Subject: Fw: Block 46 comment-part two

Hey Wendy,
I received another Notice from the City asking for public comment. I had already the email below before. Do I need to resend another? If not, I'd add a couple things to my earlier comments. First of all, it shouldn't matter a bit if this motel is franchised or not. What difference does that make? Even though parking is not required downtown, the City has the obligation to make sure this one project doesn't mess up the integrity of what's already there. They need a Conditional Use Permit to build this thing as they've described. I really think one of the conditions of issuing a Conditional Use Permit for this needs to be that they provide the same amount of off street parking for this project as all other motels have had to provide. This just makes sense. We recently sold the Pine Lodge Motel in Whitefish and I can tell you that parking is needed for almost all guests. Even if the guests fly into town, most will still want to rent a car to get around.
If I need to re-write all my thoughts together in one email, let me know. If not, please add these comments to my previous comments.

Thanks, Rick McCamley
Chief Operating Officer

Rick McCamley
Richatti Investment Corp.
807 Spokane Avenue, Ste. 200
Whitefish, MT 59937
406-862-8304-Office
406-862-2024-Fax
406-253-9679-Cell
mccamley@aboutmontana.net

From: Wendy Compton-Ring
Sent: Monday, December 08, 2014 12:03 PM
To: 'Rick McCamley' ; 'David Taylor'
Subject: RE: Block 46 comment

Thank you for your comments. They will be forwarded onto the Planning Board and Council for their consideration.

From: Rick McCamley [mailto:mccamley@aboutmontana.net]
Sent: Monday, December 08, 2014 10:48 AM
To: Wendy Compton-Ring; David Taylor
Subject: Block 46 comment

Hello,

EXHIBIT 16

Our Company owns the 3rd & Spokane Building right across the street from this proposed hotel. If these folks can jump through all the hoops required by the Architectural Review Committee I don't object to the Conditional Use Permit to exceed the 7500 sf building footprint. I believe they need to follow all other City building requirements completely. However, I think this project (as described in the Interlake) is not thought out very well. If this hotel is successful, where are the guests going to park? This will add more problems to the already messed up parking situation downtown. I think the number of rooms should be less than the number of off street parking spaces that they can create. I'm assuming they will have employees that will need a place to park as well? What about a restaurant and bar? If there is a restaurant and bar they will need even more off street parking. If there is going to be a bar at this place I don't like the location due to the proximity of the school. I think there needs to be a lot more questions asked before the City allows them to move forward.

Thank you,

Rick McCamley, Chief Operating Officer

Rick McCamley
Richatti Investment Corp.
807 Spokane Avenue, Ste. 200
Whitefish, MT 59937
406-862-8304-Office
406-862-2024-Fax
406-253-9679-Cell
mccamley@aboutmontana.net

Wendy Compton-Ring

From: Building Department <buildingdept@cityofwhitefish.org>
Sent: Monday, January 05, 2015 11:40 AM
To: wcompton-ring@cityofwhitefish.org
Subject: FW: block 46

From: Janice McCann [mailto:janicelmccann@gmail.com]
Sent: Sunday, January 04, 2015 10:01 AM
To: buildingdept@cityofwhitefish.org
Subject: block 46

Dear Whitefish Planning Board and Building Department,

We are writing to convey our deep concern for the direction the hotel development seems to be going on lot 46. We live on Somers Ave and our daughter attends Whitefish Middle School.

Initially we were sceptical about the development, but felt that if it was well planned it could work. However the high density and inadequate parking model that uses a residential neighborhood for traffic flow is seriously flawed. During drop off and pick up times, the roads around the school are jammed with traffic and are difficult to navigate safely. Coincidentally, this is the same time that the hotel traffic will be at its busiest.

We also feel strongly that the architectural design should be historical and that the business should not invade the residential zone of our neighbourhood.

Please require that the developers meet our community's needs and desires.

Sincerely,
Janice and Paul McCann
340 Somers Ave

EXHIBIT
17

received
1-5-15

NELSON'S ACE HARDWARE, INC.
221 CENTRAL AVENUE • WHITEFISH, MT 59937
(406) 862-3573 • FAX (406) 862-3426

1/5/2015

City of Whitefish
418 E. Second Street
Whitefish, MT 59937

Dear Mayor Muhlfeld and the City Council :

We are writing this letter in support of the Downtown Hotel Development project proposed for Block 46 in downtown Whitefish. We believe that this type of development will work to bring more business to the core of Whitefish and support the central business district. It will add to the already vibrant downtown. We understand that eventual development of this lot was inevitable, and therefore are strongly in support of a project such as this, which will be an asset to the downtown.

That said, the issue of parking in our downtown continues to be a critical one. While this new development will provide on-site parking for patrons —so not technically adding to the parking problems — this area will be removed from public use, both for employees and consumers. Currently, the lot being considered for this project is primarily used by employees of downtown businesses. Once construction begins, the only options for all-day public parking are on-street, north of the Credit Union, north of the Library, and the small lot at 3rd and Baker, which ideally should not be used at all for employee parking, but reserved for retail use. While the new parking structure will help alleviate some of these problems, that solution will be years in the making.

The single largest complaint we hear from our customers is lack of parking and access. It is also a major deterrent to expanding in our current location, either by building up or buying adjacent space. We are not alone in this. As our business community continues to develop our central business district and attract more consumers, parking and access will continue to be a problem. As the City considers this hotel project and other important development projects for the downtown, it would be extremely helpful to know that they are also prepared to do whatever it takes to assure that immediate parking concerns are addressed to the benefit of our community. Is there a city property on the downtown perimeter that can be used for additional overflow employee parking? Is there an empty lot that could be leased by the City for temporary parking?

As our community continues to grow, even while we vigorously support the addition of new development such as the Block 46 hotel, we must be mindful of those who currently work and shop in our community, and consider their needs as well.

Thank you,

Rick & Marilyn Nelson
Owners, Nelson's Ace Hardware

EXHIBIT
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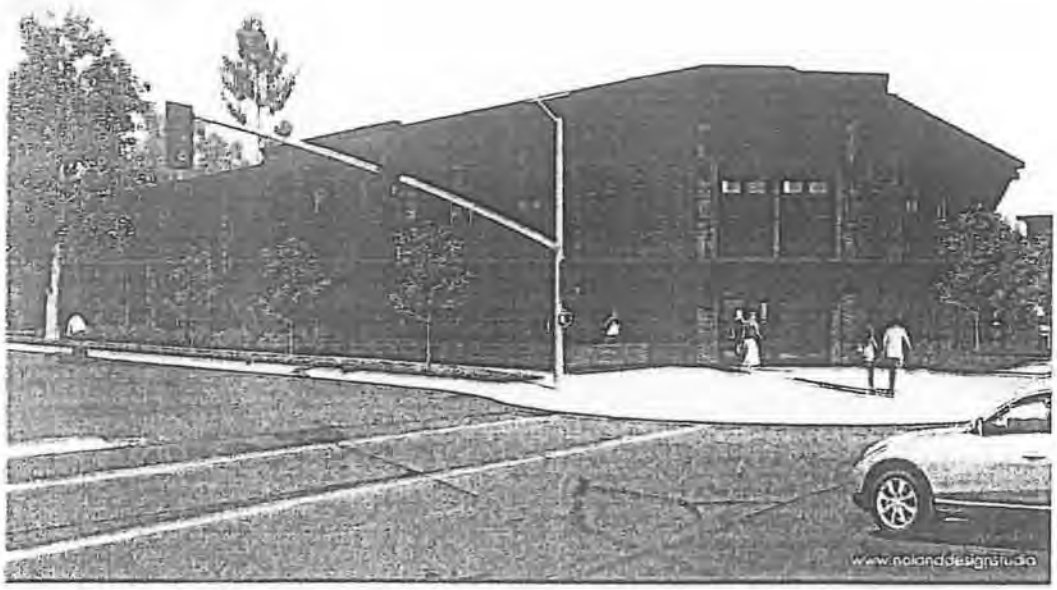

Letter of Support

Downtown Hotel Development

Whitefish, Montana

This letter requests the City of Whitefish to support the building of an 89 room hotel on Block 46 in downtown Whitefish. Block 46 has been identified in the Whitefish Downtown Business District Master Plan as a viable hotel site and is the only identified hotel site in downtown with on-site parking available. This location is also conveniently located for travelers to access public transit (i.e. SNOW Bus) and is within walking distance to the Amtrak Station and downtown businesses. Approximately $28 million dollars will be spent in local Whitefish businesses by travelers of the hotel annually.

I, the undersigned, wish to urge the City of Whitefish to approve the building of this hotel on Block 46 in downtown Whitefish.

Rick + Marilyn Nelson	Nelson Hardware	1/5/15
Printed Name	Business Name	Date

Marilyn Nelson

Signature

224 Central Ave	Whitefish	MT	59937
Street	City	State	Zip

Wendy Compton-Ring

From: Daniel Fuller <dfuller@theretailconnection.net>
Sent: Monday, January 05, 2015 2:41 PM
To: wcompton-ring@cityofwhitefish.org
Subject: Proposed Boutique Hotel @ Block 46, Whitefish, MT

To Whom it May Concern,

I read with great interest about the proposed "upscale hotel" planned for downtown Whitefish.

The Block 46 property may well be the largest undeveloped tract of land in downtown, and probably represents the "last best place" for the development of a true boutique hotel, one that both serves the needs of the community, and critically defines the quality of future commercial growth in the downtown core of Whitefish.

I am a commercial property developer, and understand the realities of cost/benefit constraints all too well. However, the rendering of the proposed hotel on the cover of the newspaper does not meet with my understanding of what a boutique hotel is, but instead looks like a standard limited service hotel with a few uninspired (and inexpensive) upgrades to the building shell.

I hope and trust that the Whitefish Planning Board recognizes what a special opportunity that Block 46 represents.

If a hotel is developed on Block 46, my hope is that it will be a sophisticated project, in terms of its design, quality of materials and construction- and that it will be a true boutique hotel, not a franchise hotel. I believe that Whitefish deserves something special.

Thank you for considering my concerns.

Respectfully,

Daniel A. Fuller, Jr.
Executive Vice President
Connected Development Services

THE retail CONNECTION

2525 McKinnon Street
Suite 700
Dallas, TX 75201

214-572-8442 | direct
214-572-0009 | fax
dfuller@theretailconnection.net
www.theretailconnection.net

EXHIBIT
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Wendy Compton-Ring

From: Patti Scruggs <lazyotter@centurytel.net>
Sent: Tuesday, January 06, 2015 4:21 PM
To: nlorang@cityofwhitefish.org; Wendy Compton-Ring
Subject: Boutique hotel

To: Planning Office and City Council

I am opposed to the boutique hotel that the Averills plan to build at Block 46 for the following reasons:

...parking problem; it takes away Block 46 ...the hotel is offering 67 parking spots for 89 rooms. Hotels generally plan 1.5 parking spots per room.
...there will be lots more traffic at Spokane and Second Street ...who pays for re-routing traffic ...way too large for the character of downtown Whitefish ...I am opposed to the hotel selling alcohol across the street from the Middle School ...is this a franchise?? Will the signs conform to downtown signs? ...what about water, sewer, infrastructure??

Please notify me when and where the next meeting is scheduled to discuss this issue.
Thank you.
Patti Scruggs

Sent from my iPad

EXHIBIT
20

Wendy Compton-Ring

From: Maxine Arnold <maxinea@centurytel.net>
Sent: Wednesday, January 07, 2015 8:15 AM
To: wcompton-ring@cityofwhitefish.org
Subject: Fw: Future project

Subject: Future project

Hello,

I am writing to give input on the Averill's downtown hotel project that will require a vaiance to build what they are proposing.
I am very much against this proposal due to lack of parking...not even enough spaces for the employees and residents. And am against the project due to the size which is not in keeping with the feel of the downtown community. Please, please
consider the locals. We can't even get enough parking to attend summer events as it is now.

Thanks you for your consideration,

Maxine Arnold 249-1098

Please let me know if this will get to the planning board members

EXHIBIT
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Wendy Compton-Ring

From: Necile Lorang <nlorang@cityofwhitefish.org>
Sent: Sunday, January 11, 2015 11:15 AM
To: Wendy Compton-Ring
Subject: Fwd: Proposed hotel

-------- Original Message --------
Subject: Proposed hotel
Date: Sun, 11 Jan 2015 08:45:23 -0700
From: Christine Stanley <chrisis@bresnan.net>
To:nlorang@cityofwhitefish.org <nlorang@cityofwhitefish.org>

It is my opinion that another hotel is NOT needed in Whitefish but more parking space is a definite concern. To place a hotel across the street from the Middle School will add more congestion to that intersection. Safety of school pedestrian traffic is a major issue.

I love my town and want the quaint qualities to remain in place.

Sincerely,
Chris Stanley

Sent from my iPad

Wendy Compton-Ring

From: Leslie Kermath <lk_wf@yahoo.com>
Sent: Monday, January 12, 2015 3:32 PM
To: wcompton-ring@cityofwhitefish.org; nlorang@cityofwhitefish.org
Subject: The "Boutique" Hotel

City of Whitefish, Whitefish Planning Dept. and Whitefish City Council:

Regarding the "Boutique" hotel currently being considered downtown and across from the Whitefish Middle School, let's start with a definition. Definitions for the word "boutique" always include the descriptive terms small, specialty or exclusive. The proposed hotel of 89 rooms certainly doesn't fit the designation of "Boutique". Now we are left with an 89 room hotel that may or may not be chain affiliated across from a middle school in downtown Whitefish.

This hotel, akin to a "Big Box Store" of lodging, could create a plethora of problems regarding infrastructure, local ambience and even safety. A hotel this size should have at least 89 parking spaces. More than that would be preferable. We Montanans like to drive. This will create a lot more traffic at 2nd and Spokane when school is in or out of session. This will also create more traffic problems and road deterioration.

The City of Whitefish already has water availability concerns. 89 more showers, room linens to launder, rooms to clean, hotel amenities to clean inside and outside, possible restaurant and bar operations will need a lot more water. Then all that waste water will have to go somewhere like into already overburdened storm drains and sewers and water treatment facilities.

Local ambiance is an interesting concept. Box stores and hotels make the outskirts of cities look and feel alike. When they are downtown, they destroy the comfortable homey feel of a real town. Whitefish has a truly enjoyable mix of neighborhoods, small stores, restaurants, entertainment and places to stay. Let's not turn it into another Vail, Colorado or even a Big Sky, Montana.

Safety is another major issue. Our middle school students walk to and from school, wait for school buses, shop after school and are curious friendly helpful kids. We needn't add more traffic in areas that they frequent. And finally I'm uncomfortable with the idea of having a large hotel right across the street from our middle school. It seems as though it might just be a little too easy to lure a middle school child into a hotel room.

Thanks for taking my concerns into consideration and please let me know by email of any public meetings where the issue of this hotel will be addressed.

Sincerely,

Leslie Kermath
2335 Nordic Loop
Whitefish, Montana

Wendy Compton-Ring

From: sue@littlecreekfarm.com
Sent: Monday, January 12, 2015 8:13 PM
To: wcompton-ring@cityofwhitefish.org
Subject: Boutique hotel

Dear Wendy,
I am concerned about the parking related to the number of rooms and also, the large scale compared to the character of the downtown.
Thank you,
Susan Robison
320 Minnesota Ave.
Whitefish

Sent from my iPad

received
1-14-15

January 8, 2015

City of Whitefish
P.O. Box 158
Whitefish, MT 59937

To Whom It May Concern:

I am writing this letter in support of the proposed Block 46 Hotel. I believe the impact on economic growth to the City of Whitefish would be beneficial. I am a resident of the City of Whitefish, as well as a business owner.

There would be a large increase in revenue for all retail, service and restaurant establishments, as well as additional resort and TPA tax that would be collected from both the hotel and businesses.

I do not believe that there would be an increase in traffic in town, as once a guest has arrived at the hotel, most everything is within walking distance from Block 46.

Again, I believe that the proposed Block 46 Hotel would be an asset to the City of Whitefish.

Sincerely,

Linda Pilote

Linda Pilote

Wendy Compton-Ring

From: Maxine Arnold <maxinea@centurytel.net>
Sent: Thursday, January 15, 2015 3:16 PM
To: wcompton-ring@cityofwhitefish.org
Subject: Averill's Botique Hotel

Hello Wendy,

There is really no reason to award any more footage to this proposed "Botique" Hotel that is not a "Botique" hotel. No hotels provide less parking than 1.5 per room. This would be such a bad thing for the downtown area. Hotels of this proposed size do not belong downtown by a middle school around the corner from a residental neighborhood. This would be a slap in the face to the locals if this is approved. Do we have to ruin the small town feel of Whitefish. Do we have to back up traffic in this city. Do we have to walk miles to shop downtown? Please some common sense.

Thanks for your time,

Maxine Arnold/Barnett

Wendy Compton-Ring

From: Ledjie Roth Ballard <ledjie46@gmail.com>
Sent: Thursday, January 15, 2015 5:05 PM
To: nlorang@cityofwhitefish.org; wcompton-ring@cityofwhitefish.org
Subject: The Boutique Hotel

I am writing to state my opposition to said project.

My reasons are many, but paramount include increased traffic, lack of parking, congestion, etc. I think what makes Whitefish so special is it's "small town" feel. I would hate to see it "Aspenized" as so many other destination summer & winter resorts have become.

Finally, "boutique" signifies small & specialized. Eighty-nine rooms for lodging hardly meets the definition of "boutique.

Thank you for your consideration in this matter, and, please help us keep our community attractive to all & livable for locals.

Ledjie Ballard
Plantation Pines

Wendy Compton-Ring

From: Chuck Stearns <cstearns@cityofwhitefish.org>
Sent: Friday, January 23, 2015 1:33 PM
To: 'Wendy Compton-Ring'
Subject: FW: Block 46 comments

From: Necile Lorang [mailto:nlorang@cityofwhitefish.org]
Sent: Friday, January 23, 2015 1:20 PM
To: cstearns@cityofwhitefish.org
Subject: Fwd: Block 46 comments

-------- Original Message --------
Subject: Block 46 comments
Date: Fri, 23 Jan 2015 12:14:58 -0700
From: Rick McCamley <mccamley@aboutmontana.net>
To:<nlorang@cityofwhitefish.org>

Please forward to the City Council Members.

Our Company owns the 3rd & Spokane Building right across the street from this proposed hotel. If these folks can jump through all the hoops required by the Architectural Review Committee I don't object to the Conditional Use Permit to exceed the 7500 sf building footprint. However, one of the conditions of issuing this permit must deal with the inadequate parking plan they are proposing. Their plan of providing less off street parking spaces than the number of sleeping rooms planned, just doesn't make any sense. The argument that their guests will fly into town and won't have cars is wrong. Lots of people fly into the area, but most rent cars when they are here. The parking downtown is a mess already and it makes no sense to add more traffic downtown until we have a place to park the extra cars. Their plan to shuttle employees to and from the motel is a nice plan, but in reality, it won't be utilized enough. What about a restaurant and bar? If there is a restaurant and bar they will need even more off street parking. If there is going to be a bar at this place I don't like the location due to the proximity of the school. Is this project really what you envisioned for a "Boutique" Hotel downtown? An 89 room hotel doesn't sound like a "Boutique" Hotel to me. Our company has recently sold the Pine Lodge in Whitefish and we had 76 sleeping rooms there. I have no problems with another hotel in Whitefish. I just question the location and plan for this one. I think there needs to be a lot more questions asked before the City allows them to move forward.

Thank you,

Rick McCamley, Chief Operating Officer

Rick McCamley
Richatti Investment Corp.
807 Spokane Avenue, Ste. 200

City of Whitefish
Planning & Building Department
PO Box 158
510 Railway Street
Whitefish, MT 59937
Phone: 406-863-2410 Fax: 406-863-2409

File #: _____
Date: _____
Intake Staff: _____
Date Complete: _____

CONDITIONAL USE PERMIT

FEE ATTACHED $ 1980.00
(See current fee schedule)

INSTRUCTIONS:

- ☐ A Site Review Meeting with city staff is required. Date of Site Review Meeting: 10.30.14
- ☐ Submit the application fee, completed application and appropriate attachments to the Whitefish Planning & Building Department a minimum of **forty five (45) days prior** to the Planning Board meeting at which this application will be heard.
- ☐ The regularly scheduled meeting of the City-County Planning Board is the third Thursday of each month at 6:00PM in the Council Chambers at 402 E 2nd Street.
- ☐ After the Planning Board hearing, the application is forwarded with the Board's recommendation to the next available City Council meeting for hearing and final action.

A. PROJECT INFORMATION:

Project Name: Block 46 Hotel

Project Address: 205 Spokane, Whitefish, 59937

Assessor's Tract No.(s) 3122x36 - WHT-24- BLK 46 Lot No(s) 1-11

Block # 46 Subdivision Name Hotel

Section 32 Township 31N Range 22W

I hereby certify that the information contained or accompanied in this application is true and correct to the best of my knowledge. The signing of this application signifies approval for the Whitefish staff to be present on the property for routine monitoring and inspection during the approval and development process.

Sean Averill, Member — 11/25/14
Owner's Signature[1] — Date

WHITEFISH HOTEL GROUP LLC, Sean Averill
Print Name

/s/ Sean Averill — 11/25/14
Applicant's Signature — Date

APPLICATION CONTENTS:

Attached **ALL ITEMS MUST BE INCLUDED - INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

- ☐ Conditional Use Permit Application – **11 copies**
- ☐ Written description how the project meets the criteria in Section D – **11 copies**
- ☐ Site Plan – **11 copies** The site plan, drawn to scale, which shows in detail your proposed use, your property lines, existing and proposed buildings, traffic circulation, driveways, parking, landscaping, fencing, signage, and any unusual topographic features such as slopes, drainage, ridges, etc.
- ☐ Reduced copy of the site plan not to exceed 11" x 17" – **1 copy**
- ☐ Where new buildings or additions are proposed, building sketches and elevations shall be submitted.
- ☐ Electronic version of entire application such as .pdf
- ☐ Certified adjacent owners list for properties within 150-feet of subject site – **1 copy**
- ☐ Any other additional information requested during the pre-application process

When all application materials are submitted to the Planning & Building Department, the application will be scheduled for public hearing before the Planning Board and City Council.

B. OWNER(S) OF RECORD:

Name: Whitefish Hotel Group LLC Phone: 406. 837. 1715

Mailing Address: P.O. Box 275

City, State, Zip: Bigfork, MT 59911

Email: Danlaverill@Yahoo.com

APPLICANT (if different than above):

Name: _____ Phone: _____

Mailing Address: _____

City, State, Zip: _____

Email: _____

TECHNICAL/PROFESSIONAL:

Name: _____ Phone: _____

Mailing Address: _____

FINDINGS:
The following criteria form the basis for approval or denial of the Conditional Use Permit. The burden of satisfactorily addressing these criteria lies with the applicant. Review the criteria below and discuss how the proposal conforms to the criteria. If the proposal does not conform to the criteria, describe how it will be mitigated.

1. Describe how the proposal conforms to the applicable goals and policies of the Whitefish City-County Growth Policy.
    - **Provides an upscale downtown hotel that is consistent with long term city growth plan. City officials have recently deemed the building site is within the Old Town Central District and thus this CUP is requested so that building can exceed 7500 sqft within this zone.**

2. Describe how the proposal is consistent with the purpose, intent and applicable provisions of the regulations.
    - **Project site is zoned WB-3 and suitable for use as a hotel site**

3. How is the property location suitable for the proposed use?
    - **Location is downtown, one block from Central Ave. and walking distance to most downtown venues.**

   Is there adequate usable land area?
    - **Hotel site size is challenging but through thoughtful design features is in compliance with downtown setback and height restrictions.**

   Does the access, including emergency vehicle access, meet the current standards?
    - **The existing east/west & north/south alleyways remain public property but will be widened as part of this project to comply with fire dept. requirements.**

   Are environmentally sensitive areas present on the property that would render the site inappropriate for the proposed use?
    - **No**

4. How are the following design issues addressed on the site plan?

a. Parking locations and layout
    - **There are 67 parking spaces available for this project with two entrance/exits provided to the lot**

b. Traffic circulation

- **Entrances to property are thru existing easements off Spokane and Kalispell with two entrance/exits off of Third St. to the south.**

c. Open space
   - **There is no open space provided in this project although efforts are made to save any existing trees**

d. Fencing/screening
   - **There are short walls surrounding the outdoor dining & sitting patios on the northwest corner & south side of the building**

e. Landscaping
   - **New landscape plan is submitted for review along with this application**

f. Signage
   - **Minimal required**

g. Undergrounding of new utilities
   - **Yes**

h. Undergrounding of existing utilities
   - **Existing power poles are within 16' north/south alley easement and require relocation to accommodate wider alley. Process TBD with FEC and City of Whitefish.**

5. Are all necessary public services and facilities available and adequate? If not, how will public services and facilities be upgraded?

a. Sewer
   - **Yes**

b. Water
   - **Yes**

c. Stormwater
   - **Latest storm water retention techniques are proposed**

d. Fire Protection
   - **Yes**

e. Police Protection
   - **Yes**

f. Street (public or private)
   - **East/West & North/South alleys remain public**

g. Parks (residential only)
   - **Does Not Apply**

h. Sidewalks
   - **While most of the project will leave existing sidewalks undisturbed those that are damaged during construction will be replaced. New driveway easements as required as well.**

i. Bike/pedestrian ways – including connectivity to existing and proposed

developments

- **The building is setback 13' from western property line to allow room for bike path consistent with the downtown promenade and allow connection to future proposed bikeways.**

6. How will your project impact on adjacent properties, the nearby neighborhoods and the community in general?

- **The community as a whole will benefit from additional seasonal and more importantly off-season visitors with the addition of a downtown hotel and it's close proximity to shops and restaurants in the downtown corridor.**

Describe any adverse impacts under the following categories.

a. Excessive traffic generation and/or infiltration of traffic into neighborhoods
   - **Some short term construction traffic and noise is likely during the construction phase**

b. Noise, vibration, dust, glare, heat, smoke, fumes, odors
   - **While some noise is likely the project is proposed to begin in winter months with underground completed by summer reducing dust during summer months.**

7. What are the proposed hours of operation?

- **Standard hotel hours of operation with guests arriving and departing mostly in evenings and mornings**

8. How is the proposal compatible with the surrounding neighborhood and community in general in terms of the following:

a. Structural bulk and massing
   - **Every effort has been taken to provide an architecturally appealing building that does not overwhelm surrounding buildings. The use of creative exterior finishes (timber, brick and metal) & colors compliment the character of existing Whitefish buildings while introducing an upscale "mountain modern" style.**

c. Scale
   - **Size is appropriate for a small hotel & setbacks and height restrictions have all been complied with. Walls have been broken up through creative design features.**

d. Context of existing neighborhood
   - **Location is surrounded by a school, church, office building and small grocery & gift shop consistent with the WB-3 zoning**

e. Density

- **Downtown patronage will increase to the benefit of all restaurant and shop owners.**

f. Community Character

- **Adds a great new, modern destination hotel to a town we all love and respect and are excited to share with new & repeat visitors alike.**

Flathead County GIS
800 South Main Street
Kalispell, MT 59901
Phone (406) 758-5540

Adjacent Ownership List Request Form
Must be filled out by the Planning Office, Surveyor, or Engineer

SUBJECT PROPERTY OWNER	GNV Downtown llc/Whitefish Hotel Group llc
SUBJECT PROPERTY ASSESSOR #	205 Spokane AVE - 0247961
SUBJECT PROPERTY LEGAL DESCRIPTION	Block 46 (excluding Lots 12-18)
SEC-TOWNSHIP-RANGE	36-31-22
BUFFER FOOTAGE	150-feet
CONTACT PERSON	Jeff Badelt
CONTACT PHONE #	890-8915
TODAY'S DATE	11/25/2014
SPECIAL HANDLING INSTRUCTIONS	Expedite Please
PLANNER, SURVEYOR OR ENGINEER SIGNATURE	Hilthompson-Rey, city of Whitefish

Orders can be submitted in the GIS office, via mail or email (gis_ownership@flathead.mt.gov). Incomplete forms will not be accepted.

Certified Ownership List – completed 1 week from time of order $75.00
Certified Ownership List Rush – completed 24 to 48 hours from time of order $150.00 *

Traffic Impact Study
Block 46 Hotel
Whitefish, Montana

Prepared For:

Montana Development Group
1380 Wisconsin Avenue
Whitefish, MT 59937

December, 2014

130 South Howie Street
Helena, Montana 59601
406-459-1443

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Traffic Impact Study
Block 46 Hotel
Whitefish, Montana

A. EXECUTIVE SUMMARY

The Block 46 Hotel project is a 89 room hotel proposed south of Second Street in Downtown Whitefish, Montana. The hotel will produce 727 daily vehicle trips. As proposed the project will have little impact on the surrounding road system. All nearby intersections will continue to function at acceptable levels of service and no additional improvements will be required at any area intersections to improve roadway capacity.

B. PROJECT DESCRIPTION

This document studies the possible effect on the surrounding road system from the proposed Block 46 development site in downtown Whitefish, Montana. The project site consists of ¾ of the city block located between Spokane Avenue and Kalispell Avenue and between Second Street and Third Street. The property would be developed to include an 89 room hotel. See **Figure 1** for a location map of the proposed development.

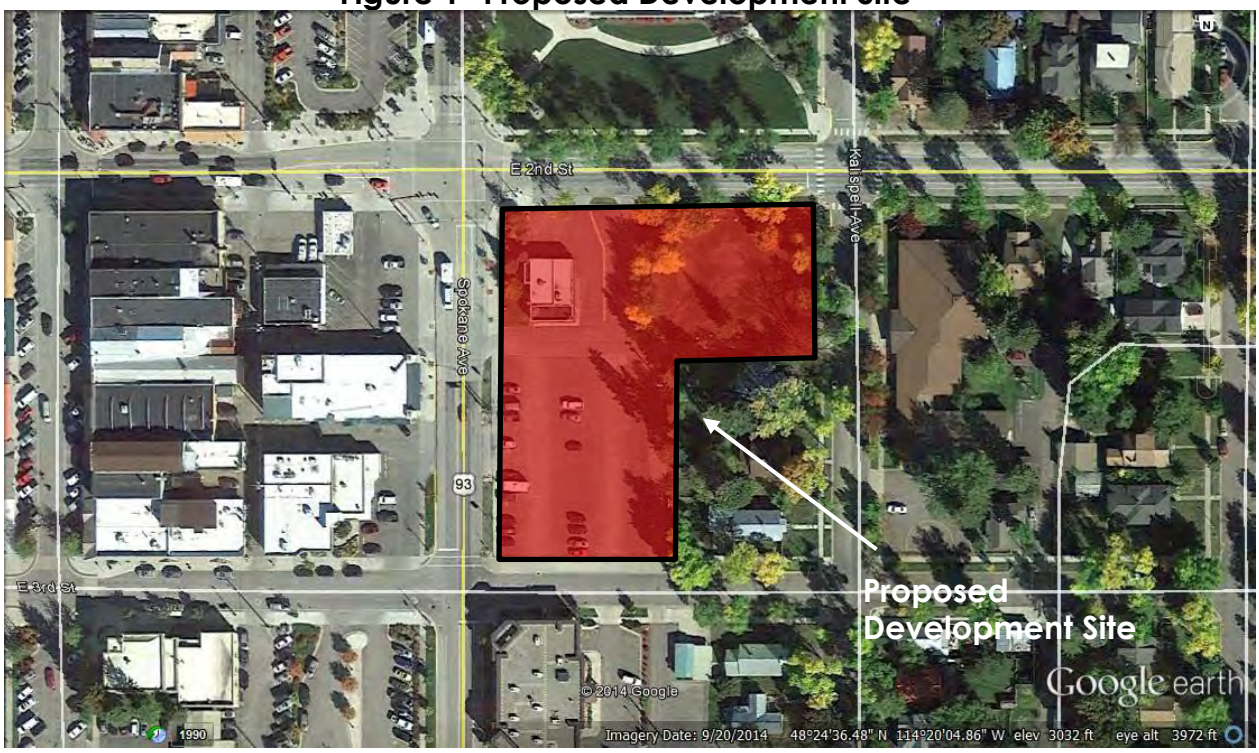
C. EXISTING CONDITIONS

Adjacent Roadways

Spokane Avenue (U.S. Highway 93) is a two-lane north/south principal arterial route through the City of Whitefish. The roadway has a fully urban cross-section and passes through a small business corridor as the road nears downtown Whitefish. At Second Street U.S. Highway 93 splits off from Spokane Avenue and continues to the west. The intersection with Second Street has recently been reconstructed with new lanes and a fully actuated traffic signal to improve capacity. The intersection is characterized by a heavy west to south turning movement along the U.S. Highway 93 route The roadway currently carries 13,800 VPD (Vehicles Per Day) south of Second Street.

Second Street (U.S. Highway 93) is the primary east/west route through Whitefish. The two-lane road is part of the U.S. Highway 93 corridor as it passes through the downtown area. Second Street continues past Whitefish Central School and into a more residential area east of Spokane Avenue. The roadway has an urban cross-section and a width of 45 feet and has a posted speed limit of 15 MPH in front of Central School. The roadway currently carries 3,000 VPD adjacent to Central School.

Figure 1- Proposed Development Site



Kalispell Avenue is a two-lane north/south local street that runs parallel to Spokane Avenue. North of Second Street the roadway passes Central School. This section of roadway is used as the primary pick-up and drop-off area for the school. South of Second Street the road passes next to the Christ Lutheran Church and then continues into a residential area. The roadway has an urban cross-section and has a paved width of 33 feet. The roadway currently carries 200 VPD south of Second Street.

Third Street is a two-lane east/west route that passes along the southern edge of the proposed development site. East of Spokane Avenue the roadway has a width of 30 feet and passes through a mostly residential area. West of Spokane Avenue the roadway widens to 38 feet as it passes into the central business district. The intersection of Third Street and Kalispell Avenue in uncontrolled.

Traffic Counts

In April 2013 Abelin Traffic Services (ATS) conducted turning movement counts around the Block 46 development site. During the traffic count ATS collected data at the four intersections around the perimeter of the block. Special traffic counts were performed to monitor pick-up and drop-off traffic at the Whitefish Central School. The collected traffic data is included in **Appendix A**.

Traffic data was also collected data from the Montana Department of Transportation which maintains annual count information on Second Street east of Spokane Avenue and along Spokane Avenue. The historic data for this location is presented in **Table 1**. It is notable that the trend over the last ten years along East Second Street is an overall decrease in traffic volumes. The historic data indicates that the information collected by ATs in 2013 is still valid for this area.

Table 1 – U.S. Historic Average Daily Traffic Data

Location	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Second Street Between Somers and Columbia	3,640	3,510	3,390	3,290	2,920	3,090	3,080	2,900	2,740	2,970
Spokane Avenue South of 2nd Street	11,180	11,180	11,210	12,130	10,620	11,820	10,530	13,770	10,040	13,800

The City of Whitefish and the Montana Department of Transportation are currently considering a proposal to provide designated bike lanes or a bike path along Spokane Avenue. This bike lane may include separated bike line or a combined bike path along the east side of Spokane Avenue. The final configuration for this project has not been finalized.

Existing Land Use

At present Block 46 consists of the former National Parks Realty office, three residential homes, and a large un-delineated parking area that is used regularly for long-duration parking within the downtown. During the site visit in April 43 vehicles were observed in this parking area during the afternoon. There are currently five existing approaches from Block 46 onto the surrounding road system.

Whitefish Central School

Whitefish Central School is located just north of Block 46 across Second Street. The school currently provides classes for 489 5th thru 8th grade students. Pick-up and drop-off areas are located along the eastern side of the school on Kalispell Avenue. Generally, drivers use Columbia Avenue and Somers Avenue to circulate to the northern corner of the school and then turn to the south along Kalispell Avenue to the pick-up and drop-off areas and exit onto Second Street to the south. All buses exit the school to the south along Kalispell Avenue and turn left onto Second Street to continue the bus route towards Whitefish High School.

Second Street experiences a considerable increase in traffic volumes during the morning and afternoon pick-up/drop-off periods. For one 15 minute period in the morning and afternoon, traffic volumes along Second Street double. This traffic volume increase is caused both by the traffic from Central School and from the High School. A large portion of drivers during these periods are high school students.

Central School supplies a crossing guard for students crossing Second Street in the morning and afternoon. During the morning 46 students were observed crossing from south to north along the western leg of the Kalispell Avenue/Second Street intersection. In the afternoon 86 students were observed crossing from north to south across this leg. Although the crossing guard has no official capacity to direct traffic, the guard regularly stops traffic to help the school buses turn onto Second Street.

Level of Service

Using the data collected for this project, ATS conducted a Level of Service (LOS) analysis at the intersections around Block 46. This evaluation was conducted in accordance with the procedures outlined in the Transportation Research Board's *Highway Capacity Manual (HCM) - Special Report 209* and the Highway Capacity Software (HCS) version 6.1. Intersections are graded from A to F representing the average delay that a vehicle entering an intersection can expect. Typically, a LOS of C or better is considered acceptable for peak-hour conditions.

Table 2 shows the existing 2013 level of service for the AM and PM peak hours for the intersections around the proposed development site. The LOS calculations are included in **Appendix C**.

Table 2 – 2013 Average Daily Traffic Level of Service Summary

	AM Peak Hour		PM Peak Hour	
	Delay (Sec.)	LOS	Delay (Sec.)	LOS
Spokane & Second	13.5	B	14.6	B
Second & Kalispell*	10.2/13.3	B/B	10.3/9.6	B/A
Spokane & Third*	19.5/14.6	C/B	14.8/12.1	B/B

* Westbound/Eastbound or Northbound/Southbound Side Street Delay & LOS.

Table 2 shows that all of the intersections in the area are currently operating at acceptable levels under average daily traffic conditions. No intersections are experiencing excessive delay and roadway modifications are not currently needed. The intersection of Second Street and Kalispell Avenue does experience some additional delay short-term during the afternoon release period from Central School, which is typical of most schools in urban areas.

D. PROPOSED DEVELOPMENT

The current development proposal for this site includes an 89 unit hotel which will include food and drink items available primarily for hotel guests. Access to the site would be provided through two of the five existing accesses onto Block 46. The project would eliminate the existing approaches onto Spokane Avenue and Second Street and maintain the alley approaches onto Kalispell Avenue and 3rd Street. The hotel will include 70 parking spaces within the property. The three existing homes in the southeast quadrant of the block will remain. The Block 46 hotel site plan is shown in **Figure 2**. The developers have agreed to adjust the location of the Block 46 hotel to accommodate the proposed bike path along the east side of Spokane Avenue.

E. TRIP GENERATION AND ASSIGNMENT

ATS performed a trip generation analysis to determine the anticipated future traffic volumes from the proposed development using the trip generation rates contained in *Trip Generation* (Institute of Transportation Engineers, Seventh Edition). These rates are the national standard and are based on the most current information available to planners. A vehicle "trip" is defined as any trip that either begins or ends at the development site. ATS determined that the critical traffic impacts on the intersections and roadways would occur during the weekday morning and evening peak hours. According to the ITE trip generation rates, at full build-out the proposed development would produce 50 AM peak hour trips, 53 PM peak hour trips, and 727 daily trips. The trip generation rates and totals are shown in **Table 3**. It should be noted that 50-100 vehicles currently use the existing parking area each day, generating 100-200 vehicle trips from Block 46. The Block 46 Hotel would therefore only create 500-600 new daily trips at this site.

Table 3 - Trip Generation Rates

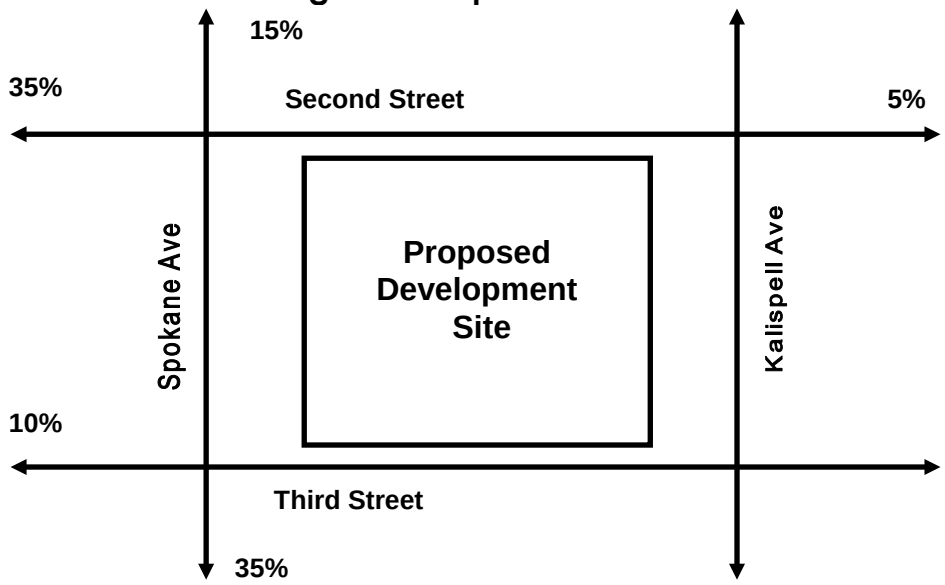
Land Use	Units	AM Peak Hour Trip Ends per Unit	Total AM Peak Hour Trip Ends	PM Peak Hour Trip Ends per Unit	Total PM Peak Hour Trip Ends	Weekday Trip Ends per Unit	Total Weekday Trip Ends
Hotel	89	0.56	50	0.59	53	8.17	727

F. TRIP DISTRIBUTION

The traffic distribution and assignment for the proposed subdivision was based upon the existing ADT volumes along the adjacent roadways and the peak-hour turning volumes. It is expected that most of the traffic will distribute onto Spokane Avenue and Second Street. Traffic is expected to distribute onto the surrounding road network as shown on **Figure 3**.

Figure 2 - Proposed Development

Figure 3 – Trip Distribution



G. TRAFFIC IMPACTS OUTSIDE OF THE DEVELOPMENT

Using the trip generation and trip distribution numbers, ATS determined the future Level of Service for the area intersections. The anticipated intersection LOS with the Block 46 Hotel is shown in **Tables 4**. These calculations are based on the projected model volumes included in **Appendix B** of this report. **Table 4** indicates that the Block 46 Hotel will have little impact on the surrounding road system and no specific improvements will be required to increase roadway capacity. The short-duration delay experienced at the intersection of Second Street and Kalispell Avenue during the afternoon release period from Central School will not be significantly impacted by the Block 46 project.

Table 4 –Level of Service Summary
With the Block 46 Hotel

	AM Peak Hour		PM Peak Hour	
Intersection	**Delay (Sec.)**	**LOS**	**Delay (Sec.)**	**LOS**
Spokane & Second	`13.6	B	14.6	B
Second & Kalispell*	11.7/13.4	B/B	10.6/9.7	B/A
Spokane & Third*	20.2/15.7	C/C	16.5/12.7	C/B

* Westbound/Eastbound or Northbound/Southbound Side Street Delay & LOS.

The Block 46 Hotel will cause a small increase in traffic volumes within the Downtown but all of the near-by intersections will continue to operate at an acceptable Level of Service. The total traffic volume increase caused by this project on the surrounding road system is between 2% to 4%. The intersections in this area experience higher levels of traffic during the peak summer

months, however it is not generally practical to design intersections for peak traffic volumes. Although the total delay at these intersections will be greater in the summer, the overall effect of the additional traffic specifically from the Block 46 Hotel will be low.

It is likely that the overall traffic impacts from the project will be less than what are described in this report. With the project's proximity to the shops and restaurants in Downtown Whitefish, it is likely that a portion of guests staying at the hotel will walk to many near-by destinations rather than using a vehicle. Most of the intersections in this area are pedestrian friendly and encourage walking.

Traffic volumes at the intersection of Kalispell and Third Ave will increase, but the intersection should still operate adequately as an uncontrolled intersection. If any operation issues arise at this intersection due to the Block 46 Hotel, the intersection could be easily converted to a two-way STOP controlled intersection.

The City of Whitefish has some concerns about losing the long-term parking on Block 46. This parking area is used by many downtown employees because there are no time limits for this parking lot. Once this lot is eliminated it is not known where the 30 to 50 vehicles which typically use this lot will be displaced to. The City of Whitefish is continuing plans to create a parking garage in the downtown which would alleviate much of the parking congestion in this area, but it is not known when this garage will be constructed.

H. IMPACT SUMMARY & RECOMMENDATIONS

The Block 46 Hotel project will have little impact on the surrounding road system. All nearby intersections will continue to function at acceptable levels of service and no additional improvements will be required at any area intersections to improve roadway capacity.

APPENDIX A

Traffic Data

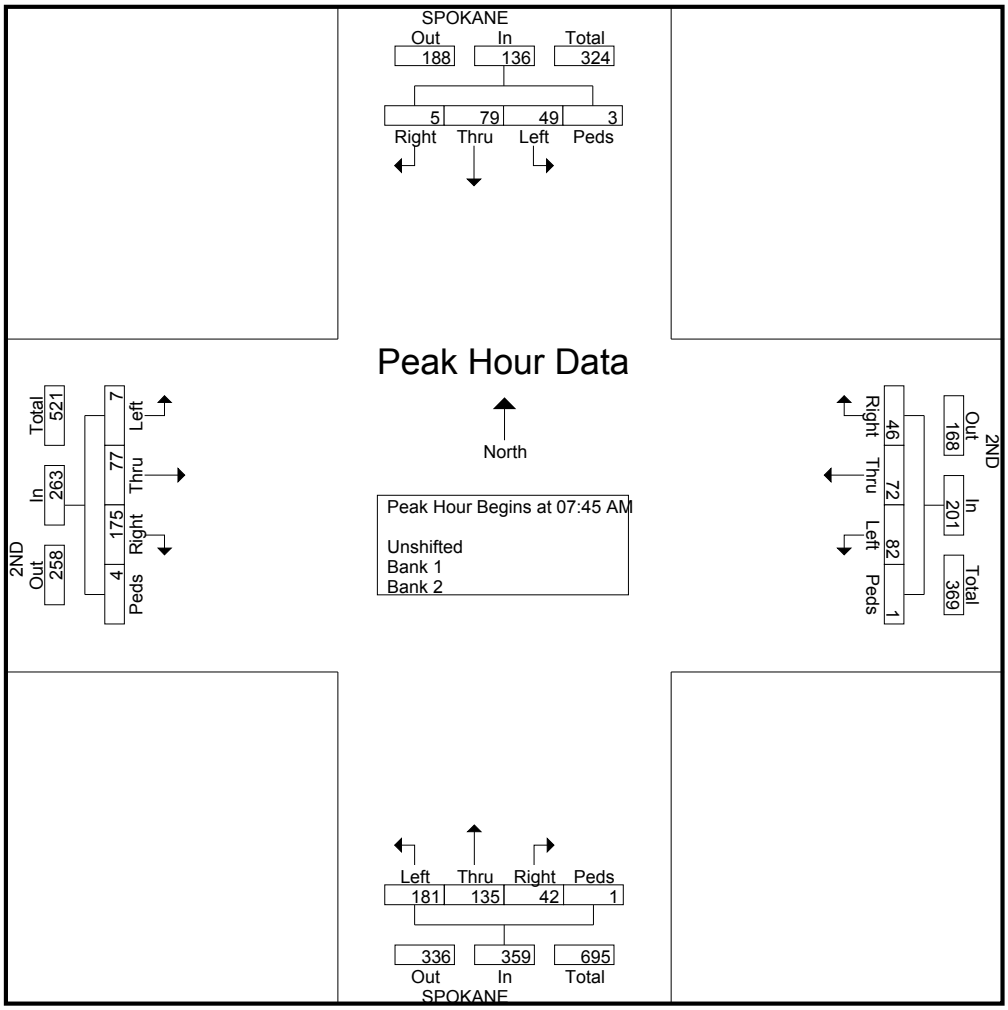
Abelin Traffic Services

130 S. Howie Street
Helena, MT 59601

Abelin Traffic Services
130 S. Howie Street
Helena, MT 59601

File Name : SpokaneAM
Site Code : 00000000
Start Date : 4/25/2013
Page No : 2

	SPOKANE Southbound					2ND Westbound					SPOKANE Northbound					2ND Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:30 AM to 08:30 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:45 AM																					
07:45 AM	0	8	5	0	13	5	3	25	0	33	9	23	47	0	79	56	12	2	2	72	197
08:00 AM	0	20	9	1	30	9	14	14	1	38	18	40	33	1	92	33	17	1	2	53	213
08:15 AM	3	29	22	0	54	10	18	17	0	45	11	42	47	0	100	41	32	3	0	76	275
08:30 AM	2	22	13	2	39	22	37	26	0	85	4	30	54	0	88	45	16	1	0	62	274
Total Volume	5	79	49	3	136	46	72	82	1	201	42	135	181	1	359	175	77	7	4	263	959
% App. Total	3.7	58.1	36	2.2		22.9	35.8	40.8	0.5		11.7	37.6	50.4	0.3		66.5	29.3	2.7	1.5		
PHF	.417	.681	.557	.375	.630	.523	.486	.788	.250	.591	.583	.804	.838	.250	.898	.781	.602	.583	.500	.865	.872



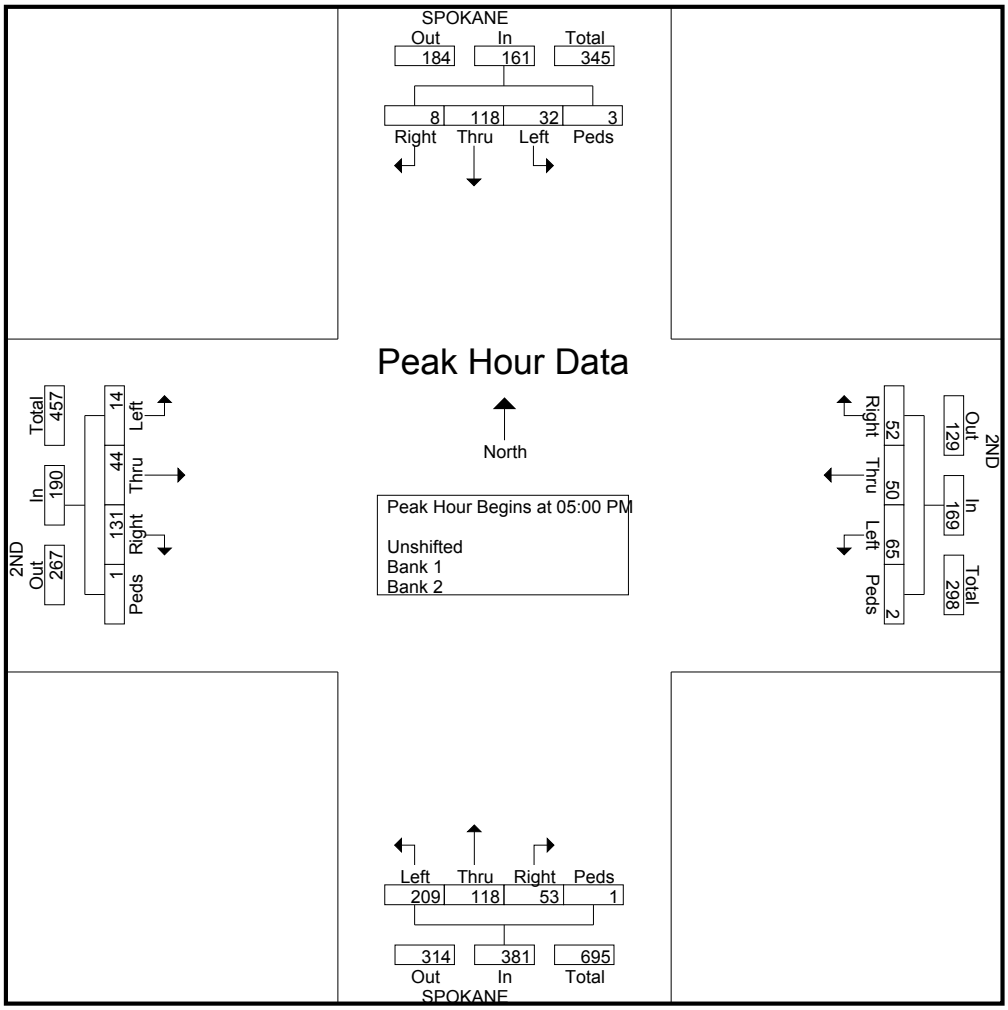
Abelin Traffic Services

130 S. Howie Street
Helena, MT 59601

Abelin Traffic Services
130 S. Howie Street
Helena, MT 59601

File Name : SpokanePM
Site Code : 00000000
Start Date : 4/24/2013
Page No : 2

	SPOKANE Southbound					2ND Westbound					SPOKANE Northbound					2ND Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:30 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	2	34	7	1	44	17	8	19	1	45	13	27	49	1	90	34	9	5	1	49	228
05:15 PM	3	27	10	0	40	15	13	11	0	39	14	27	62	0	103	32	8	2	0	42	224
05:30 PM	2	27	7	1	37	8	13	13	1	35	11	33	55	0	99	34	12	2	0	48	219
05:45 PM	1	30	8	1	40	12	16	22	0	50	15	31	43	0	89	31	15	5	0	51	230
Total Volume	8	118	32	3	161	52	50	65	2	169	53	118	209	1	381	131	44	14	1	190	901
% App. Total	5	73.3	19.9	1.9		30.8	29.6	38.5	1.2		13.9	31	54.9	0.3		68.9	23.2	7.4	0.5		
PHF	.667	.868	.800	.750	.915	.765	.781	.739	.500	.845	.883	.894	.843	.250	.925	.963	.733	.700	.250	.931	.979



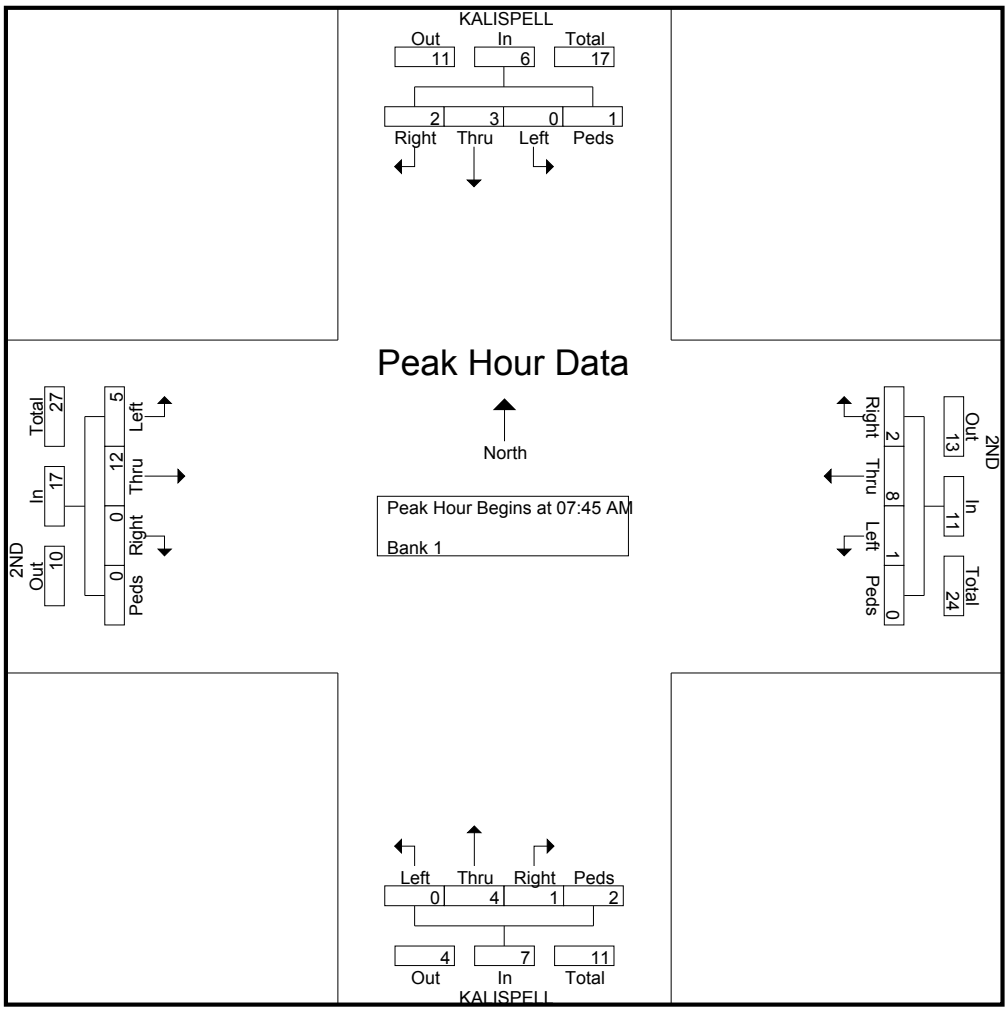
Abelin Traffic Services

130 S. Howie Street
Helena, MT 59601

Abelin Traffic Services
130 S. Howie Street
Helena, MT 59601

File Name : KalAM
Site Code : 00000000
Start Date : 4/26/2013
Page No : 2

	KALISPELL Southbound					2ND Westbound					KALISPELL Northbound					2ND Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:45 AM to 08:30 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:45 AM																					
07:45 AM	0	1	0	0	1	0	2	0	0	2	0	1	0	0	1	0	1	0	0	1	5
08:00 AM	1	0	0	1	2	1	1	0	0	2	0	0	0	0	0	0	3	0	0	3	7
08:15 AM	0	1	0	0	1	1	2	1	0	4	1	3	0	1	5	0	2	4	0	6	16
08:30 AM	1	1	0	0	2	0	3	0	0	3	0	0	0	1	1	0	6	1	0	7	13
Total Volume	2	3	0	1	6	2	8	1	0	11	1	4	0	2	7	0	12	5	0	17	41
% App. Total	33.3	50	0	16.7		18.2	72.7	9.1	0		14.3	57.1	0	28.6		0	70.6	29.4	0		
PHF	.500	.750	.000	.250	.750	.500	.667	.250	.000	.688	.250	.333	.000	.500	.350	.000	.500	.313	.000	.607	.641



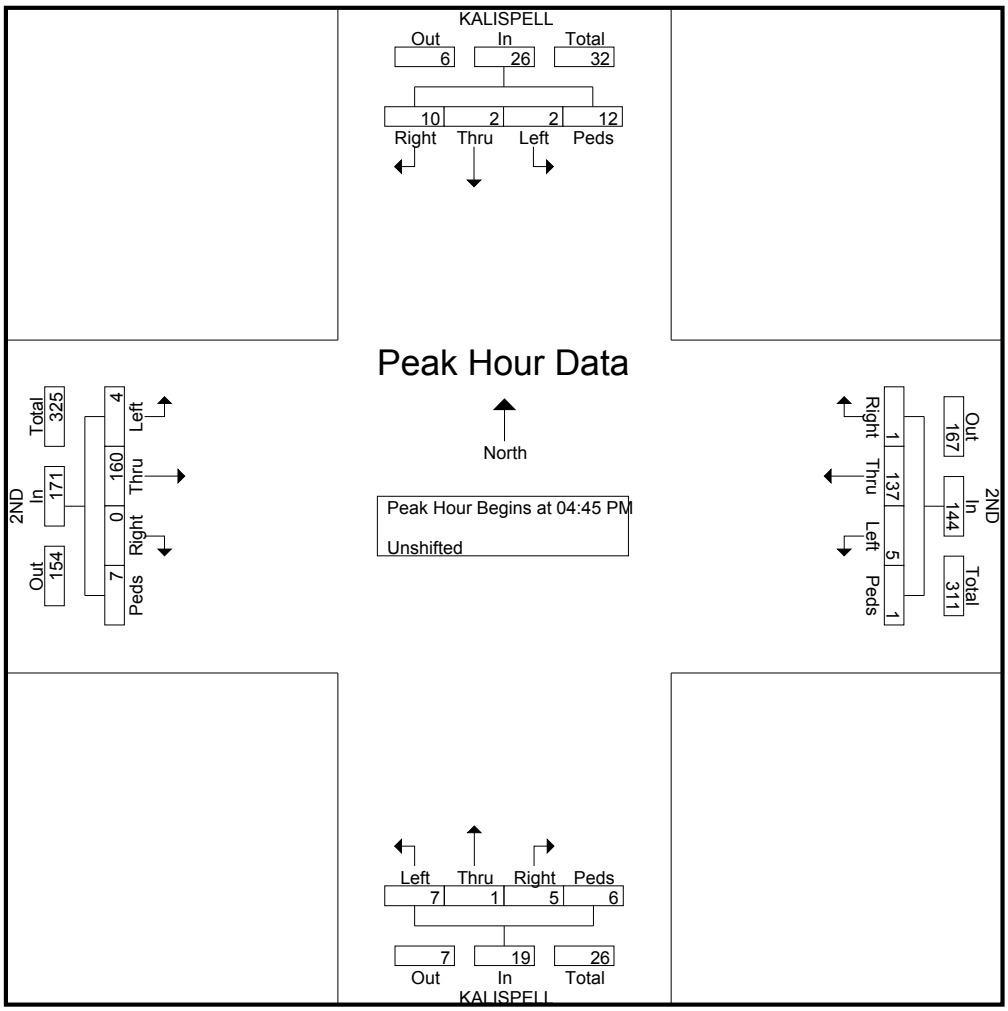
Abelin Traffic Services

130 S. Howie Street
Helena, MT 59601

Abelin Traffic Services
130 S. Howie Street
Helena, MT 59601

File Name : KalPM
Site Code : 00000000
Start Date : 4/25/2013
Page No : 2

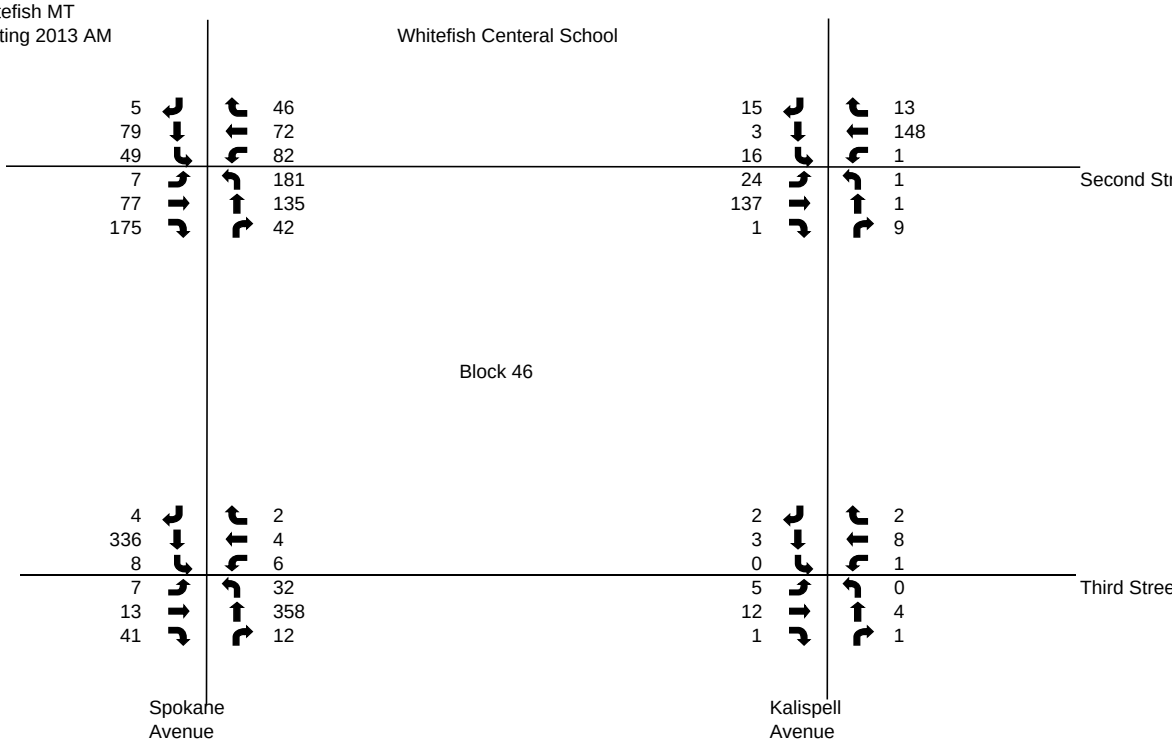
	KALISPELL Southbound					2ND Westbound					KALISPELL Northbound					2ND Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:30 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	4	0	0	4	8	1	32	2	0	35	1	0	3	5	9	0	43	2	0	45	97
05:00 PM	4	0	0	1	5	0	33	1	0	34	1	1	3	1	6	0	33	1	1	35	80
05:15 PM	2	2	1	3	8	0	31	0	0	31	2	0	1	0	3	0	44	1	4	49	91
05:30 PM	0	0	1	4	5	0	41	2	1	44	1	0	0	0	1	0	40	0	2	42	92
Total Volume	10	2	2	12	26	1	137	5	1	144	5	1	7	6	19	0	160	4	7	171	360
% App. Total	38.5	7.7	7.7	46.2		0.7	95.1	3.5	0.7		26.3	5.3	36.8	31.6		0	93.6	2.3	4.1		
PHF	.625	.250	.500	.750	.813	.250	.835	.625	.250	.818	.625	.250	.583	.300	.528	.000	.909	.500	.438	.872	.928



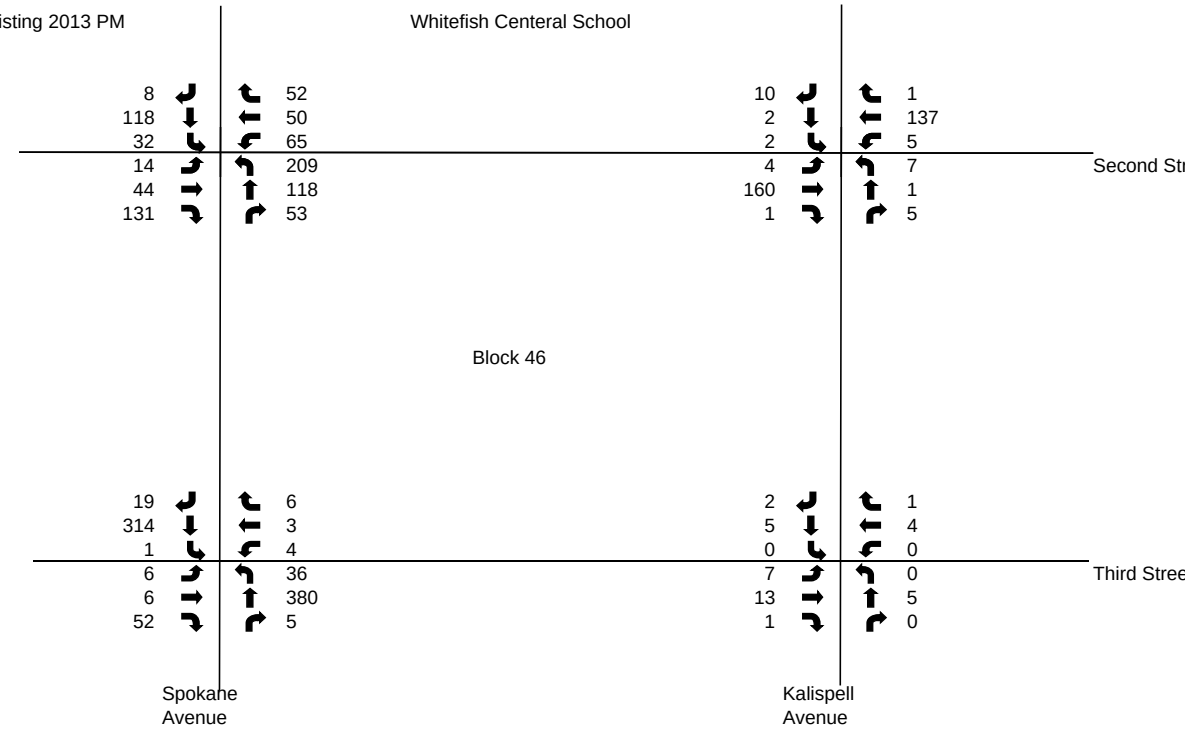
APPENDIX B

Traffic Model

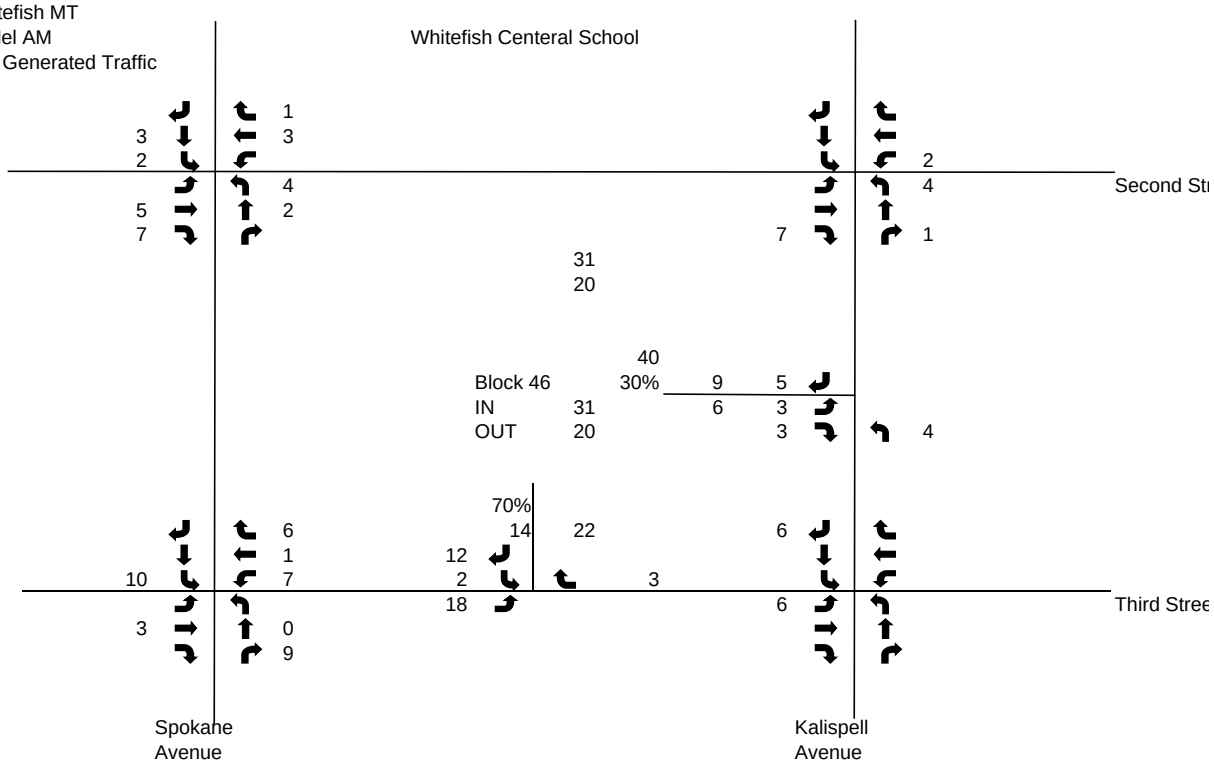
Block 46 Development
Whitefish MT
Existing 2013 AM



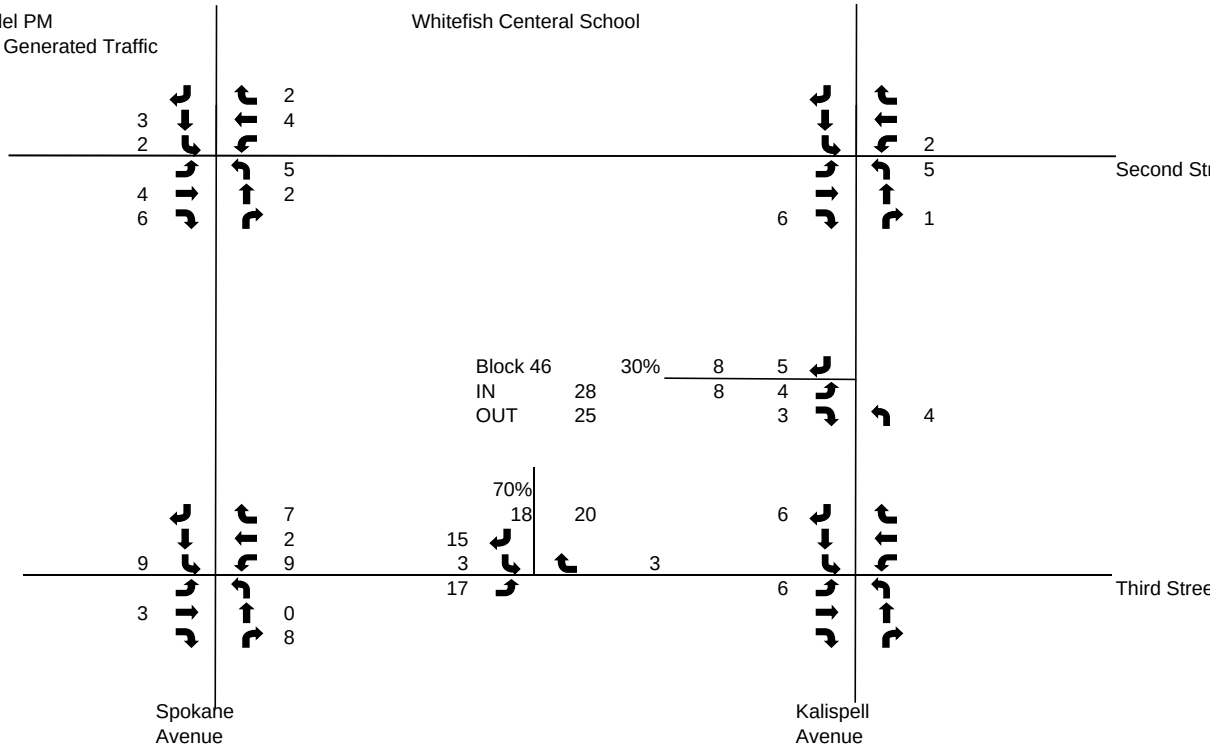
Existing 2013 PM



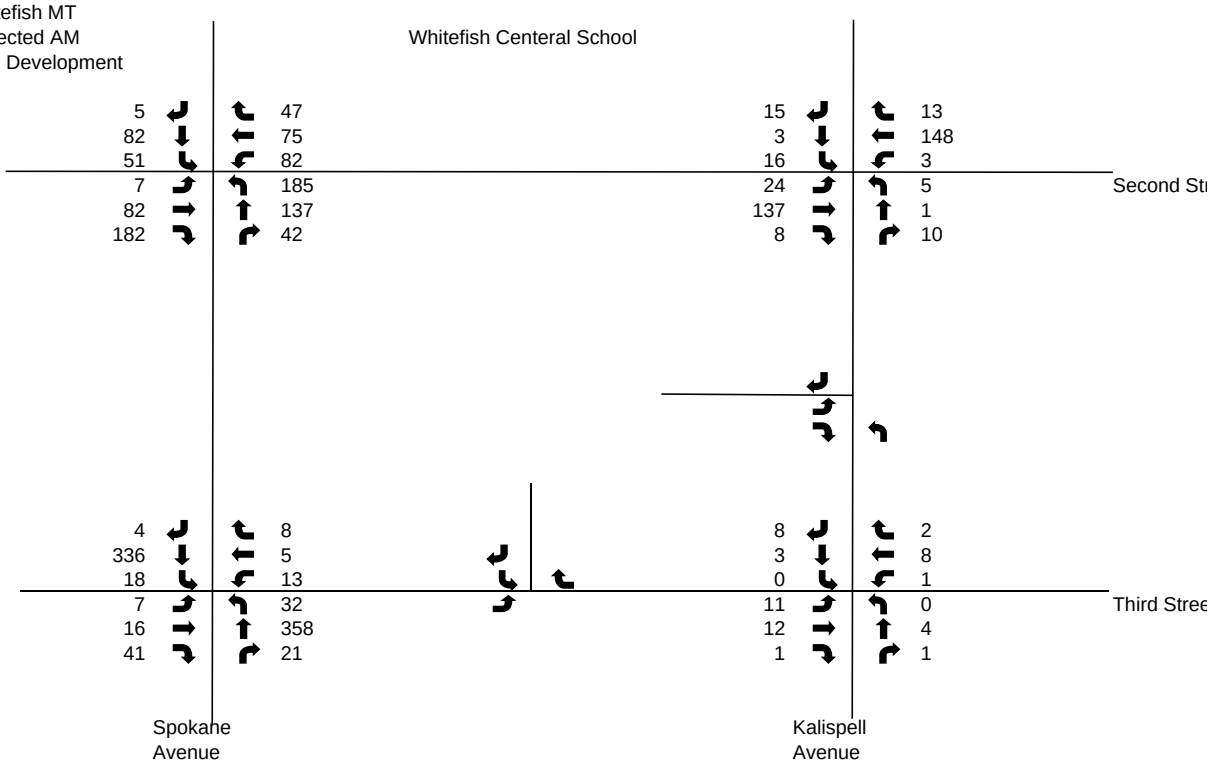
Block 46 Development
Whitefish MT
Model AM
Site Generated Traffic



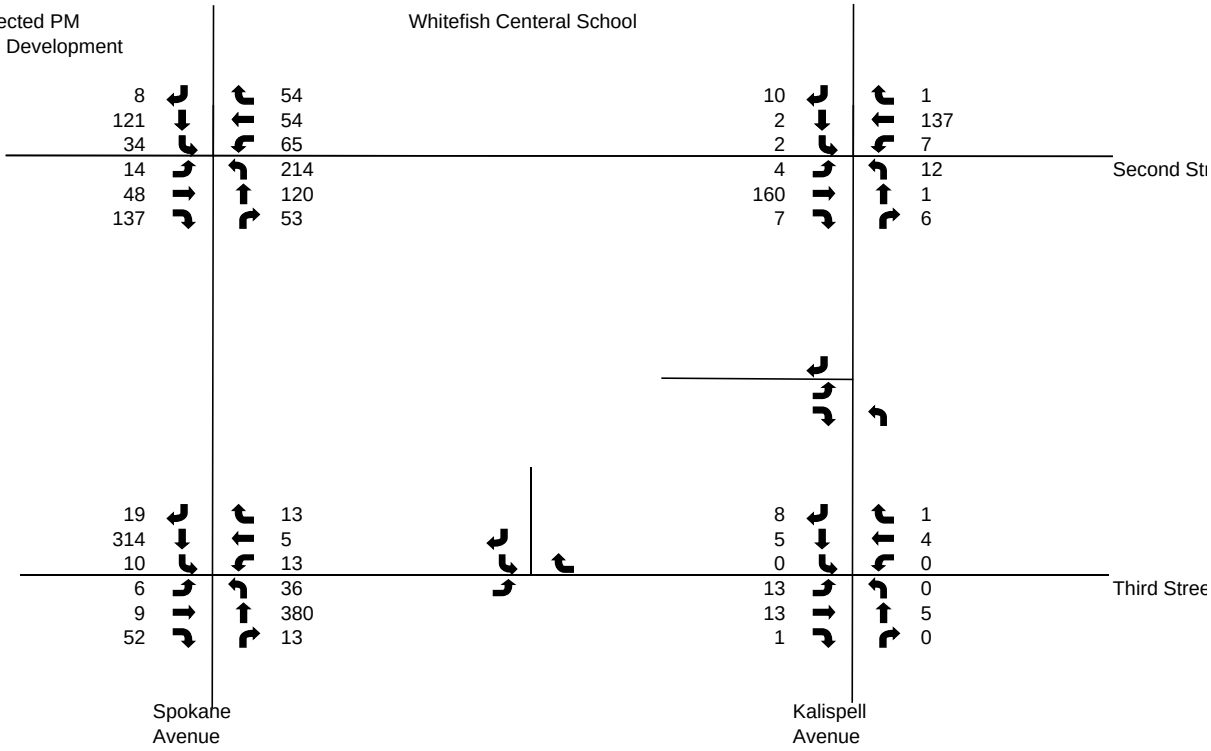
Model PM
Site Generated Traffic



Block 46 Development
Whitefish MT
Projected AM
With Development



Projected PM
With Development

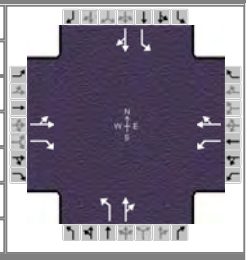


APPENDIX C

LOS Calculations

HCS 2010 Signalized Intersection Results Summary

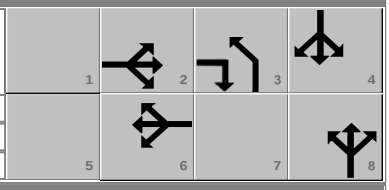
General Information				Intersection Information	
Agency				Duration, h	0.25
Analyst		Analysis Date	May 6, 2013	Area Type	CBD
Jurisdiction		Time Period		PHF	0.87
Intersection	2nd & Spokane	Analysis Year	2013	Analysis Period	1> 7:00
File Name	SpokaneAM.xus				
Project Description	Block 46 PUD				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (*v*), veh/h	7	77	175	82	72	46	181	135	42	49	79	5

Signal Information			
Cycle, s	60.0	Reference Phase	2
Offset, s	0	Reference Point	End
Uncoordinated	No	Simult. Gap E/W	On
Force Mode	Fixed	Simult. Gap N/S	On

Green	29.4	9.7	5.9	0.0	0.0	0.0
Yellow	4.0	4.0	4.0	0.0	0.0	0.0
Red	1.0	1.0	1.0	0.0	0.0	0.0



Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6	3	8		4
Case Number		7.0		6.0	1.0	4.0		6.3
Phase Duration, s		34.4		34.4	14.7	25.6		10.9
Change Period, ($Y+R_c$), s		5.0		5.0	5.0	5.0		5.0
Max Allow Headway (*MAH*), s		0.0		0.0	3.1	3.2		3.2
Queue Clearance Time (g_s), s					8.2	7.6		5.3
Green Extension Time (g_e), s		0.0		0.0	0.3	0.7		0.7
Phase Call Probability					0.97	1.00		1.00
Max Out Probability					0.00	0.00		0.00

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	5	2	12	1	6	16	3	8	18	7	4	14
Adjusted Flow Rate (*v*), veh/h		97	201	94	136		208	203		56	97	
Adjusted Saturation Flow Rate (*s*), veh/h/ln		1679	1449	1196	1598		1629	1640		1078	1692	
Queue Service Time (g_s), s		0.0	3.4	2.8	2.8		6.2	5.6		3.0	3.3	
Cycle Queue Clearance Time (g_c), s		1.8	3.4	4.6	2.8		6.2	5.6		3.0	3.3	
Green Ratio (*g/C*)		0.49	0.65	0.49	0.49		0.29	0.34		0.10	0.10	
Capacity (*c*), veh/h		887	943	669	782		436	564		227	167	
Volume-to-Capacity Ratio (*X*)		0.109	0.213	0.141	0.173		0.477	0.361		0.248	0.577	
Available Capacity (c_a), veh/h		887	943	669	782		824	1203		646	827	
Back of Queue (*Q*), veh/ln (50th percentile)		0.6	0.8	0.7	0.9		2.1	1.8		0.7	1.3	
Queue Storage Ratio (*RQ*) (50th percentile)		0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	
Uniform Delay (d_1), s/veh		8.3	4.2	9.5	8.5		17.4	14.7		25.7	25.8	
Incremental Delay (d_2), s/veh		0.2	0.5	0.4	0.5		0.3	0.1		0.2	1.2	
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Control Delay (*d*), s/veh		8.5	4.8	10.0	9.0		17.7	14.9		25.9	27.0	
Level of Service (LOS)		A	A	A	A		B	B		C	C	
Approach Delay, s/veh / LOS	6.0	A		9.4	A		16.3	B		26.6	C	
Intersection Delay, s/veh / LOS	13.5						B					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.2	B	2.2	B	2.3	B	2.3	B
Bicycle LOS Score / LOS	1.0	A	0.9	A	1.2	A	0.7	A

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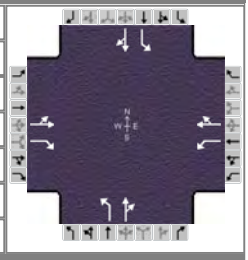
HCS 2010 Signalized Intersection Results Summary

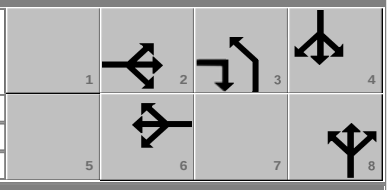
General Information				Intersection Information	
Agency				Duration, h	0.25
Analyst		Analysis Date	May 6, 2013	Area Type	CBD
Jurisdiction		Time Period		PHF	0.98
Intersection	2nd & Spokane	Analysis Year	2013	Analysis Period	1> 7:00
File Name	SpokanePM.xus				
Project Description	Block 46 Hotel				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (*v*), veh/h	14	44	131	65	50	52	209	118	53	32	118	8

Signal Information			
Cycle, s	60.0	Reference Phase	2
Offset, s	0	Reference Point	End
Uncoordinated	No	Simult. Gap E/W	On
Force Mode	Fixed	Simult. Gap N/S	On

Green	29.5	8.5	7.0	0.0	0.0	0.0
Yellow	4.0	4.0	4.0	0.0	0.0	0.0
Red	1.0	1.0	1.0	0.0	0.0	0.0



Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6	3	8		4
Case Number		7.0		6.0	1.0	4.0		6.3
Phase Duration, s		34.5		34.5	13.5	25.5		12.0
Change Period, ($Y+R_c$), s		5.0		5.0	5.0	5.0		5.0
Max Allow Headway (*MAH*), s		0.0		0.0	3.1	3.2		3.2
Queue Clearance Time (g_s), s					8.4	6.8		6.4
Green Extension Time (g_e), s		0.0		0.0	0.4	0.6		0.6
Phase Call Probability					0.97	1.00		1.00
Max Out Probability					0.00	0.00		0.00

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	5	2	12	1	6	16	3	8	18	7	4	14
Adjusted Flow Rate (*v*), veh/h		59	134	66	104		213	174		33	129	
Adjusted Saturation Flow Rate (*s*), veh/h/ln		1578	1449	1244	1566		1629	1620		1106	1691	
Queue Service Time (g_s), s		0.0	2.2	1.8	2.2		6.4	4.8		1.6	4.4	
Cycle Queue Clearance Time (g_c), s		1.1	2.2	2.9	2.2		6.4	4.8		1.6	4.4	
Green Ratio (*g/C*)		0.49	0.63	0.49	0.49		0.29	0.34		0.12	0.12	
Capacity (*c*), veh/h		851	919	709	771		401	553		248	196	
Volume-to-Capacity Ratio (*X*)		0.070	0.145	0.094	0.135		0.532	0.316		0.131	0.656	
Available Capacity (c_a), veh/h		851	919	709	771		1011	1215		700	887	
Back of Queue (*Q*), veh/ln (50th percentile)		0.4	0.5	0.4	0.7		2.2	1.6		0.4	1.7	
Queue Storage Ratio (*RQ*) (50th percentile)		0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	
Uniform Delay (d_1), s/veh		8.0	4.4	8.8	8.3		17.7	14.6		24.2	25.4	
Incremental Delay (d_2), s/veh		0.2	0.3	0.3	0.4		0.4	0.1		0.1	1.4	
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Control Delay (*d*), s/veh		8.2	4.8	9.0	8.7		18.2	14.7		24.2	26.8	
Level of Service (LOS)		A	A	A	A		B	B		C	C	
Approach Delay, s/veh / LOS	5.8	A		8.8	A		16.6	B		26.3	C	
Intersection Delay, s/veh / LOS	14.6						B					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.2	B	2.2	B	2.3	B	2.3	B
Bicycle LOS Score / LOS	0.8	A	0.8	A	1.1	A	0.8	A

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLA*	Intersection	*Spokane & 3rd*
Agency/Co.	*Abelin Traffic Services*	Jurisdiction	*City of Whitefish*
Date Performed	*12/8/14*	Analysis Year	*2013*
Analysis Time Period	*AM Peak Hour*		

Project Description *Block 46 Hotel*

East/West Street: *Third Street* | North/South Street: *Spokane Ave*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*32*	*358*	*12*	*8*	*336*	*4*
Peak-Hour Factor, PHF	*0.87*	*0.87*	*0.87*	*0.87*	*0.87*	*0.87*
Hourly Flow Rate, HFR (veh/h)	*36*	*411*	*13*	*9*	*386*	*4*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*7*	*13*	*41*	*6*	*4*	*2*
Peak-Hour Factor, PHF	*0.87*	*0.87*	*0.87*	*0.87*	*0.87*	*0.87*
Hourly Flow Rate, HFR (veh/h)	*8*	*14*	*47*	*6*	*4*	*2*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*36*	*9*		*12*			*69*	
C (m) (veh/h)	*1180*	*1146*		*261*			*444*	
v/c	*0.03*	*0.01*		*0.05*			*0.16*	
95% queue length	*0.09*	*0.02*		*0.14*			*0.55*	
Control Delay (s/veh)	*8.1*	*8.2*		*19.5*			*14.6*	
LOS	*A*	*A*		*C*			*B*	
Approach Delay (s/veh)	--	--	*19.5*			*14.6*		
Approach LOS	--	--	*C*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLA*	Intersection	*Spokane & 3rd*
Agency/Co.	*Abelin Traffic Services*	Jurisdiction	*City of Whitefish*
Date Performed	*12/8/14*	Analysis Year	*2013*
Analysis Time Period	*PM Peak Hour*		

Project Description

East/West Street: *Third Street* | North/South Street: *Spokane Ave*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*36*	*380*	*5*	*1*	*314*	*19*
Peak-Hour Factor, PHF	*0.98*	*0.98*	*0.98*	*0.98*	*0.98*	*0.98*
Hourly Flow Rate, HFR (veh/h)	*36*	*387*	*5*	*1*	*320*	*19*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*6*	*6*	*52*	*4*	*3*	*6*
Peak-Hour Factor, PHF	*0.98*	*0.98*	*0.98*	*0.98*	*0.98*	*0.98*
Hourly Flow Rate, HFR (veh/h)	*6*	*6*	*53*	*4*	*3*	*6*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*36*	*1*		*13*			*65*	
C (m) (veh/h)	*1231*	*1178*		*381*			*570*	
v/c	*0.03*	*0.00*		*0.03*			*0.11*	
95% queue length	*0.09*	*0.00*		*0.11*			*0.38*	
Control Delay (s/veh)	*8.0*	*8.1*		*14.8*			*12.1*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*14.8*			*12.1*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLA*	Intersection	*Second & Kalispell*
Agency/Co.	*Abelin Traffic Services*	Jurisdiction	*City of Whitefish*
Date Performed	*12/8/14*	Analysis Year	*2013*
Analysis Time Period	*AM Peak Hour*		

Project Description *Block 46 Hotel*

East/West Street: *Second Street* | North/South Street: *Kalispell Ave*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*24*	*137*	*1*	*1*	*148*	*13*
Peak-Hour Factor, PHF	*0.56*	*0.56*	*0.56*	*0.56*	*0.56*	*0.56*
Hourly Flow Rate, HFR (veh/h)	*42*	*244*	*1*	*1*	*264*	*23*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*1*	*1*	*9*	*16*	*3*	*15*
Peak-Hour Factor, PHF	*0.56*	*0.56*	*0.56*	*0.56*	*0.56*	*0.56*
Hourly Flow Rate, HFR (veh/h)	*1*	*1*	*16*	*28*	*5*	*26*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*42*	*1*		*18*			*59*	
C (m) (veh/h)	*1287*	*1333*		*714*			*495*	
v/c	*0.03*	*0.00*		*0.03*			*0.12*	
95% queue length	*0.10*	*0.00*		*0.08*			*0.40*	
Control Delay (s/veh)	*7.9*	*7.7*		*10.2*			*13.3*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*10.2*			*13.3*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLA*	Intersection	*Second & Kalispell*
Agency/Co.	*Abelin Traffic Services*	Jurisdiction	*City of Whitefish*
Date Performed	*12/8/14*	Analysis Year	*2013*
Analysis Time Period	*PM Peak Hour*		

Project Description *Block 46 Hotel*

East/West Street: *Second Street* | North/South Street: *Kalispell Ave*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*4*	*160*	*1*	*2*	*137*	*1*
Peak-Hour Factor, PHF	*0.93*	*0.93*	*0.93*	*0.93*	*0.93*	*0.93*
Hourly Flow Rate, HFR (veh/h)	*4*	*172*	*1*	*2*	*147*	*1*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*7*	*1*	*5*	*2*	*2*	*10*
Peak-Hour Factor, PHF	*0.93*	*0.93*	*0.93*	*0.93*	*0.93*	*0.93*
Hourly Flow Rate, HFR (veh/h)	*7*	*1*	*5*	*2*	*2*	*10*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*4*	*2*		*13*			*14*	
C (m) (veh/h)	*1446*	*1416*		*688*			*790*	
v/c	*0.00*	*0.00*		*0.02*			*0.02*	
95% queue length	*0.01*	*0.00*		*0.06*			*0.05*	
Control Delay (s/veh)	*7.5*	*7.5*		*10.3*			*9.6*	
LOS	*A*	*A*		*B*			*A*	
Approach Delay (s/veh)	--	--	*10.3*			*9.6*		
Approach LOS	--	--	*B*			*A*		

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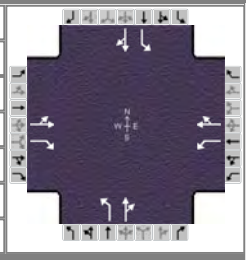
HCS 2010 Signalized Intersection Results Summary

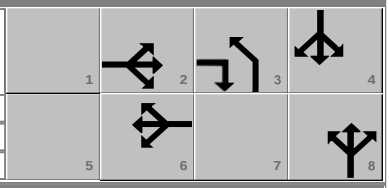
General Information				Intersection Information	
Agency				Duration, h	0.25
Analyst		Analysis Date	May 6, 2013	Area Type	CBD
Jurisdiction		Time Period		PHF	0.87
Intersection	2nd & Spokane	Analysis Year	2013	Analysis Period	1> 7:00
File Name	SpokaneAMwith.xus				
Project Description	Block 46 Hotel - With Project				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (*v*), veh/h	7	84	181	82	75	47	185	137	42	52	82	5

Signal Information			
Cycle, s	60.0	Reference Phase	2
Offset, s	0	Reference Point	End
Uncoordinated	No	Simult. Gap E/W	On
Force Mode	Fixed	Simult. Gap N/S	On

Green	29.5	9.7	5.8	0.0	0.0	0.0
Yellow	4.0	4.0	4.0	0.0	0.0	0.0
Red	1.0	1.0	1.0	0.0	0.0	0.0



Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6	3	8		4
Case Number		7.0		6.0	1.0	4.0		6.3
Phase Duration, s		34.5		34.5	14.7	25.5		10.8
Change Period, ($Y+R_c$), s		5.0		5.0	5.0	5.0		5.0
Max Allow Headway (*MAH*), s		0.0		0.0	3.1	3.2		3.2
Queue Clearance Time (g_s), s					8.4	7.7		5.4
Green Extension Time (g_e), s		0.0		0.0	0.2	0.7		0.4
Phase Call Probability					0.97	1.00		1.00
Max Out Probability					0.03	0.00		0.31

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	5	2	12	1	6	16	3	8	18	7	4	14
Adjusted Flow Rate (*v*), veh/h		105	208	94	140		213	206		60	100	
Adjusted Saturation Flow Rate (*s*), veh/h/ln		1682	1449	1188	1599		1629	1641		1075	1692	
Queue Service Time (g_s), s		0.0	3.5	2.8	2.9		6.4	5.7		3.2	3.4	
Cycle Queue Clearance Time (g_c), s		2.0	3.5	4.8	2.9		6.4	5.7		3.2	3.4	
Green Ratio (*g/C*)		0.49	0.65	0.49	0.49		0.29	0.34		0.10	0.10	
Capacity (*c*), veh/h		893	948	665	787		430	560		223	163	
Volume-to-Capacity Ratio (*X*)		0.117	0.220	0.142	0.178		0.494	0.367		0.268	0.615	
Available Capacity (c_a), veh/h		893	948	665	787		574	684		304	290	
Back of Queue (*Q*), veh/ln (50th percentile)		0.7	0.8	0.7	0.9		2.2	1.9		0.8	1.3	
Queue Storage Ratio (*RQ*) (50th percentile)		0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	
Uniform Delay (d_1), s/veh		8.2	4.2	9.5	8.5		17.6	14.9		26.0	26.1	
Incremental Delay (d_2), s/veh		0.3	0.5	0.4	0.5		0.3	0.1		0.2	1.4	
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Control Delay (*d*), s/veh		8.5	4.7	10.0	9.0		18.0	15.0		26.2	27.5	
Level of Service (LOS)		A	A	A	A		B	B		C	C	
Approach Delay, s/veh / LOS	6.0	A		9.4	A		16.5	B		27.0	C	
Intersection Delay, s/veh / LOS	13.6						B					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.2	B	2.2	B	2.3	B	2.3	B
Bicycle LOS Score / LOS	1.0	A	0.9	A	1.2	A	0.8	A

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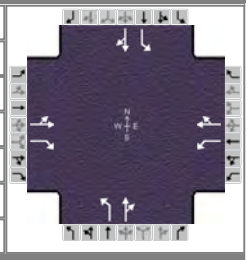
HCS 2010 Signalized Intersection Results Summary

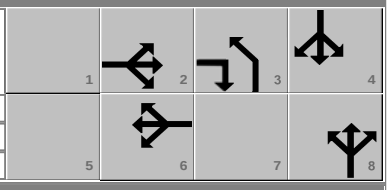
General Information				Intersection Information	
Agency				Duration, h	0.25
Analyst		Analysis Date	May 6, 2013	Area Type	CBD
Jurisdiction		Time Period		PHF	0.98
Intersection	2nd & Spokane	Analysis Year	2013	Analysis Period	1> 7:00
File Name	SpokanePMwith.xus				
Project Description	Block 46 Hotel - With Dev.				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (*v*), veh/h	14	48	137	65	54	54	214	120	53	34	120	8

Signal Information			
Cycle, s	60.0	Reference Phase	2
Offset, s	0	Reference Point	End
Uncoordinated	No	Simult. Gap E/W	On
Force Mode	Fixed	Simult. Gap N/S	On

Green	29.6	8.6	6.8	0.0	0.0	0.0
Yellow	4.0	4.0	4.0	0.0	0.0	0.0
Red	1.0	1.0	1.0	0.0	0.0	0.0



Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6	3	8		4
Case Number		7.0		6.0	1.0	4.0		6.3
Phase Duration, s		34.6		34.6	13.6	25.4		11.8
Change Period, ($Y+R_c$), s		5.0		5.0	5.0	5.0		5.0
Max Allow Headway (*MAH*), s		0.0		0.0	3.1	3.2		3.2
Queue Clearance Time (g_s), s					8.6	6.8		6.5
Green Extension Time (g_e), s		0.0		0.0	0.2	0.6		0.3
Phase Call Probability					0.97	1.00		1.00
Max Out Probability					0.04	0.00		0.26

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement	5	2	12	1	6	16	3	8	18	7	4	14
Adjusted Flow Rate (*v*), veh/h		63	140	66	110		218	177		35	131	
Adjusted Saturation Flow Rate (*s*), veh/h/ln		1586	1449	1240	1569		1629	1621		1104	1691	
Queue Service Time (g_s), s		0.0	2.3	1.8	2.3		6.6	4.8		1.7	4.5	
Cycle Queue Clearance Time (g_c), s		1.2	2.3	2.9	2.3		6.6	4.8		1.7	4.5	
Green Ratio (*g/C*)		0.49	0.64	0.49	0.49		0.29	0.34		0.11	0.11	
Capacity (*c*), veh/h		857	923	709	775		397	550		244	191	
Volume-to-Capacity Ratio (*X*)		0.074	0.151	0.094	0.142		0.550	0.321		0.142	0.685	
Available Capacity (c_a), veh/h		857	923	709	775		571	675		330	322	
Back of Queue (*Q*), veh/ln (50th percentile)		0.4	0.5	0.4	0.7		2.2	1.6		0.4	1.7	
Queue Storage Ratio (*RQ*) (50th percentile)		0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	
Uniform Delay (d_1), s/veh		8.0	4.4	8.7	8.3		17.9	14.7		24.4	25.6	
Incremental Delay (d_2), s/veh		0.2	0.3	0.3	0.4		0.4	0.1		0.1	1.6	
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0	0.0		0.0	0.0	
Control Delay (*d*), s/veh		8.1	4.7	9.0	8.6		18.4	14.8		24.5	27.2	
Level of Service (LOS)		A	A	A	A		B	B		C	C	
Approach Delay, s/veh / LOS	5.8	A		8.8	A		16.8	B		26.6	C	
Intersection Delay, s/veh / LOS	14.6						B					

Multimodal Results	EB		WB		NB		SB	
Pedestrian LOS Score / LOS	2.2	B	2.2	B	2.3	B	2.3	B
Bicycle LOS Score / LOS	0.8	A	0.8	A	1.1	A	0.8	A

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLA*	Intersection	*Spokane & 3rd*
Agency/Co.	*Abelin Traffic Services*	Jurisdiction	*City of Whitefish*
Date Performed	*12/8/14*	Analysis Year	*With Development*
Analysis Time Period	*AM Peak Hour*		

Project Description *Block 46 Hotel*

East/West Street: *Third Street* North/South Street: *Spokane Ave*

Intersection Orientation: *North-South* Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*32*	*366*	*21*	*18*	*336*	*4*
Peak-Hour Factor, PHF	*0.87*	*0.87*	*0.87*	*0.87*	*0.87*	*0.87*
Hourly Flow Rate, HFR (veh/h)	*36*	*420*	*24*	*20*	*386*	*4*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*7*	*16*	*41*	*13*	*6*	*8*
Peak-Hour Factor, PHF	*0.87*	*0.87*	*0.87*	*0.87*	*0.87*	*0.87*
Hourly Flow Rate, HFR (veh/h)	*8*	*18*	*47*	*14*	*6*	*9*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*36*	*20*		*29*			*73*	
C (m) (veh/h)	*1180*	*1127*		*266*			*408*	
v/c	*0.03*	*0.02*		*0.11*			*0.18*	
95% queue length	*0.09*	*0.05*		*0.36*			*0.64*	
Control Delay (s/veh)	*8.1*	*8.3*		*20.2*			*15.7*	
LOS	*A*	*A*		*C*			*C*	
Approach Delay (s/veh)	--	--	*20.2*			*15.7*		
Approach LOS	--	--	*C*			*C*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLA*	Intersection	*Spokane & 3rd*
Agency/Co.	*Abelin Traffic Services*	Jurisdiction	*City of Whitefish*
Date Performed	*12/8/14*	Analysis Year	*With Development*
Analysis Time Period	*PM Peak Hour*		

Project Description *Block 46 Hotel*

East/West Street: *Third Street* | North/South Street: *Spokane Ave*

Intersection Orientation: *North-South* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*36*	*387*	*13*	*11*	*314*	*19*
Peak-Hour Factor, PHF	*0.98*	*0.98*	*0.98*	*0.98*	*0.98*	*0.98*
Hourly Flow Rate, HFR (veh/h)	*36*	*394*	*13*	*11*	*320*	*19*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*6*	*9*	*52*	*13*	*5*	*13*
Peak-Hour Factor, PHF	*0.98*	*0.98*	*0.98*	*0.98*	*0.98*	*0.98*
Hourly Flow Rate, HFR (veh/h)	*6*	*9*	*53*	*13*	*5*	*13*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*36*	*11*		*31*			*68*	
C (m) (veh/h)	*1231*	*1163*		*343*			*535*	
v/c	*0.03*	*0.01*		*0.09*			*0.13*	
95% queue length	*0.09*	*0.03*		*0.30*			*0.43*	
Control Delay (s/veh)	*8.0*	*8.1*		*16.5*			*12.7*	
LOS	*A*	*A*		*C*			*B*	
Approach Delay (s/veh)	--	--	*16.5*			*12.7*		
Approach LOS	--	--	*C*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLA*	Intersection	*Second & Kalispell*
Agency/Co.	*Abelin Traffic Services*	Jurisdiction	*City of Whitefish*
Date Performed	*12/8/14*	Analysis Year	*With Development*
Analysis Time Period	*AM Peak Hour*		

Project Description *Block 46 Hotel*

East/West Street: *Second Street* | North/South Street: *Kalispell Ave*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*24*	*137*	*8*	*3*	*148*	*13*
Peak-Hour Factor, PHF	*0.56*	*0.56*	*0.56*	*0.56*	*0.56*	*0.56*
Hourly Flow Rate, HFR (veh/h)	*42*	*244*	*14*	*5*	*264*	*23*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*5*	*1*	*10*	*16*	*3*	*15*
Peak-Hour Factor, PHF	*0.56*	*0.56*	*0.56*	*0.56*	*0.56*	*0.56*
Hourly Flow Rate, HFR (veh/h)	*8*	*1*	*17*	*28*	*5*	*26*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*42*	*5*		*26*			*59*	
C (m) (veh/h)	*1287*	*1318*		*565*			*486*	
v/c	*0.03*	*0.00*		*0.05*			*0.12*	
95% queue length	*0.10*	*0.01*		*0.14*			*0.41*	
Control Delay (s/veh)	*7.9*	*7.7*		*11.7*			*13.4*	
LOS	*A*	*A*		*B*			*B*	
Approach Delay (s/veh)	--	--	*11.7*			*13.4*		
Approach LOS	--	--	*B*			*B*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*RLA*	Intersection	*Second & Kalispell*
Agency/Co.	*Abelin Traffic Services*	Jurisdiction	*City of Whitefish*
Date Performed	*12/8/14*	Analysis Year	*With Development*
Analysis Time Period	*PM Peak Hour*		

Project Description *Block 46 Hotel*

East/West Street: *Second Street* | North/South Street: *Kalispell Ave*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*4*	*160*	*7*	*7*	*137*	*1*
Peak-Hour Factor, PHF	*0.93*	*0.93*	*0.93*	*0.93*	*0.93*	*0.93*
Hourly Flow Rate, HFR (veh/h)	*4*	*172*	*7*	*7*	*147*	*1*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration	*LTR*			*LTR*		
Upstream Signal		*0*			*0*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*12*	*1*	*6*	*2*	*2*	*10*
Peak-Hour Factor, PHF	*0.93*	*0.93*	*0.93*	*0.93*	*0.93*	*0.93*
Hourly Flow Rate, HFR (veh/h)	*12*	*1*	*6*	*2*	*2*	*10*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration		*LTR*			*LTR*	

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*LTR*	*LTR*		*LTR*			*LTR*	
v (veh/h)	*4*	*7*		*19*			*14*	
C (m) (veh/h)	*1446*	*1409*		*660*			*783*	
v/c	*0.00*	*0.00*		*0.03*			*0.02*	
95% queue length	*0.01*	*0.01*		*0.09*			*0.05*	
Control Delay (s/veh)	*7.5*	*7.6*		*10.6*			*9.7*	
LOS	*A*	*A*		*B*			*A*	
Approach Delay (s/veh)	--	--	*10.6*			*9.7*		
Approach LOS	--	--	*B*			*A*		

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Wendy Compton-Ring

From: Jeff Badelt <Jeff@MtDevGroup.com>
Sent: Monday, January 05, 2015 4:32 PM
To: 'Wendy Compton-Ring'
Cc: Sean Averill; Brian Averill
Subject: Planning Board Questions_Responses_010515
Attachments: ApproachLetter.pdf

Wendy,

Here are the responses from development team.

1. More information re: the rules from DEQ on any possible contaminated groundwater, what are you proposing and what are other communities doing?

   AWC received a work plan request from DEQ dated December 29, 2014. The work plan limits the remedial action to the excavation and removal of the petroleum contaminated soils. The work plan request specifically states: *Given that the current concentration for benzene in groundwater is nearing water quality standards and source mass removal has been proposed, soil vapor extraction and groundwater pump and treat are not considered necessary to remediate the site.*

   Roger Noble - Applied Water Consulting

2. How will groundwater be managed?

   At this time, CMG has completed subsurface borings for the proposed hotel. We understand a basement with a pool in the basement is planned for the structure. Due to the planned temporary excavation and permanent improvements being below the high groundwater levels, CMG is recommending water be collected beneath the concrete slab on grade floor and pool, and behind all embedded retaining walls. The drainage system will utilize nonwoven drainage geotextile placed between fine grained clay soils and open graded angular drain rock. The drain rock thickness will range between 2 and 3 ft thick and will be compacted using vibratory methods. In addition, a series of connected perforated drain pipes will be included within the drain rock to promote the flow of water from the basement area. Due to the lack of elevation to remove the water, CMG anticipates the water will need to be removed by mechanical pumping methods. CMG recommends designing a redundant system with more than one pump and an electrical backup generator to reduce the risk of mechanical failure affecting the drainage system. The water will be pumped to an outlet that will be determined by others.

Please let me know if you have any questions or need additional information at this time.

Sincerely,
Joshua Smith, PE

EXHIBIT
24

CMG Engineering, Inc.
406-257-8156

The base of the swimming pool will be at a depth of approximately 23 feet below grade and the water table occurs at a depth of approximately 6 to 7 feet below grade. As such, it will be necessary to dewater the excavation. The intent is to install and operate a dewatering system to maintain the water level below the swimming pool. If allowed by the City, the a developers would like to discharge the water to the stormwater conveyance system.

The DEQ specifically allows for the discharge of hydrocarbon contaminated wastewater as specified in Technical Guidance Document #10. One option is to discharge the storm sewer. The DEQ has a Petroleum Cleanup General Permit to authorize to discharge under the Montana Pollutant Discharge Elimination System (MPDES). As such, we intend to prepare and submit an application for petroleum cleanup MPDES permit from DEQ. This procedure has been previously used in Helena, Billings, and Sidney, Montana. The most recent example is the Sidney MPDES permit which allowed for the discharge of 800 gpm of treated groundwater; about 500 gpm of treated water is discharged to sewage treatment plant and 300 gpm to the storm sewer system. In the case of the Block 46 hotel, it is estimated the discharge rate will be in the range of 5 to 10 gpm. The treatment system will consist of a shallow tray air stripper that is off-the-shelf technology.

Roger Noble – Applied Water Consulting

3. Closure of the alley onto Kalispell Avenue so all traffic flows in and out of E 3rd Street. I've also sent this question to city staff, but seems like you might have an opinion on this too. You might see what Bob Abelin thinks about this too – any effects on the Traffic Study.

   See attached "Approach Letter" from Abelin Traffic

   Additionally Fire Marshall has indicated their dept. will require alley to remain open for ingress/egress.

4. How will you manage parking and traffic in the residential neighborhood?

   Hotel Mgt will take measures to encourage employees to walk, bicycle, take public transportation and will also make available free parking in a Lodge leased parking lot offering shuttle service to Downtown Hotel.

   Additional measures are being made to lease off-site parking for over flow use should it be needed after standard business hours.

5. If you have any more idea on if the project will be a chain hotel or not – seems like that was a pretty big deal to the Board.

   This analysis will arrive under separate cover as soon as possible

Jeffrey Badelt
Partner
Montana Development Group
406.890.8195

abelin traffic services

January 5, 2015

Jeff Badelt
Montana Development Group
1380 Wisconsin Avenue
Whitefish, MT 59937

RE: Block 46 Hotel Approach Configuration

Dear Jeff,

It is my understanding that the City of Whitefish Planning Board has requested an analysis of the approaches to the proposed Block 46 Hotel to evaluate the potential impacts if the alley approach to the east onto Kalispell Avenue were changed to an exit only. This configuration would require that all traffic entering the site use the 3rd Street approach to the south. The goal of this change would be to decrease the amount of traffic entering the residential neighborhood. This alteration to the site plan would not likely have a significant impact on the Level of Service at any of the area intersections. Vehicles would likely still use the surrounding road system in a similar manner and the traffic volumes at the major intersections would be largely unchanged. The overall traffic volume on 3rd Street is relatively low and it is not expected that any excessive congestion would occur with either configuration.

However, it is unclear if eliminating the Kalispell Avenue approach would have the overall desired effect of keeping drivers out of the residential area. While some additional traffic may approach the site from the 3rd Street/Spokane Avenue intersection, an equal amount of traffic may choose to drive around the entire block to reach the single approach on the south side of the property. Providing multiple approaches to the Block 46 Hotel near Spokane Avenue and 2nd Street, as is currently proposed, will likely produce the least congestion around the Hotel site while allowing drivers to remain outside of the residential areas. Limiting the approach from Kalispell Avenue would not likely provide an overall benefit to traffic patterns or daily traffic volumes within the residential area.

Having multiple entrances on different streets in commercial areas is generally a benefit for traffic flow because vehicles can choose from different entrances depending on how they approach the site. Forcing all vehicles into just one approach would cause some additional localized congestion and may not provide any significant benefit for residential traffic. If you have any additional questions please feel free to contact me at 459-1443.

Sincerely,

Bob Abelin, P.E.
Abelin Traffic Services, Inc.

130 South Howie Street
Helena, Montana 59601
406-459-1443

WHITEFISH HOTEL GROUP, LLC
P.O. BOX 275
BIGFORK, MONTANA 59911

January 6, 2015

Whitefish City Council
Attn: John Muhlfeld, Mayor
418 E. 2nd St.
Whitefish, MT 59937

Re: Downtown hotel

Dear John,

In August we asked the City, among other things, for a determination as to whether or not affiliation with a nation chain for the hotel would require a special use condition. We received confirmation that hotels were not subject to the national affiliations regulation. Based on this information, we have spent a substantial amount of time and money researching the value to the hotel and the community of a national affiliation. The research indicates that a national affiliation would be extremely important to the financial success of the project and substantially improve the impact on the downtown. However, it has been brought to our attention that there is a lot of sentiment against any type of affiliation of our proposed hotel with a national chain. In light of this I thought that you and the City should be aware of our findings. The following are the key points of our research.

MARKET REASERCH – We know from experience that Whitefish is a vacation market consisting of approximately 145 days. During these 145 days, occupancies tend to be very high. During the remaining 220 days of the year occupancies tend to be very low due to the limited commercial and business draw of the community. Our question was: Would a national affiliation increase the occupancy sufficiently to justify the franchise fees in the off season? Our research indicates that not only would a national affiliation increase the occupancy sufficient to justify the affiliation cost, it would also substantially increase the amount of dollars coming into the community. The increase in occupancy as a result of the affiliation is between 12-14%. The increase in dollars into the City of Whitefish during the 220 days of off season will be over $4,000,000. The reason for the increase is the "Power of the Brand" and its ability to increase the market within Whitefish, specifically by attracting Rewards Customers who are currently going to Kalispell. We estimate this Kalispell market to be over 95,000 room nights during the 220 days of the Whitefish off-season. These Kalispell travelers are utilizing the rewards programs offered by Hilton, Hampton, Red Lion, etc. This is the market that is dominated by Kalispell. We can attract to Whitefish a percentage of this market by offering a nationally recognized Rewards Program associated with a national brand. Without the affiliation, we will not attract these travelers to Whitefish and the community will not see the $4,000,000 inflow of dollars. Our lender engaged the national consulting firm PKF Consulting USA to analyze this question and they concurred with these findings and came to the same conclusions. A non-

branded hotel will not generate an outside market of its own, but instead will compete with the existing market presently in Whitefish during the off season.

FINANCIAL VIABILITY – Several individuals have researched the idea of a downtown hotel. None have been able to create a viable financial model that could stand the scrutiny of the financial and professional research community. Thus all have failed and Whitefish has not seen the financial rewards that a downtown hotel could bring to the community. I'm certain that the community does not want a project that has questionable financial viability. A project bankruptcy or a project in disrepair would be a black eye to the community and have a very negative effect on everyone. Most lenders will not touch a project that does not have a national affiliation because the risk is so much greater. Lenders understand the power of a national marketing campaign and the draw of incentive travel to the commercial accounts and rewards travelers. Lenders also know that the brand will require constant upgrades to keep the product current and attractive.

BRAND COMPARISON – Our research indicates that the Marriott brand is the strongest national brand with the best marketing and greatest customer loyalty. Currently there is not a Marriott product within the valley. Marriott is also flexible and would allow the hotel design standards to fit within the requirements of the Old Town style and timeless look for Whitefish buildings and signage. Furthermore, it should be pointed out that this would not be a Marriott operated hotel or a franchised hotel. We would simply be a brand affiliated hotel. The hotel would be operated locally by Averill Hospitality, the same entity that operates the Lodge at Whitefish Lake, the only 4 Diamond resort in Montana. The term of affiliation is subject to agreement of the parties and not a permanent or perpetual agreement. At the end of the term we may or may not renew. Incidentally there are no plans to affiliate the Lodge with a national brand.

In closing, we would like to build an independent hotel without national affiliation. However, all our feasibility studies and the advice we have received from our financial consultants indicates that economic viability for a hotel of this nature and in this location is predicated upon the customer base associated with a national affiliation. The Whitefish Hotel Group has determined that brand affiliation with Marriott would be in its best interests, as well as in the best financial interests of the community. The Whitefish Hotel Group has project financing in place conditioned upon acceptance of affiliation with Marriott. As a result we need a direction from the City as to the affiliation question. Last summer City officials provided written information which caused us to proceed without a CUP request. The change of direction by the City is costing the Whitefish Hotel Group in the neighborhood of $3,000 per day. At the demand of the City and in an effort to mitigate that loss, we are proceeding as rapidly as possible through the CUP process. If there is a City consensus that a brand affiliation is unacceptable, please provide us with that determination as soon as possible so that we do not incur additional costs pursuing a brand affiliation. Thank you for your time and consideration.

WHITEFISH HOTEL GROUP, LLC

Dan L. Averill, member

handed out @ Planning Board 1/15/2015

DEQ
Montana Department of Environmental Quality

December 29, 2014

Jeff Badelt
Whitefish Hotel Group
P.O. Box 275
Bigfork, MT 59911

Re: Additional Corrective Action and Work Plan Required for the Petroleum Release at Whitefish Title Service, 205 Spokane Avenue, Whitefish, Flathead County, Montana, Facility ID 99-95009, Release 4419, Work Plan 9914

Dear Mr. Badelt:

The Department of Environmental Quality (DEQ) has reviewed the Remedial Alternative Analysis (RAA) Report (Report) prepared and submitted on your behalf by Roger Noble, Applied Water Consulting dated December 15, 2014 for the petroleum release discovered at the above-referenced facility. The Report provides alternatives for cleanup at the facility. Source removal by excavation is an appropriate alternative. Given that the current concentration for benzene in groundwater is nearing water quality standards and source mass removal has been proposed, soil vapor extraction and groundwater pump and treat are not considered necessary to remediate Release 4419.

By **January 25, 2015**, please have your environmental consultant submit a Standardized Contaminated Soil Excavation and Disposal Corrective Action Plan (CAP) AC-04 to DEQ.

Include the following scope of work in the CAP:

- Conduct an excavation to remove petroleum impacted soil from the NW corner of the facility.
- Groundwater in the area of concern, (monitoring wells #4 and #5), ranges from ~5 feet below ground surface (5'bgs) to ~8'bgs. Estimate the depth of excavation and volume of soil that requires removal. Provide a facility map that shows the area of the proposed excavation. Do not include overlays of the proposed hotel on the map.
- Propose the methodology, including the frequency and field screening that will be used, for confirmation soil samples from the excavation. Collect discreet, confirmation worst-case soil samples from all sidewalls and bottom of the excavation. Submit the samples to a DEQ approved laboratory for analysis of volatile petroleum hydrocarbons (VPH).
- Discuss deposition of the impacted soil. If landfarming, provide the required documentation. The landfarm site must be approved by DEQ in advance of deposition.

- Notify the DEQ project manager at least 10 business days prior to conducting field activities so that a site visit can be scheduled.
- Prepare and submit a Standardized Contaminated Soil Excavation and Disposal Report_AR-04 that includes a thorough discussion of the excavation, a facility map of the excavated area that exhibits sample locations, depth of excavation, volume removed, a soil data table, other pertinent tables, photos, and all laboratory data and disposal information. Submit the report to DEQ within 45-days of receipt of analytical data.
- Use standardized DEQ CAP and report formats found on the DEQ website at: http://www.deq.mt.gov/LUST/TechGuidDocs/cap_reports.mcpx.
- Submit reports on paper and as electronic copies in MS Word, Excel, or Adobe Acrobat PDF format through email, the State's file transfer service (ePass), or on CD/DVD.

The CAP should include itemized costs and a description of the tasks proposed to define the extent and magnitude of the contamination. DEQ recommends that your consultant obtain three bids for all non-professional environmental subcontracted services, including but not limited to, drilling services, construction services, electrical services, etc. Costs to conduct drilling should be submitted as unit bids. Laboratory analytical services are excluded from obtaining three bids. All bids must be submitted with the CAP.

Implementation of the CAP can begin after you receive written notification that the scope of the CAP has been approved by DEQ.

The Petroleum Tank Release Compensation Board (PTRCB) will review and comment on the costs associated with the CAP.

If you have any questions, please contact me at (406) 755-8983.

Sincerely,

Lead E Mitner FOR

Marcile Sigler
Environmental Science Specialist
Petroleum Tank Cleanup Section

ec: Ann Root, PTRCB, aroot@mt.gov
Wendee Jacobs, Flathead County Sanitarian, wjacobs@flathead.mt.gov
Roger Noble, Applied Water Consulting, Roger@appliedwater.net
Release 4419, Doc ID 185876

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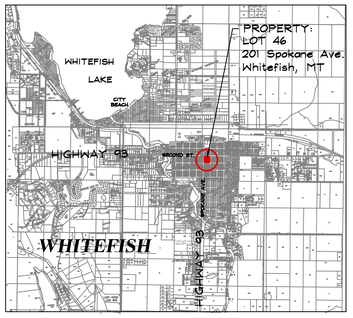


VICINITY MAP

NOT TO SCALE

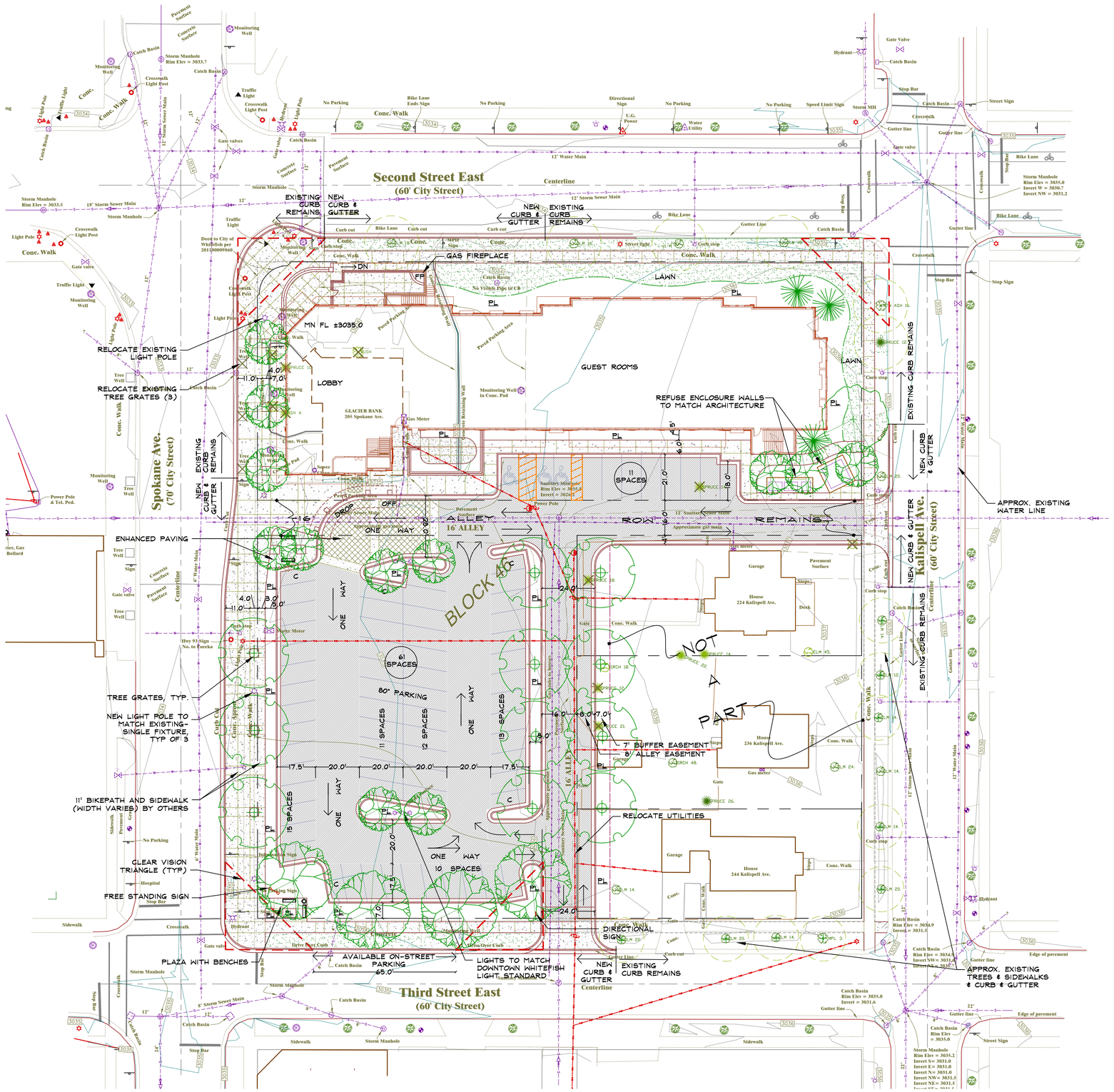
LEGEND

EXISTING

- EXISTING PROPERTY LINE BY SURVEY
- EXISTING SETBACK LINE BY SURVEY
- EXISTING EASEMENT LINE BY SURVEY
- EXISTING INDEX CONTOUR BY SURVEY
- EXISTING CONTOUR BY SURVEY
- EXISTING CENTERLINE OF ROAD BY SURVEY
- EXISTING EDGE OF ROAD/GRAVEL BY SURVEY
- EXISTING BUILDING LINE BY SURVEY
- EXISTING TREE BY SURVEY (8" DF)
- EXISTING TREE BY SURVEY TO BE REMOVED (8" DF)
- EXISTING UTILITIES
- EXISTING DRAINAGE

PROPOSED

- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
- PROPOSED PAVED/ASPHALT DRIVE
- PROPOSED PARKING SPACE
- PROPOSED CONCRETE SIDEWALK
- PROPOSED STRIPING
- PROPOSED BUILDING LINE w/ OVERHANG
- PROPOSED ORNAMENTAL FENCE
- PROPOSED LAWN LINE
- PL — PROPOSED PLANTING AREA
- PROPOSED LAWN
- PROPOSED DECIDUOUS TREE PLANTING
- SD — PROPOSED STORM DRAIN & CATCH BASIN
- PROPOSED LIGHT POST - DOUBLE FIXTURE
- PROPOSED LIGHT POST - SINGLE FIXTURE



OFF-STREET PARKING SPACES:	
STANDARD	68
COMPACT	4
TOTAL:	72

0 10' 20' 40' 60'

BRUCE BOODY Landscape Architect Inc.
315 Second Street
Suite 1b
Whitefish, MT
59937
phone 406 862-4755
fax 406 862-9755
bboody@brucebboody.com

SURVEY BY:
SANDS SURVEYING INC.
TOM SANDS
2 VILLAGE LOOP
KALISPELL, MT 59901
(406) 755-6481

Revisions:

BLOCK 46

WHITEFISH, MT
SEC 36, T31N, R22W

NORTH

SCALE:
SCALE: 1" = 20'

DATE: 01-09-15

JOB #: 14-09

SCHEMATIC SITE PLAN

CONDITIONAL USE PERMIT

SHEET 1 OF 1

Image from January 21, 2015 Whitefish Pilot - this design has not yet gone through the Architectural Review Committee.

Chuck Stearns

From: Bill Milner <milnerwm@cyberport.net>
Sent: Monday, January 26, 2015 10:46 AM
To: Chuck Stearns
Subject: Re: Parking

Re: parking during and after construction

Dear Chuck Stearns,

Thanks for the quick and comprehensive response. (That's your style.)

I was once involved in parking in Whitefish, including new construction issues.

"There was no doubt the building(s) were being built. What were the plans for parking accommodation, from demolition, construction, to finish and long term use?"

A few thoughts about the new hotel on Spokane:

For some time, I was the Co-Chairman of the Whitefish Parking Committee. My selection was based on my having community interests, downtown business ownership and a history in construction, prior to my move to Whitefish, I was a low voltage engineer that provided designs for hotels/motels, airports, prisons, schools, hospitals, etc. My direct responsibility was not parking but for many years, I was in planning meetings that addressed these needs and the associated short term and long term issues. My installers needed parking, our materials delivery needed space and we used onsite materials storage space. Later, we were parking, end users.

At the time of my committee participation, I owned a shop on Central Avenue and was very concerned about my own parking, that of my employees and of course, my customers. How would changes affect all concerned? During my tenure, I and the other members of the committee were met with many citywide parking considerations of accommodation. One in particular was the construction designs that had been presented for the new building that would occupy First Street (MacKenzie River Pizza and all the way to the east from Central Avenue to Spokane. One city block.).

The proposal to build retail shops was presented to our committee to consider parking and the full ramifications from immediate onsite parking displacement, from construction start to completion and the impact the completed retail businesses would have to the existing downtown parking conditions.

The designers of the new construction were met with a requirement from our committee to submit a construction proposal the would answer many questions. One design plan submitted to us, was to accommodate new business owners and employees that would include underground parking. Note: due to a change of owner commitment to build underground parking, upper floors were not added and the project was downsized.

Of particular concern was (and is, for this project):

1. What was to be expected of the current car owners, using private spaces, now that the alley parking would be gone, forever? Where would those cars now be parked?

2. Once demolition and new construction began, where would contractors and construction workers park? How many parking spaces would construction workers require? For how long? Would these spaces be available to the public after construction hours?

3. What accommodations would be required for construction materials delivery? What would be the street access?

4. It was discovered the designers were identifying construction worker parking spaces that were also identified as on site construction materials storage. That space could be one or the other but not both. This modified the RFP. The parking space designated for construction workers would, in fact, become the space used for onsite materials storage.

5. When construction was complete, where would new owners and employees park? How many vehicles would be expected? (Note: Studies show boutique hotels have 24 employees for a 100 room hotel, (spread over 24 hours). What is the count these owners are expecting? Where will they park?)

6. How many parking spaces should be required to meet the new customer base? Where?

As an owner of business in downtown Whitefish, for in excess of fifteen years, I have benefited from, as well as suffered from, decisions that were or were not well thought out. Above are some of the challenges I see. There are going to be compromises but good planning is initiated by good questions. Frankly, I'm sure most, if not all of these considerations, have already been addressed by the owners and the city. Is there a need for underground parking?

I hope my thoughts offer some merit. If not, I've tried to make this brief, so as not to waste too much of your time.

Sincerely,

Bill Milner
250-2691

On Jan 26, 2015, at 8:36 AM, Chuck Stearns <cstearns@cityofwhitefish.org> wrote:

Bill:

I only know of one new downtown hotel at 2nd and Spokane. It will not have underground parking, but will have a surface parking lot. They are talking of shuttling employees in and/or leasing some downtown parking spaces (perhaps in our parking structure when it is built or elsewhere). There is no requirement for any parking in the WB-3 zone, but the number of parking spaces remains a concern and will surely be raised at the February 2nd public hearing. When the City Council packet is loaded onto our website later this week (usually by Wednesday afternoon), the staff report and application for the Conditional Use Permit for the hotel will discuss the parking issue, so you might want to look at that information.

Chuck Stearns
City Manager

City of Whitefish
P.O. Box 158
418 E. 2nd Street
Whitefish, MT 59937-0158
406-863-2406
Fax 406-863-2419

<image001.png>

From: Bill Milner [mailto:milnerwm@cyberport.net]
Sent: Sunday, January 25, 2015 11:26 AM
To: Chuck Stearns
Subject: Parking

Chuck,

Will either of the new downtown hotels have underground parking?

Where will the employees park?

--
Bill Milner
406-250-2691

--
Bill Milner
406-250-2691

Chuck Stearns 1/27/15
City Manager
City of Whitefish

Re: Latest downtown hotel submittal

Chuck,

This letter addresses relevant changes to the proposed downtown Block 46 hotel and should accompany the latest hotel elevations, site plan and Promenade cross sections forwarded via email by Aaron a bit earlier today.

Changes of note on this latest submittal are that the hotel is now being proposed as an independent. While the building footprint remains the same the room count has been lowered from 89 to 86. This decrease was made possible by eliminating standard rooms and creating four larger suites to fulfill customer demand. Previously Marriott would not allow the larger suite style rooms.

Additionally the pool has been eliminated, a feature that we felt would be nice but not mandatory, and that Marriott required.

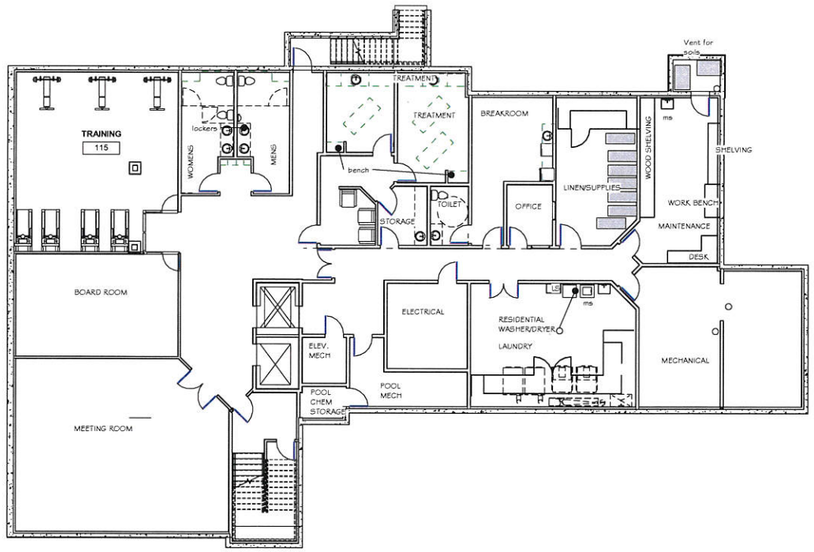
There are now two separate guest rest rooms provided off the lobby area.

On site parking has been increased from 72 to 74 spaces with an additional 4 or 5 public spots provided on the north side of Third St. where the old driveway easements were abandoned.

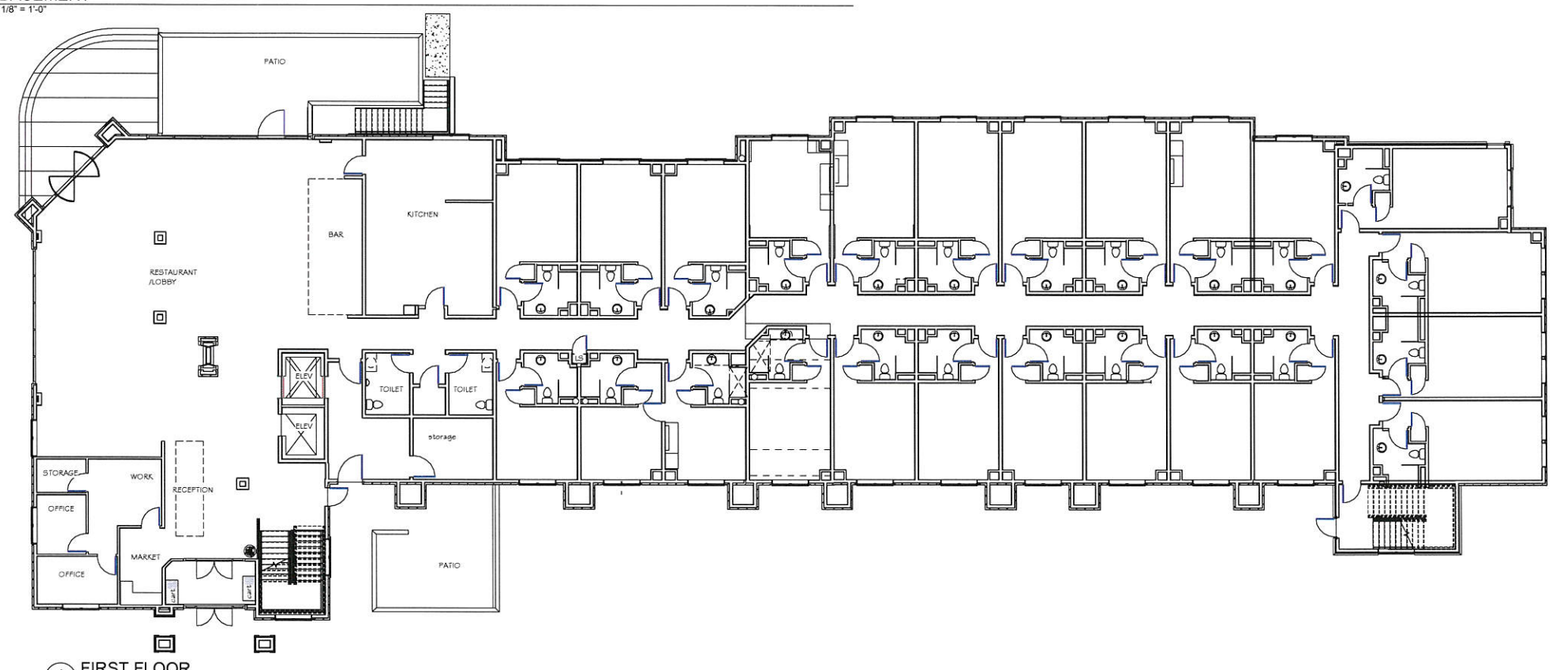
Landscape buffers east & west of the parking lot are set at 5'. This works well in conjunction with the Promenade bike path and sidewalk along Spokane with no reduction of on-site parking.

Regards,

Jeffrey Badelt
Partner
Montana Development Group
Whitefish Hotel Group



2 CUP1 BASEMENT
1/8" = 1'-0"



1 CUP1 FIRST FLOOR
1/8" = 1'-0"

NOT FOR CONSTRUCTION

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed Architect under the laws of the State of Montana, practicing in Whitefish, Montana.

14-10

Date: 11.05.14

Reg. No. 2632

AARON J. WALLACE

THESE PLANS AND SPECIFICATIONS ARE THE SOLE PROPERTY OF MONTANA CREATIVE ARCHITECTURE AND DESIGN ANY REPRODUCTION OR REUSE OF THESE DOCUMENTS IS FORBIDDEN WITHOUT WRITTEN PERMISSION FROM MONTANA CREATIVE ARCHITECTURE AND DESIGN

Project Number:	14-10
Date:	11.05.14
Drawn By:	MA
Checked By:	
Revisions:	12/17/14

Montana Creative
architecture + design

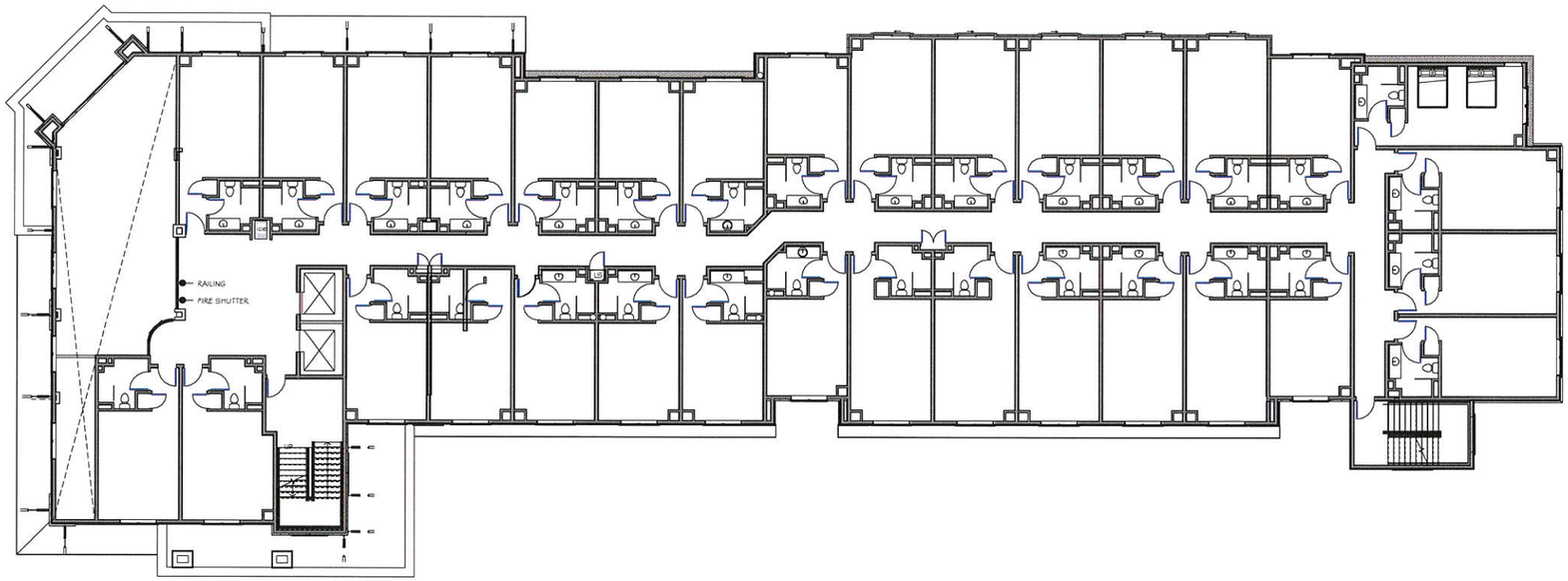
MONTANA CREATIVE
ARCHITECTURE +DESIGN
158 RAILWAY ST
WHITEFISH, MT 59937
406.862.8152
FAX# 406.862.8153

FLOOR PLANS

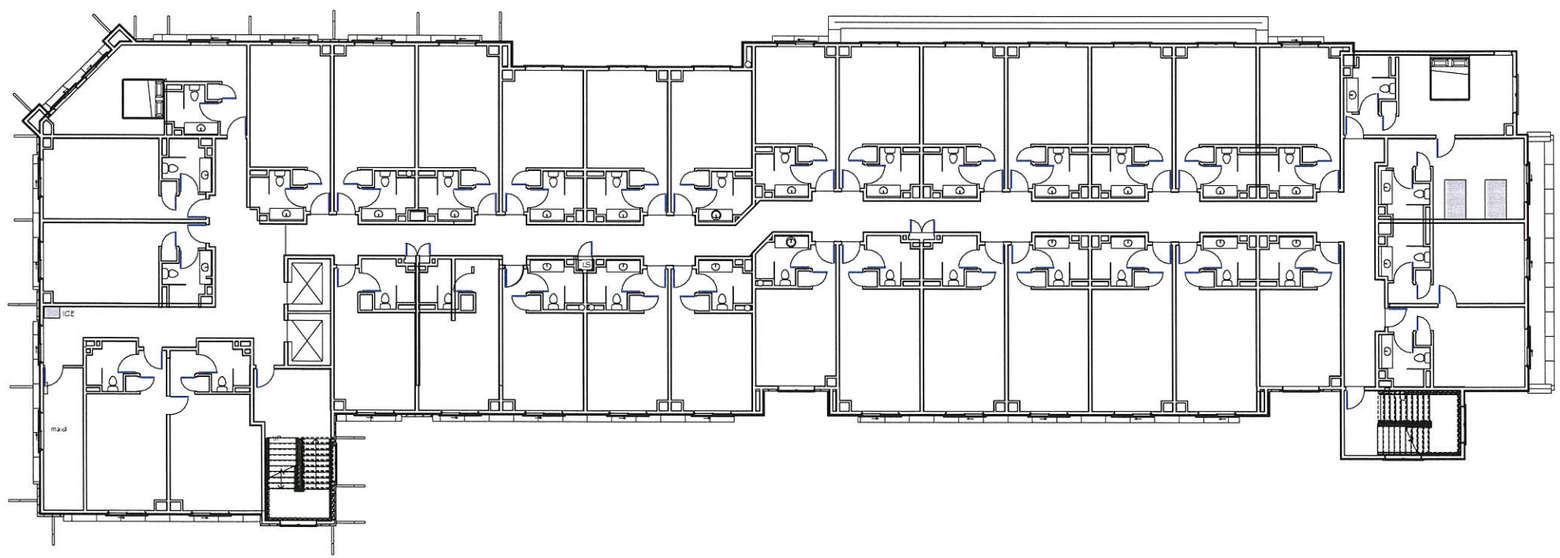
BLOCK 46 HOTEL

WHITEFISH, MT

CUP1



1 CUP2 SECOND FLOOR
1/8" = 1'-0"



2 CUP2 THIRD FLOOR
1/8" = 1'-0"

NOT FOR CONSTRUCTION

FLOOR PLANS

I hereby certify that the plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Montana, practicing in Whitefish, Montana.

14-10

Date: 11.05.14

Reg. No. 2932

AARON J. WALLACE

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Project Number:	14-10
Date:	11.05.14
Drawn By:	wa
Checked By:	
Revisions:	12/17/14

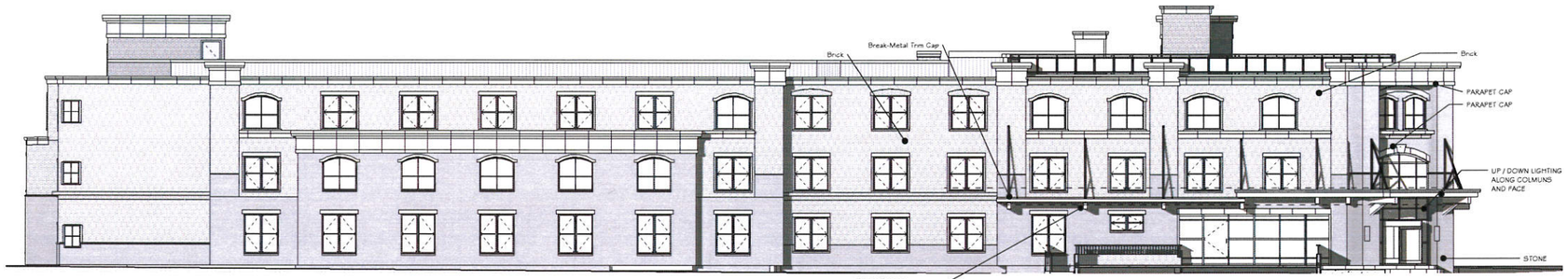
Montana Creative
architecture + design

MONTANA CREATIVE
ARCHITECTURE +DESIGN
158 RAILWAY ST.
WHITEFISH, MT 59937
406.862.8162
FAX# 406.862.8153

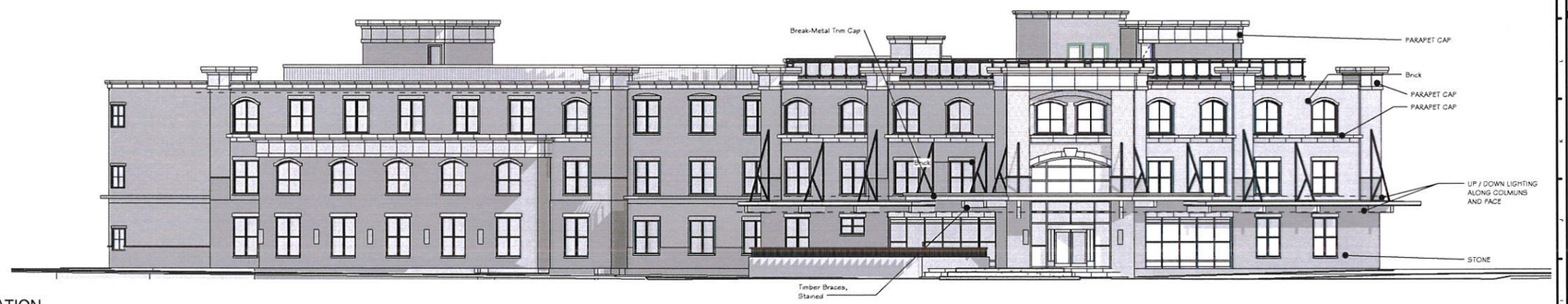
BLOCK 46 HOTEL

WHITEFISH, MT

CUP2



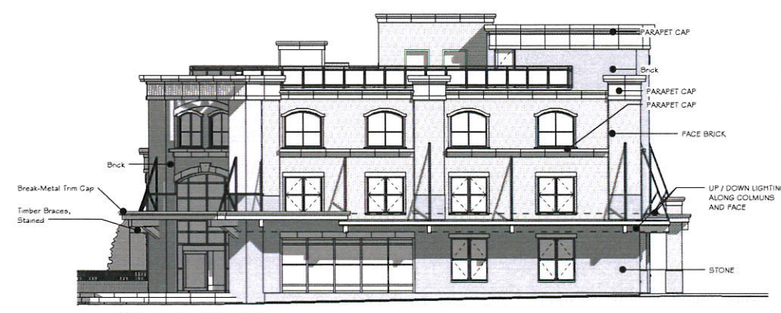
1 A3.1 NORTH ELEVATION
1/8" = 1'-0"



3 A3.1 FRONT ELEVATION
1/8" = 1'-0"

2 A3.1 SOUTH ELEVATION
1/8" = 1'-0"

4 A3.1 EAST ELEVATION
1/8" = 1'-0"



5 A3.1 WEST ELEVATION
1/8" = 1'-0"

NOT FOR CONSTRUCTION

BUILDING ELEVATIONS

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly registered architect under the laws of the State of Montana, expiration date December 31, 2015.

14-10

Reg No.: 3002
Date: 11.05.14
AARON J. WALLACE

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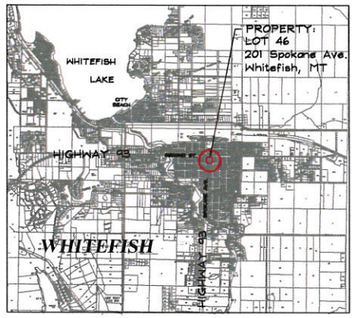
Project Number:	14-10
Date:	11.05.14
Drawn By:	WA
Checked By:	
Revisions:	

Montana Creative
architecture + design
MONTANA CREATIVE
ARCHITECTURE +DESIGN
158 RAILWAY ST.
WHITEFISH, MT 59937
406.862.8152
FAX# 406.862.8153

BLOCK 46 HOTEL

WHITEFISH, MT

A3.1



VICINITY MAP

NOT TO SCALE

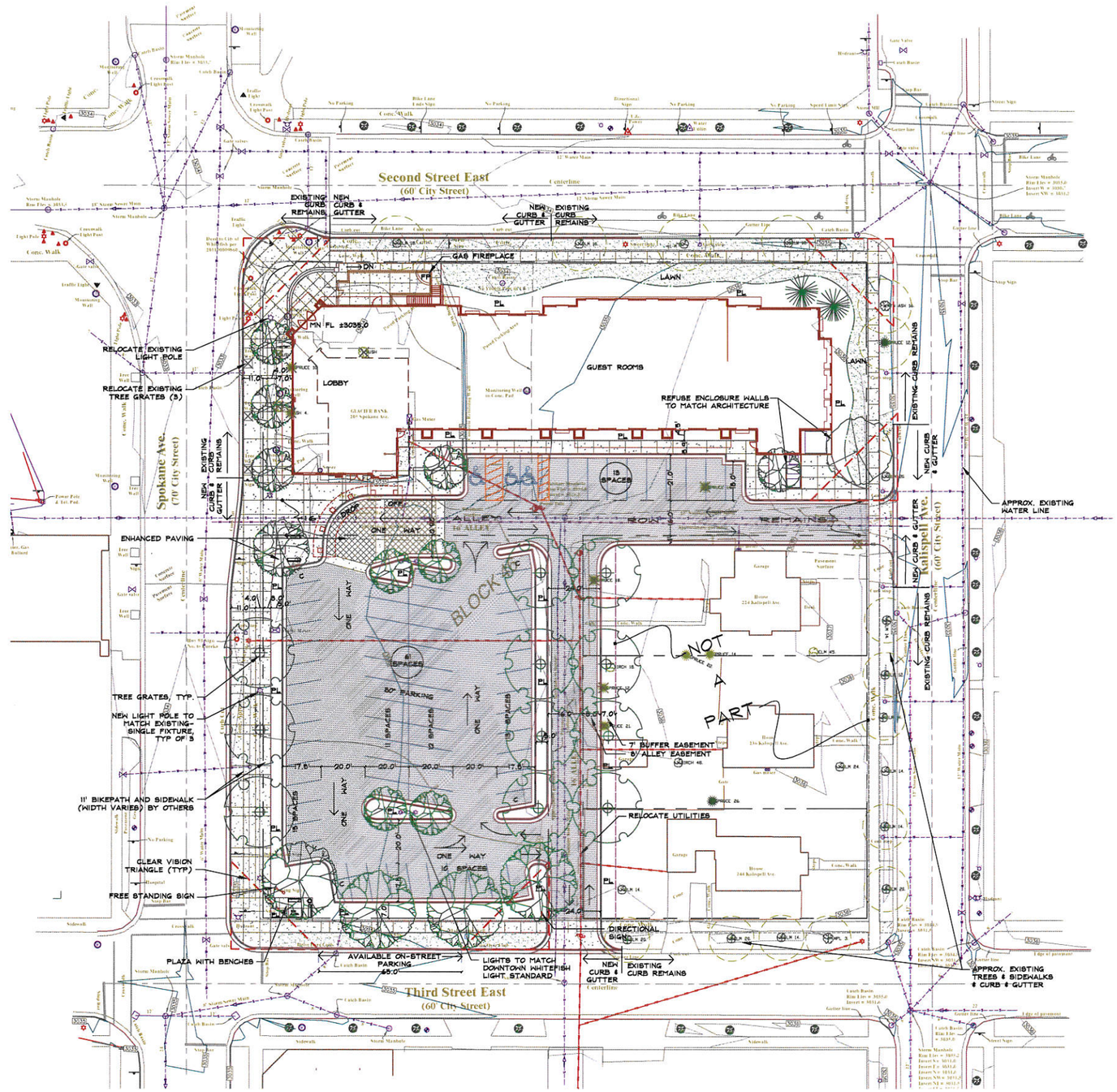
LEGEND

EXISTING

- EXISTING PROPERTY LINE BY SURVEY
- EXISTING SETBACK LINE BY SURVEY
- EXISTING EASEMENT LINE BY SURVEY
- EXISTING INDEX CONTOUR BY SURVEY
- EXISTING CONTOUR BY SURVEY
- EXISTING CENTERLINE OF ROAD BY SURVEY
- EXISTING EDGE OF ROAD/GRAVEL BY SURVEY
- EXISTING BUILDING LINE BY SURVEY
- EXISTING TREE BY SURVEY (8" DF)
- EXISTING TREE BY SURVEY TO BE REMOVED (8" DF)
- EXISTING UTILITIES
- EXISTING DRAINAGE

PROPOSED

- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
- PROPOSED PAVED/ASPHALT DRIVE
- PROPOSED PARKING SPACE
- PROPOSED CONCRETE SIDEWALK
- PROPOSED STRIPING
- PROPOSED BUILDING LINE w/ OVERHANG
- PROPOSED ORNAMENTAL FENCE
- PROPOSED LAWN LINE
- PROPOSED PLANTING AREA
- PROPOSED LAWN
- PROPOSED DECIDUOUS TREE PLANTING
- SD — PROPOSED STORM DRAIN & CATCH BASIN
- PROPOSED LIGHT POST - DOUBLE FIXTURE
- PROPOSED LIGHT POST - SINGLE FIXTURE



OFF-STREET PARKING SPACES:	
STANDARD	70
COMPACT	4
TOTAL:	74

0 10' 20' 40' 60'

BRUCE BOODY Landscape Architect Inc.

SURVEY BY:
SANDS SURVEYING INC.
TOM SANDS
2 VILLAGE LOOP
KALISPELL, MT 59901
(406) 755-6481

Revisions:

BLOCK 46
WHITEFISH, MT
SEC 36, T31N, R22W

NORTH

SCALE:
SCALE: 1" = 20'

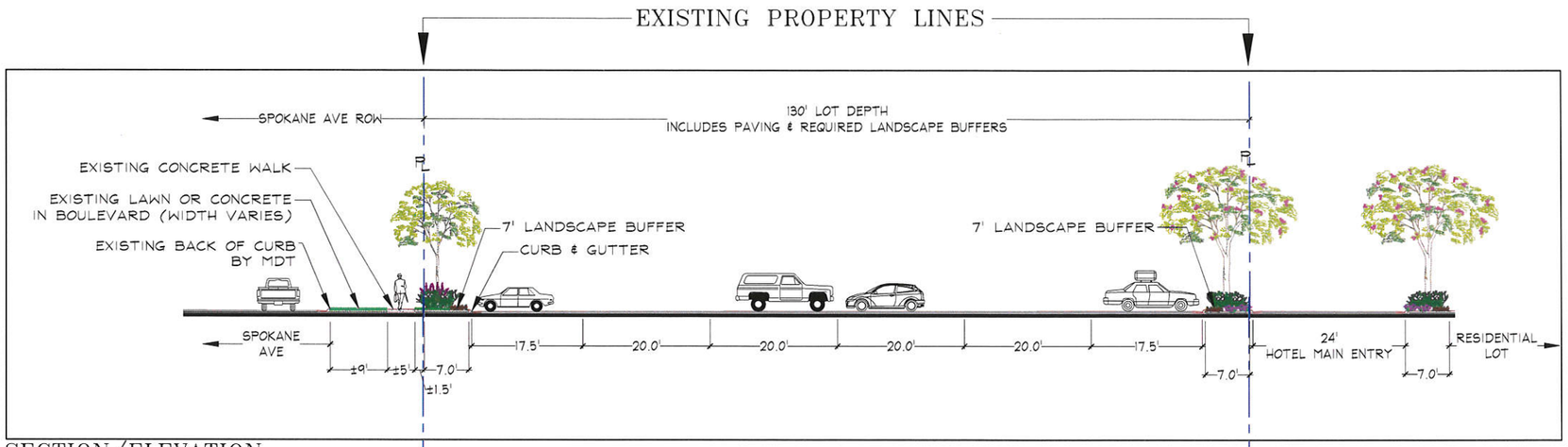
DATE: 02-02-15

JOB #: 14-09

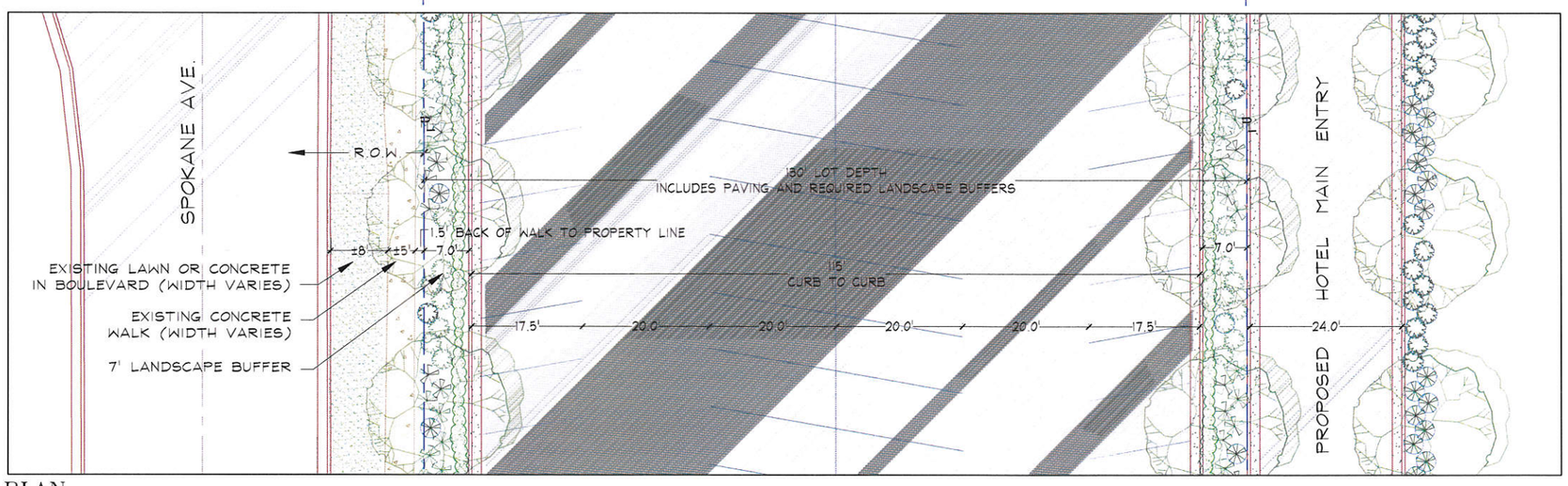
SCHEMATIC SITE PLAN

SHEET 1 OF 1

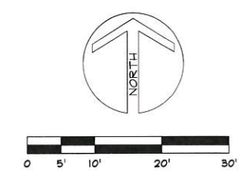
EXHIBIT A



SECTION/ELEVATION



PLAN



SPOKANE AVENUE - EXISTING RIGHT-OF-WAY AND PROPOSED OFF-STREET PARKING

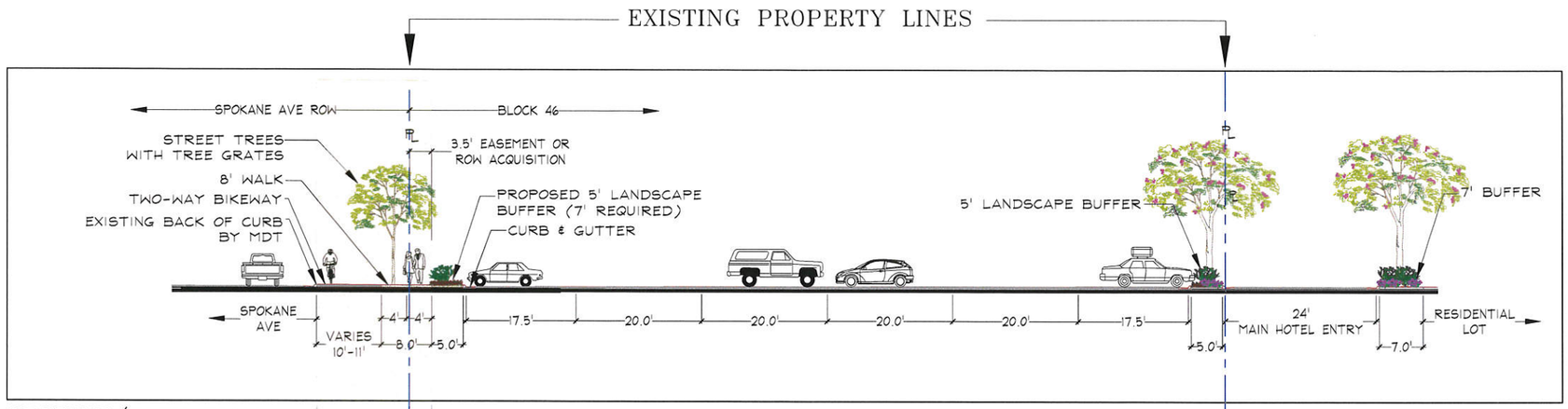
DOWNTOWN HOTEL

SCALE: 1"=10'

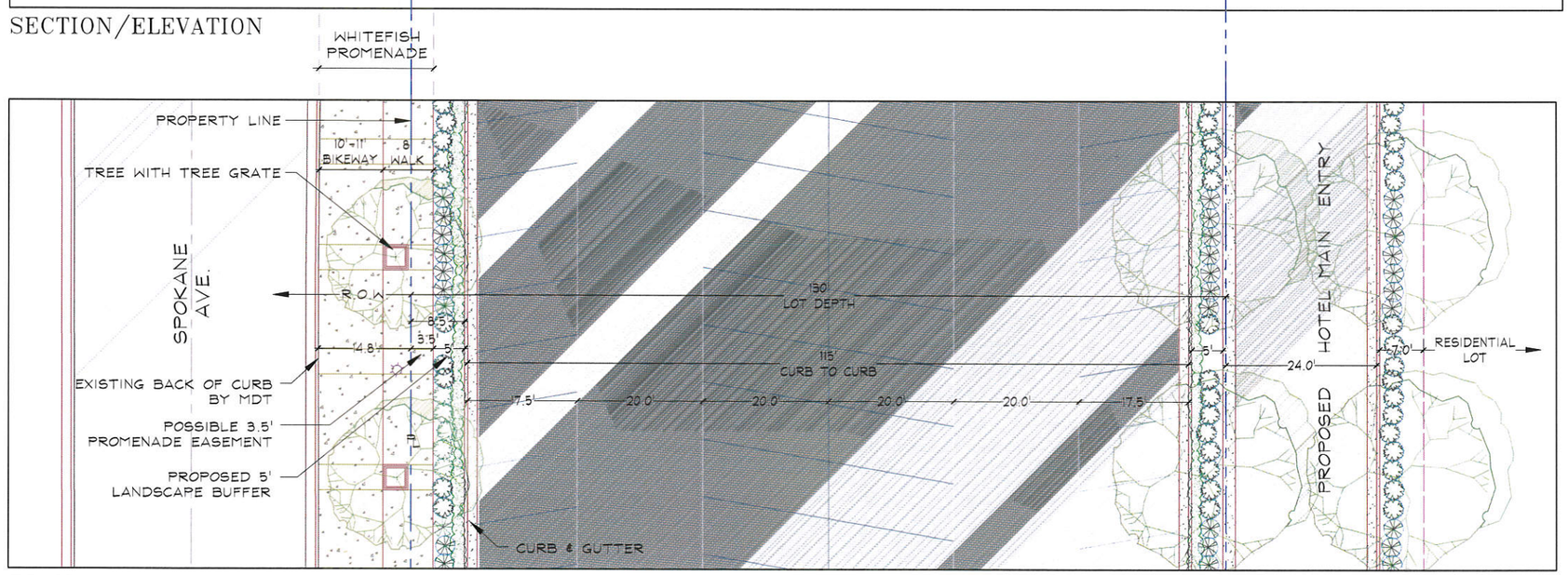
BRUCE BOODY
Landscape Architect Inc.
301 Second Street
Suite 1b
Whitefish, MT
59937
phone 406 862-4755
fax 406 863-9755
boodyfish@bruceboody.com

02/02/15

EXHIBIT B

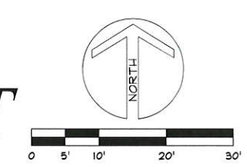


SECTION/ELEVATION



PLAN

SPOKANE AVENUE - PROMENADE WITH EASEMENT & PROPOSED OFF-STREET PARKING



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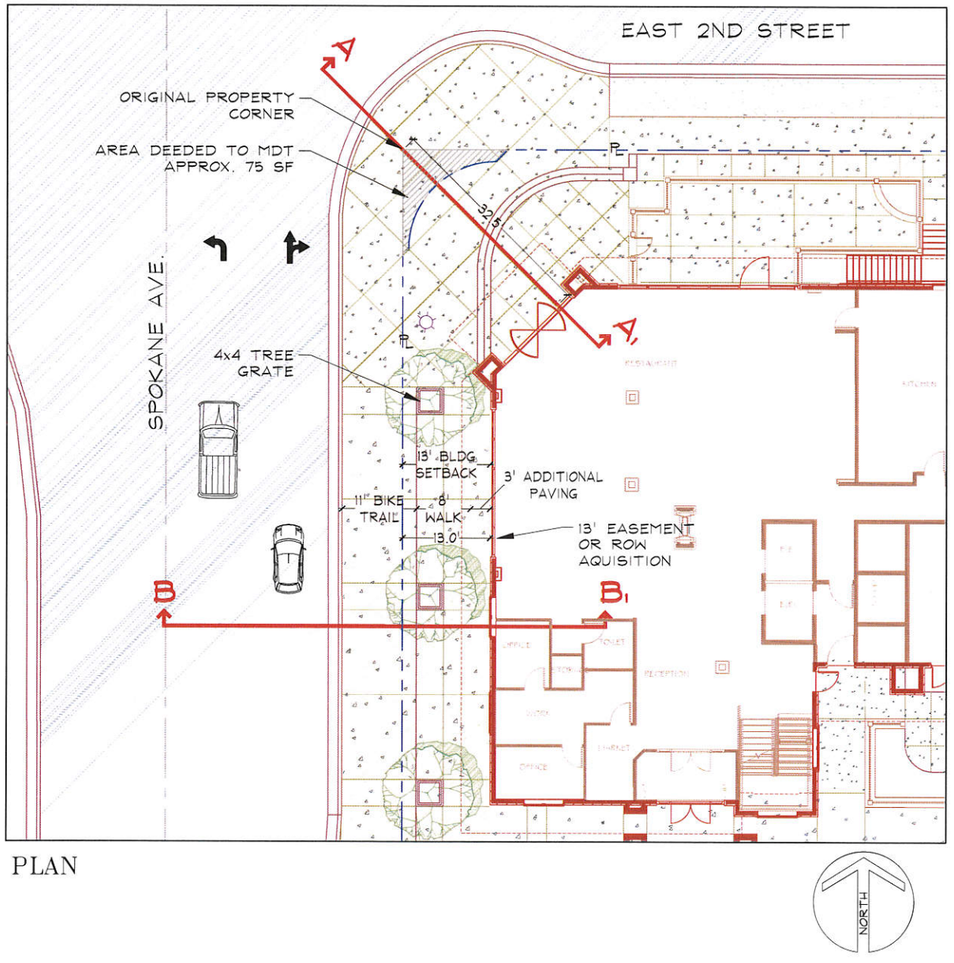
02/02/15

DOWNTOWN HOTEL

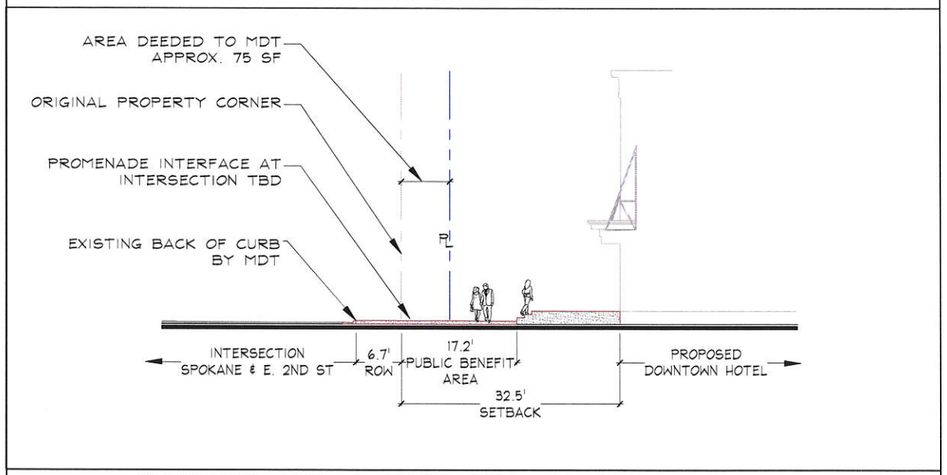
SCALE: 1"=10'

EXHIBIT C



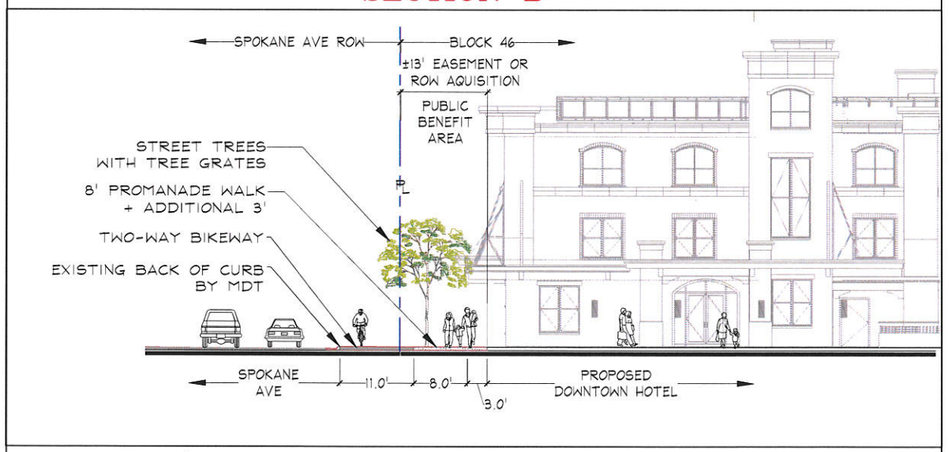
PLAN

SECTION A



SPOKANE AVE. & EAST 2ND ST. INTERSECTION

SECTION B



SECTION/ELEVATION – SPOKANE AVE. ADJACENT TO HOTEL

SPOKANE AVENUE PROMENADE

HOTEL ADJACENT

DOWNTOWN HOTEL

SCALE: 1"=10'

0 5' 10' 20' 30'

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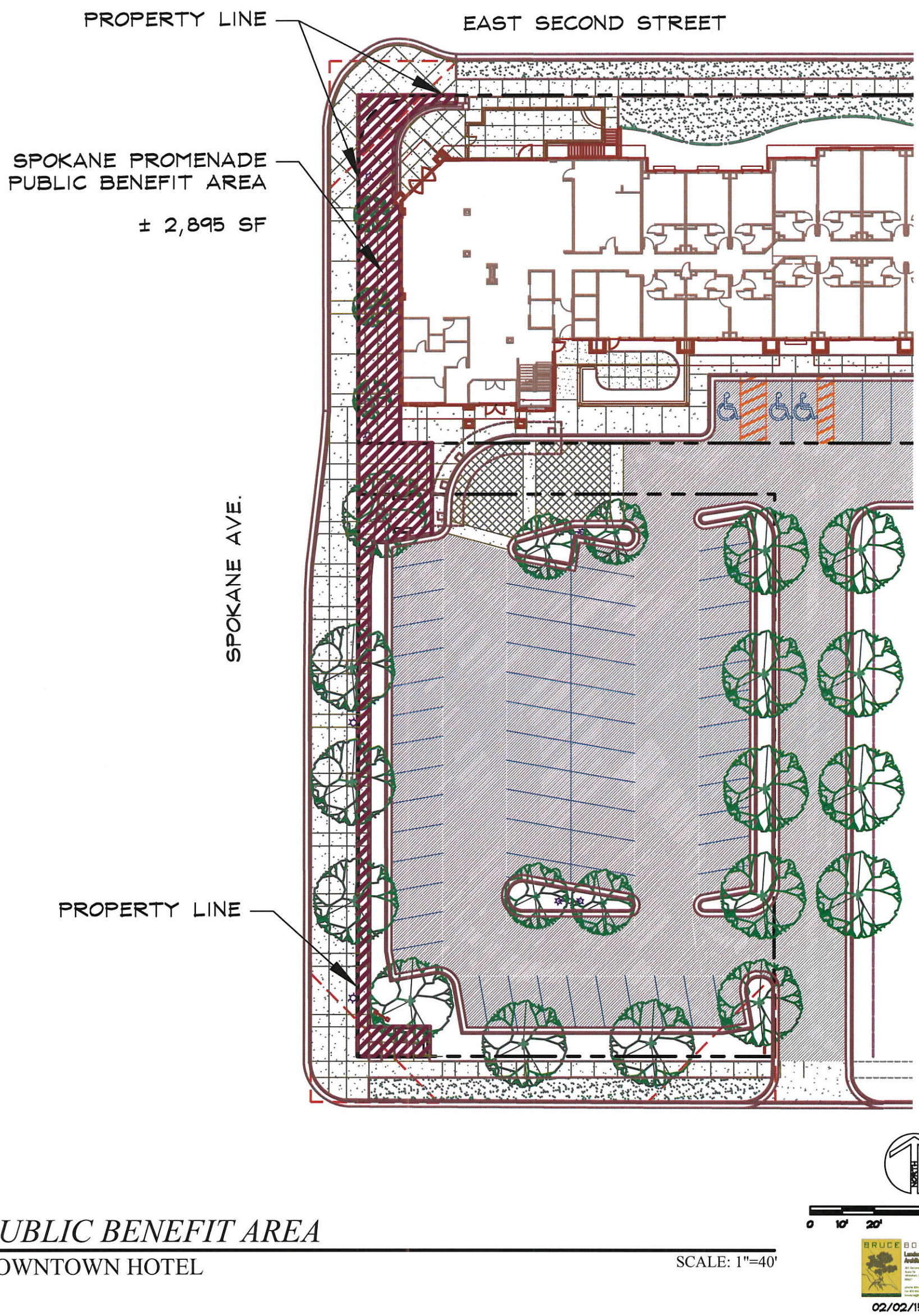
boodyla@bruceboody.com

02/02/15



PUBLIC BENEFIT AREA

DOWNTOWN HOTEL

SCALE: 1"=40'

Chuck Stearns

From: Necile Lorang <nlorang@cityofwhitefish.org>
Sent: Wednesday, January 28, 2015 8:53 AM
To: cstearns@cityofwhitefish.org
Subject: hotel

-------- Original Message --------
Subject:hotel
Date: Wed, 28 Jan 2015 08:20:33 -0700
From: Michael Fanning <shrdlu@centurytel.net>
To:<nlorang@cityofwhitefish.org>

Dear Council
We are opposed to the current plans for the hotel on block 46 for the following reasons:

1) too big by half – out of proportion for our town
2) could be a Marriot chain hotel
3) too commercial, out of scale, doesn't blend in with simple beauty,
   a swimming pool—EEK!
4) belongs down the road by Cabella's where commercial monstrosities abound

Although we live out of town, Whitefish has been our town for 21 years. Here is where we go for shopping, business, theater the Wave, restaurants, etc.

Jill and Mike Fanning
380 Tally Lake Road (20 Hanson Doyle Ln.)
Whitefish

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RESOLUTION NO. 15-___

A Resolution of Intention of the City Council of the City of Whitefish, Montana, indicating its intent to adopt the Whitefish Highway 93 West Corridor Plan as an amendment to the 2007 Whitefish City-County Master Plan (2007 Growth Policy).

WHEREAS, the Whitefish City-County Master Plan (Growth Policy) was adopted by the City of Whitefish by Resolution No. 96-3 on February 20, 1996; and

WHEREAS, the 2007 Whitefish City-County Growth Policy (2007 Growth Policy) was adopted by the City Council pursuant to Resolution No. 07-57 on November 19, 2007; and

WHEREAS, pursuant to an agreement dated May 20, 2013, the City engaged WGM Group, Inc., to assist the City in creating the Highway 93 West Corridor Plan from the Whitefish River Veterans Memorial Bridge out to Mountainside Drive; and

WHEREAS, a Steering Committee was created on May 20, 2013, by Resolution No. 13-10 and its term was extended pursuant to Resolution No. 14-01 on January 6, 2014; and

WHEREAS, thereafter, public meetings were conducted to receive public input regarding the Whitefish Highway 93 West Corridor Plan needs and proposals, public visioning sessions, and update future land uses for the Growth Policy Future Land Use Map for the corridor; and

WHEREAS, on June 19, 2014, and December 18, 2014, the Whitefish Planning Board held work sessions on the Whitefish Highway 93 West Corridor Plan, received presentations from the consultants and staff, took public comment, and made suggestions; and

WHEREAS, on January 15, 2015, at a lawfully noticed public hearing, the Whitefish Planning Board considered the Whitefish Highway 93 West Corridor Plan, received an oral report, reviewed Staff Report WGPA 15-02, took public comment, and thereafter voted to recommend that the Whitefish Highway 93 West Corridor Plan be adopted as an amendment to the 2007 Growth Policy, with a vote of six in favor and one Board Member abstaining; and

WHEREAS, on February 2, 2015, at a lawfully noticed public hearing, the Whitefish City Council considered the Whitefish Highway 93 West Corridor Plan, received an oral report, reviewed Staff Report WGPA 15-02, considered the recommendation of the Whitefish Planning Board, took public comment, and thereafter voted to recommend that the Whitefish Highway 93 West Corridor Plan be adopted by the Whitefish City Council; and

WHEREAS, it will be in the best interests of the City of Whitefish, and its inhabitants, to adopt a Resolution of Intention to approve the Whitefish Highway 93 South Corridor Plan, as an amendment to the 2007 Growth Policy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: All of the recitals set forth above are hereby adopted as Findings of Fact.

Section 2: The City Council of the City of Whitefish, Montana, hereby indicates its intent to adopt the Whitefish Highway 93 West Corridor Plan, attached hereto and incorporated herein by reference, as an amendment to the 2007 Growth Policy.

Section 3: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS _____ DAY OF _____, 2015.

_____
John M. Muhlfeld, Mayor

ATTEST:

_____
Necile Lorang, City Clerk

PLANNING & BUILDING DEPARTMENT
510 Railway Street, PO Box 158, Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409

February 2, 2015

Mayor and City Council
City of Whitefish
PO Box 158
Whitefish MT 59937

RE: Highway 93 West Corridor Plan – Amendment to the Whitefish City-County Growth Policy; (WGPA 15-02)

Honorable Mayor and Council:

Summary of Requested Action: A request by the City of Whitefish to adopt a Highway 93 West Corridor Plan as a new neighborhood plan update to the 2007 Whitefish City-County Growth Policy.

Planning & Building Department Recommendation: Staff recommended approval of the above referenced Growth Policy update with two amendments.

If the council feels there is too much information to process, the item could be postponed and a work session or special meeting could be scheduled. Staff recommends the Council focus most specifically on Area B and the Idaho Timber site during your review, including the permitted and conditional uses, as well as the boundary of the districts.

Public Hearing: The consultant, WGM Group, and staff made a presentation to the Planning Board summarizing the plan development process and Steering Committee meetings. Committee members Doug Reed, Ann Shaw Moran, and Ian Collins spoke during the public comment. Ann Shaw Moran and Ian Collins spoke that they were fine with most of the plan, but had issues with some of the conditional commercial-type uses proposed in the plan for the future WT-3 zoning district in Area B, including micro breweries and sandwich shops. Doug Reed, chair of the committee, stated the expanded uses for area B came from the public during the public process, and the intention is to increase possibilities not create a commercial strip like Highway 93 South, and he mentioned that a tap room is different than a bar with limited hours of operation. Neighborhood residents Susan Purlman (224 W Third, and Gail Linne, 106 Murray, spoke and also had concerns with changing the residential character of Area B. Mayre Flowers, Citizens for a Better Flathead provided a letter (attached) and spoke and said the corridor plan should be identified as a neighborhood plan (note, that change is added to the draft before you), and among other concerns wanted Area B to remain

residential. Rhonda Fitzgerald, 412 Lupfer, spoke and said the proposed WT-3 was a recipe ripe for sprawl and should remain fully residential. The draft minutes for this item are attached as part of this packet.

Planning Board Action: After two previous work sessions on the Corridor Plan, the Whitefish Planning Board held a public hearing on January 15, 2015 and considered the request. Following the hearing, the Planning Board recommended approval 6-0 (Ellis abstaining) of the above referenced Corridor Plan, with the two staff recommended changes. Draft minutes are attached.

Proposed Motion:

- I move to approve WGPA 15-02, the Highway 93 West Corridor Plan, along with the Findings of Fact in the staff report, as recommended by the Whitefish Planning Board.

This item has been placed on the agenda for your regularly scheduled meeting on February 2, 2015. Should Council have questions or need further information on this matter, please contact the Steering Committee members, the Planning Board or the Planning Department.

Respectfully,

David Taylor, AICP
Director

Att: Draft Minutes of 1-15-15 Planning Board meeting
Written comments from Mayre Flowers submitted at 1-15-15 Planning Board meeting
Whitefish Highway 93 West Corridor Plan, 1-27-15 Edition

Exhibits from 1-15-15 Staff Packet

1. Staff Report – WGPA 15-02
2. Zoning Comparison Tables
3. Memo – Analysis of Existing Zoning Districts
4. Email from Kellie Danielson, Montana West Economic Development
5. Email from Murray Avenue Residents RE: Peace Park access
6. Highway 93 West Steering Committee meeting minutes

c: w/att Necile Lorang, City Clerk

management, they could have a reception area or front office, but not a guard house/welcome center. Melissa felt this is a really big change versus some of the issues the board has addressed. Ken S. said not very many subdivisions would be able to staff an information center or welcome center, and was against the motion as presented. He asked if the HOA can they come back with another plan, and Wendy said yes.

VOTE

The motion passed by a vote of four (Richard, Melissa, Rebecca, Ken M.) to three (Ken S., Jim and John). The matter is scheduled to go before the Council on February 17, 2015.

PUBLIC HEARING 2 (on agenda but moved to 3 at meeting): REVIEW OF DOWNTOWN MASTER PLAN

A request by the City of Whitefish for review of the updated Downtown Master Plan. The Downtown Plan is a portion of the Whitefish City-County Growth Policy.

Jim wanted to know why the Board is reviewing this Plan as he went to the meeting last night and doesn't feel this Plan is finished, but rather still a work in progress. Wendy said the Planning Board passed the Downtown Master Plan in the fall of 2013, but because there are a lot of new Board members, this was really a courtesy review before the Plan goes to the Council on February 17th. John suggested the audience be polled to see how many are here for the Downtown Master Plan and how many for the Highway 93 Corridor Plan. No one was here for the Downtown Master Plan, so Richard made a motion that we consider the 93 West Corridor Plan ahead of the Downtown Master Plan on the agenda. John seconded, and the vote was unanimous.

PUBLIC HEARING 3 (on agenda but moved to 2 at meeting): REVIEW OF THE HIGHWAY 93 WEST CORRIDOR PLAN

A request by the City of Whitefish to review the Highway 93 West Corridor Plan as a new neighborhood plan for the Whitefish City-County Growth Policy.

STAFF REPORT WGPA 15-02 (Taylor)

Staff recommended adoption of the findings of fact within staff report WGPA 15-02 and for **approval** to the Whitefish City Council.

APPLICANT / AGENCIES

Bruce Lutz, Sitescape Associates, introduced Nick Kaufman, land use planner with WGM Group and Kate Dinsmore, who helped with landscape and mapping portion. There was also a Steering Committee chaired by Doug Reed, which included three of the current Planning Board members (Ken M., Jim and Ken S.) They held 13 meetings, nine Steering Committee meetings (with the public invited) and three formal public involvement meetings.

Bruce went through a presentation of the Plan, which is basically for the area beginning at the bridge and ending past Mountainside Drive which goes into Grouse Mountain. The process began in May of 2013.

Planning Director Taylor discussed the land use elements of the Plan. Bruce said that during Steering Committee meetings and public input sessions, folks didn't always agree on decisions, but there was consensus to move this Plan forward. The Plan can be changed and should continue to be reviewed. Dave said this is an Amendment to the 2007 Growth Policy.

Hunter Homes represents the new owner of Idaho Timber and one of the ideas they've considered is that an assisted living facility might be an appropriate use of the land, but they are open to ideas from the Board and public. He has been in contact with Ryan Zinke and the owners of the Idaho Timber property want to be in concert with the Peace Park and events. They have 1,500' of Whitefish River frontage. He encouraged the Board to move this forward to Council on behalf of the new owners.

BOARD QUESTIONS OF STAFF

John asked about the process of amending the future land use map, and what process is if this plan is adopted, which Dave explained.

Richard asked why assisted living centers/nursing homes were prohibited in WT-3, and Dave said Steering Committee might have overlooked that exclusion.

Rebecca asked about whether the Peace Park is in the City and Dave confirmed it is in the County. She also asked about parking there. Rebecca was surprised when floating the Whitefish River to see a large building there (Mindful Design) and was reminded that the CAO prohibits development along the Whitefish River within 75'.

PUBLIC COMMENT

Anne Shaw Moran, 432 West Third Street, was a member of the Corridor Steering Committee for the duration. She felt there were good people on the Committee, excellent consultants, great staff, and that Doug Reed did well as Chair. She said this Committee was formed because of a request for a PUD that would accommodate a microbrewery on north side of highway (now Area B), which neighbors objected to and was later withdrawn, to what residents wanted. She hopes she represented what the residential occupants wanted as many have made it clear to her that they have not changed their minds about microbreweries, etc., in their area, and she feels their position has grown stronger against these uses rather than dying away. She liked 90% of the

Plan, and didn't want to, but felt she had to vote against the Plan, to emphasize the wishes of the residents in the neighborhood. She wants to bring up that this will be a contentious issue. She appreciates the City funding this project.

Susan Purlman, 224 West Third Street, said Anne represented her concerns very accurately. We need more specific guidelines for what might go in, noise, traffic, hours of operation, pickups and deliveries, what is the true nature of a business possibly going in there and applying for a zone change. She felt there are still a lot of unanswered questions and unknowns, and possibly setting a trend that would be hard or impossible to reverse.

Gail Linne, 106 Murray Avenue, speaking on behalf of herself, her husband, Mitch Linne, and eight of their neighbors, Valerie Kinnear and Rick Smistad, 105 Murray Avenue, Dave and Sue Wollner, 107 Murray Avenue, Dave and Pam Supina, 108 Murray Avenue, and John and Sandy Kuffel, 109 Murray Avenue. They are aware of the extensive work that went into the Corridor Plan, and thank everyone for all their efforts. They wish to retain the residential flavor of the Plan's Area B and feel the current WR-3 zoning addresses the needs of the community and can also adequately address future transitional growth. They do not support the WT-3 designation as proposed by Plan.

Mayre Flowers spoke representing Citizens for a Better Flathead, 35 Fourth Street West in Kalispell. She attended the Steering Committee meetings and provided comments. She recommended the proposed Growth Policy amendment before the Board tonight should be identified as a neighborhood plan and provided the Board with a letter. She feels that one of the elements missing in this Plan is a set of broader goals and objectives for the overall area. They believe Area B should remain in current residential to preserve character. The zoning table prepared provides an interesting and worthwhile look at some of the differences of leaving this as existing zone and changing it. Added would be hotels and motels but not sure appropriate in this area. Coffee shops and sandwich shops are not needed in this zone, as the grandfathered businesses, convenience store, golf course, etc., already provide some of these services. Short-term rentals are also allowed and Mayre doesn't think they should be. Affordable housing should be addressed and isn't. Also feels this Plan is deficient by not providing guidelines for Peace Park. Lot coverage would move from 40% to 70% and this is a really big change, and she would recommend Area B retain its existing zoning.

Ian Collins, 898 Blue Heron Drive, said he would echo what Mayre had to say. He serves on the Architectural Review Committee, and speaking specifically about Area B, he hasn't been in favor of zone change. He's also not in favor of sandwich shops as not in character with neighborhood. He feels the area is much more attractive now that the highway isn't torn up, and that there is plenty of opportunity for redevelopment.

Rhonda Fitzgerald, 412 Lupfer Avenue, commented at the last meeting about WR-3 zone and having it changed to a transition zones. The Whitefish community has made it clear over the past two decades that it doesn't want to see more commercial strips. She believes the WT-3 zone is a recipe for sprawl, as anything someone thinks of they can do by just getting a zone change. Overnight rentals, breweries, retail, would all be allowed. She feels residential properties close to town are important and the residents who've invested in their property deserve to have the current zoning remain.

Doug Reed, 520 Somers Avenue, said the spirit of the Committee was not to create commercial strips, they wanted to increase possibilities. They weren't looking to Highway 93 South in their planning. Coffee shops, sandwich shops in Idaho Timber were popular at charrette sessions. A tap room was considered, much different from a bar, with small hours of operation.

MOTION

Rebecca moved and Jim seconded, to approve staff report WGPA 15-02.

BOARD DISCUSSION

Rebecca proposed an amendment to make changes on page 1 of the Area B land use comparison chart, to address specific concerns in audience about uses. It sounded to her like if some of the items listed (bed and breakfast, open space, hostels, nursing/retirement homes, professional artist, brewery) could be changed to "C" for "Conditional Uses", people in the audience might be happier with the plan. There was no second to her proposed amendment. Jim doesn't feel we're going to accomplish making people in the audience happy because folks on the Steering Committee worked on this Plan for a long time. Ken S. said that from the bridge to Karrow there are 77 homes with less than 10 owner-occupied, the rest are rentals. He said Steering Committee worked on for a year and a half and what Nick is trying to present is the compromise they worked to achieve. He doesn't think Rebecca's idea will make people happy.

Melissa asked Anne if the residents' problem with the microbrewery was only because alcohol and she said no there

were a lot of issues, odor, traffic, noise, etc.

Melissa asked Dave if zoning is set in stone and he said no, will come back before Planning Board again to review very specifically.

John asked Anne about the 7-10 owner-occupied residents in Area B, and Anne said the Board needs to remember that everybody who lives in town who is part of a neighborhood doesn't necessarily own their property, but that changes to their neighborhood really affects their quality of life, even if the rent.

Richard talked about the materials provided by Mayre tonight and suggested that they be included when this goes before the Council on February 2. He also suggested some sort of a summary of these concerns be given to Council ahead of time with the packet, as feels dropping this on the Council cold will be really tough. He really likes some areas, but feels there are also some housekeeping issues that need to be cleaned up. If the Board feels there needs to be more work done, they can decide to have it done before sending on to Council, or the Council could be tasked with that. He said he probably will not vote to move this forward to Council without a summary and/or work session. Ken S. asked Richard if he was suggesting this be continued or moved to a later date with the Council (like April), and Richard said he would like to see a little more tidying up by the staff as this is a critical issue and likely to be a template for future corridor plans

Nick made an observation that there were 13 meetings with Steering Committee. This Plan is a reflection of the input of that Steering Committee and public input sessions. What we've heard tonight is not a reflection of the Steering Committee; it's the concerns of the current audience.

John said there hasn't been any real discussion or concerns about most of Corridor Plan, just concerns with Area B and WT-3. He asked Nick if he felt residents were adequately represented and did they have a chance to adequately express their views at the Steering Committee meetings, and Nick said that at the Steering Committee meetings that Anne attended, she was clear, consistent and tenacious to represent the residents' desires.

Rebecca made a motion to change the Corridor Plan to a neighborhood plan in accordance with MCA §76-1-103, but there was no second.

Ken S. called for the question. Richard, Ken S., Melissa, Jim, Rebecca and Ken M. voted yes and John abstained.

VOTE

Ken S. called for the question. The motion passed with Richard, Ken S., Melissa, Jim, Rebecca and Ken M. voting yes. John abstained. The matter is scheduled to go before the Council on February 2, 2015.

PUBLIC HEARING 2 (on agenda but moved to 3 at meeting): REVIEW OF DOWN-TOWN MASTER PLAN

A request by the City of Whitefish for review of the updated Downtown Master Plan. The Downtown Plan is a portion of the Whitefish City-County Growth Policy.

STAFF REPORT WGPA 15-01 (Compton-Ring)

Staff recommended adoption of the findings of fact within staff report WGPA 15-01 and for **approval** to the Whitefish City Council.

PUBLIC COMMENT and BOART DISCUSSION

Ken M. asked if since the Board and audience all seemed to be real familiar with the Downtown Master Plan, was there an objection to moving directly into public comment on the Downtown Master Plan and there were no objections.

Diane Conradi, 350 Twin Lakes Road, works in downtown Whitefish, said she was not as familiar with the Downtown Master Plan as many are, and had only attended a couple of meetings over the years. She loves a lot of the proposed Plan and feels that having a thoughtful plan for downtown is absolutely essential. Her goal in commenting tonight is simply that the Board make sure we have affordable space for people to live and work in downtown Whitefish. She's worried about implementation of the Plan and hopes the Board is ready for it.

Rhonda Fitzgerald, 412 Lupfer Avenue, said the Downtown Master Plan was written in 2005, adopted in 2006, and went into Growth Policy in 2007, and feels it is a fantastic document. She said she lives in Riverside, which is now listed as a multi-family attached neighborhood, and she said it is not, but rather a low-density neighborhood and she wanted that change made.

Mayre Flowers said Citizens for a Better Flathead supports the Plan but again, feels it is too late in the evening to be addressing such an important issue, and there are too many items on agenda. It's hard to ask for public comment when so much on agenda.

John went through the Plan with a number of concerns:

- Strenuous objection to **<u>any</u>** parking structure on Kalispell Avenue/
- Page 2 of Staff Report WGPA 15-01 states "[a] recommendation for three major parking structures downtown"

PO Box 771 • 35 4th Street West
citizens@flatheadcitizens.org

www.flatheadcitizens.org

Kalispell, Montana 59903
T: 406.756.8993 • F: 406.756.8991

To: Whitefish City Planning Board

Re: Whitefish Highway 93 West Corridor Plan Planning Staff Report: Growth Policy Amendment WGPA 15-02

Date: January 15, 2015

Citizens for a Better Flathead appreciates this opportunity to comment on the Whitefish Growth Policy Amendment before you tonight. Our organization was founded in 1992 and we represent some 1500 supporters throughout the county. Our mission is to foster informed and active citizen participation in the decisions shaping the Flathead's future, and to champion the democratic principles, sustainable solutions, and shared vision necessary to keep the Flathead *Special Forever*. We believe that thoughtfully planned growth can and should occur without diminishing the very special characteristics of the Flathead Valley, and in this case specifically Whitefish, that play such an important role in attracting and retaining investments that grow the Flathead's economy.

We are asking that you consider the following areas for revisions to the plan before for the following reasons:

1. **This proposed Growth Policy Amendment should be clearly identified as a Neighborhood Plan as adopted as such. We provided comments during the development of this corridor plan encouraging clarification, but it was not addressed in the final plan before you. In fact the word Neighborhood Plan does not occur at all in this proposed amendment despite the WFGP's recognition that they be developed as neighborhood plans. A "corridor plan" is not specified as identified as an element of a growth policy by state statute. The Growth Policy statute does recognize infrastructure plans as an element of a growth policy, but this plan is much more than an infrastructure plan as it addresses primarily future zoning and land uses and not infrastructure as its main focus. Thus this plan should be identified as a Neighborhood Plan for the HWY 93 West Corridor Area.**

A. "Corridor plans can be developed as neighborhood plans, which are provided for under Montana law." WFGP 2007 page 58.

B. Note that your agenda tonight identifies this as plan as: "A request by the city of Whitefish to review the Highway 93 West Corridor Plan as **a new neighborhood plan** for the Whitefish City-County Growth Policy. (WGPA 15-02)"

C. Additionally the WFGP 2007, page 144 states:

"Neighborhood Plans: As set forth in 76-1-601(4), a growth policy may contain one or more neighborhood plans. However, the law contains no specific description of a

neighborhood or of its contents. This Growth Policy and the local land development regulations shall provide for the formulation and application for consideration and approval of neighborhood plans. The neighborhood plan shall be an option for refining
and/or amending the Growth Policy. It shall generally be used for areas that are already developed, and shall generally be available for neighborhood residents to formulate comprehensive plans for the preservation, enhancement, or transition of existing neighborhoods. Neighborhood plans may also be initiated by the City. All procedures,
requirements, and criteria for neighborhood plans shall be set forth in the land development regulations, but generally those criteria shall include:

- That the proposed neighborhood plan is a refinement of the Growth Policy in terms of the type and distribution of development infrastructure, open spaces, and environmental considerations.
- That the proposed neighborhood plan provides extraordinary community benefits toward the stated goals of this Growth Policy such as affordable housing, preservation of community/neighborhood character, preservation and/or enhancement of natural resources, provision of open space, or essential and/or desirable community infrastructure."

D. We would suggest that the Mission Statement on Page 3 of the proposed plan be amended to read to recognize that this is a neighborhood plan as follows (add underlined text:

"The purpose of the Whitefish Highway 93 West Corridor Plan is to propose a more specific policy for land use, development and growth within the corridor as a follow-up to the 2007 City of Whitefish Growth Policy which was prepared under the authority of and in
accordance with Part 6, Chapter 1, Title 76, Montana Code Annotated and <u>as set forth in 76-1-601(4), as a Neighborhood Plan.</u> A Growth Policy is required by Montana state law so that local governments can manage growth and development through zoning and subdivision regulations"

E. Additionally, we would recommend that the Whitefish planning staff (as time and budget for the consultants has over run its budget) take time to host some additional neighborhood meetings to generate and get feedback on overall goals and objects for this neighborhood plan. This will help to provide the added detail and direction that is typically found in a neighborhood plan. This plan as proposed refers to "project goals" and to some extend development or zoning goals for specific areas, but fails to capture or articulate the neighborhood goals for example for the overall for retention of residential character, objectives for addressing noise, green belt and park goals etc. These goals should be captured and included prior to further consideration of this neighborhood plan.

F. Note that the Down Town Master Plan before you tonight is correctly identified as a Neighborhood Plan.

2. Area B is currently and should remain residential in character in zoning. The existing zoning of WR-3 provides adequate opportunity for future growth.

A. The Zone Comparison Table prepared for your packet tonight provides an easy overview of some of the differences between these two zones. Our review of this finds that WT-3 provides more negatives than positives. We find based on comments of many neighbors in

this area to date and the lack of an established need to add additional commercial uses, given that these uses should be encouraged in the downtown master plan area, and the potential for short-term rentals in this area to degrade the desired residential character of the area that the existing zoning should be retained.

- **Hotels and motels** are not permitted currently in WR-3 but would be in WT-3. These should not be in this residential area. These uses should be directed to the downtown area.
- **Coffee shops and Sandwich Shops** for Area B, which is currently residential and so close to downtown business that provide these services already, we find that these uses are not needed in this zone. Grandfathered businesses in this general neighborhood area such as the existing convenient store with food services and the Golf Course and Grouse Mountain already meet potential needs. As proposed the WT-3 zone provides no limit to proliferation of these uses in this area and as such is not desirable.
- **Sort-term rentals** undermine desired investment in the downtown plan area that already has capacity for hotels. Open-ended short-term rentals compete with the city's desired goal of addressing affordable housing and work force housing within the city. Retaining the WR-3 zone is one method to support affordable housing. Thoughts should be given to strengthening goals and policies for affordable housing.
- **Bed and Breakfasts** should remain conditional uses as they are under the WR-3 zoning to ensure that residential neighbors have meaningful input into decisions that can greatly impact them.
- **Open Space for active or passive, public, or private use** should remain a conditional use given a history of noise and parking issues that have been an issue with the "Peace Park."
- **The 70% lot coverage** allowed within the WT-3 zone when compared to the 40% lot coverage in the WR-3 is inappropriate for a residential area of traditional lawns, vegetation and trees are paved and built over. The cumulative impacts of allowing larger and higher buildings and with no increase in setbacks, into a historically residential we believe can quickly degrade the character of this area and its existing neighborhoods.

3. **The proposed recommended uses for the area identified as Peace Park are not adequate as proposed. As this is not a publicly owned park, but a privately owned facility. No zones that I am aware of currently address the uses in private parks and thus standard and appropriate zoning for this use is needed.** It is also not clear with the change in zoning under the interim county zoning how this area has been impacted.

WHITEFISH HIGHWAY 93 WEST CORRIDOR PLAN

DRAFT

PREPARED BY:

WGM GROUP

Sitescape Associates

JANUARY 27, 2015
PROJECT NO. 130303

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Project Description

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Introduction

The 2007 City of Whitefish Growth Policy recommends a corridor plan be formulated and adopted for US Highway 93 West with specific goals, policies, and recommended actions for the area that consider land use, scale, transportation function and modes, noise, screening, landscaping, and urban design.

The corridor is the site of the Montana Department of Transportation US Highway 93 West three-phase road widening project to provide major infrastructure improvements. In addition to widening the road, the project includes curbs, sidewalks, trails, landscaping, and utility improvements dramatically affecting the corridor by improving traffic flow for auto, bike, and pedestrian access and improved bike/pedestrian and landscaping in the corridor. These improvements also improve access and circulation. Construction of phase I began in the summer of 2013.

This corridor plan includes evaluating existing conditions, holding neighborhood stakeholder meetings, overseeing a City Council appointed project Steering Committee, and drafting a corridor plan focused on future land use planning and public improvement projects in the study area.

Vicinity Map

Mission Statement

The purpose of the Whitefish Highway 93 West Corridor Plan is to propose a more specific policy for land use, development and growth within the corridor as a follow-up to the 2007 City of Whitefish Growth Policy which was prepared under the authority of and in accordance with Part 6, Chapter 1, Title 76, Montana Code Annotated as set forth in 76-601(4), as a Neighborhood Plan. A Growth Policy is required by Montana state law so that local governments can manage growth and development through zoning and subdivision regulations.

The following excerpt from the City of Whitefish Growth Policy explains the basis for recommending corridor plans as follow-up amendments to the original document:

"The Land Use Element of this Growth Policy recommends that corridor plans be formulated and adopted for four specific transportation corridors within the Whitefish area. Upon adoption, these corridor plans will effectively amend this Growth Policy with goals, policies, and recommended actions specific to each corridor. Following that, any special regulations regarding land use, access, buffering, screening, and/or landscaping may be considered."

The City of Whitefish Growth Policy goes on to explain: "As stated previously in this element, the Growth Policy recommends numerous programs and new and amended regulations to carry out the goals and vision of this Growth Policy. Initiating and carrying out these programs and regulations will take time and resources, and therefore, priorities must be carefully set. It is recommended that immediately upon adoption of this Growth Policy, the City Council and City Manager, in consultation with the Planning Board and Whitefish Planning & Building Director, establish a priority list of programs and regulations for the next two years. Upon the biennial review of the Growth Policy by the Planning Board (as set forth in this element under Periodic Review), implementation priorities shall again be set for the next two-year period.

Initially, it is recommended that implementation priorities include:

- Update of the subdivision regulations as required by amendments to Montana law enacted in 2005
- Critical Areas Ordinance
- Re-evaluation of the zoning code to adopt "character based" regulations and to address other issues set forth in this Growth Policy
- Evaluation of additional affordable housing programs and/or regulations
- Corridor plans."

The Whitefish Highway 93 West Corridor Plan is the first of the four corridor plans.

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Goals and Objectives

The focus of the corridor plan is to respect the existing land uses and zoning while allowing for the sensitive, timely and appropriate transition from existing uses to future land uses to benefit the community. The plan will identify a range of land uses to be integrated into the fabric of the Whitefish community, conform to the goals and objectives of the downtown and can be accepted by use, process and performance standards by the occupants of the corridor and the community.

Goal #1: Establish a plan to guide future land use in the US Highway 93 West corridor as an amendment to the existing Growth Policy by:

- Preserving essential elements of neighborhood character.
- Maintaining essential elements of the Downtown Master Plan.
- Preserving essential elements of historic character in future land use.
- Recognizing the corridor as the westerly gateway to Whitefish.
- Providing a vision for the future of the corridor balancing established character with the needs of the future.
- Working effectively with the City Council appointed Steering Committee to represent a broad cross-section of community interests.

Goal #2: Establish a Steering Committee that represents diverse community interests and work effectively with the Steering Committee by:

- Educating the Steering Committee on process.
- Informing the Steering Committee on existing land uses.
- Utilizing the Steering Committee to effectively represent their respective special interest groups.
- Developing effective notification utilizing mailings, email, public media, and the City of Whitefish website.
- Conducting public input sessions with neighborhood residents and stakeholders.
- Advising on implementation strategies.
- Advising on community needs, opportunities, and acceptable means of transitional implementation.

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Goal #3: Utilize a planning process to accomplish the following:

- Addresses land use, scale, and urban design.
- Identifies potential land use opportunities for the Idaho Timber site.
- Identifies potential public projects eligible for public investment.
- Provides recommendations for zoning.
- Provides an acceptable strategy of transitioning to appropriate future land uses.

Goal #4: Incorporate elements of the US Highway 93 West improvements including:

- Transportation function and modes.
- Screening.
- Landscaping.
- Directing public comment relative to the highway project and construction issues to appropriate authorities.

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Planning Process

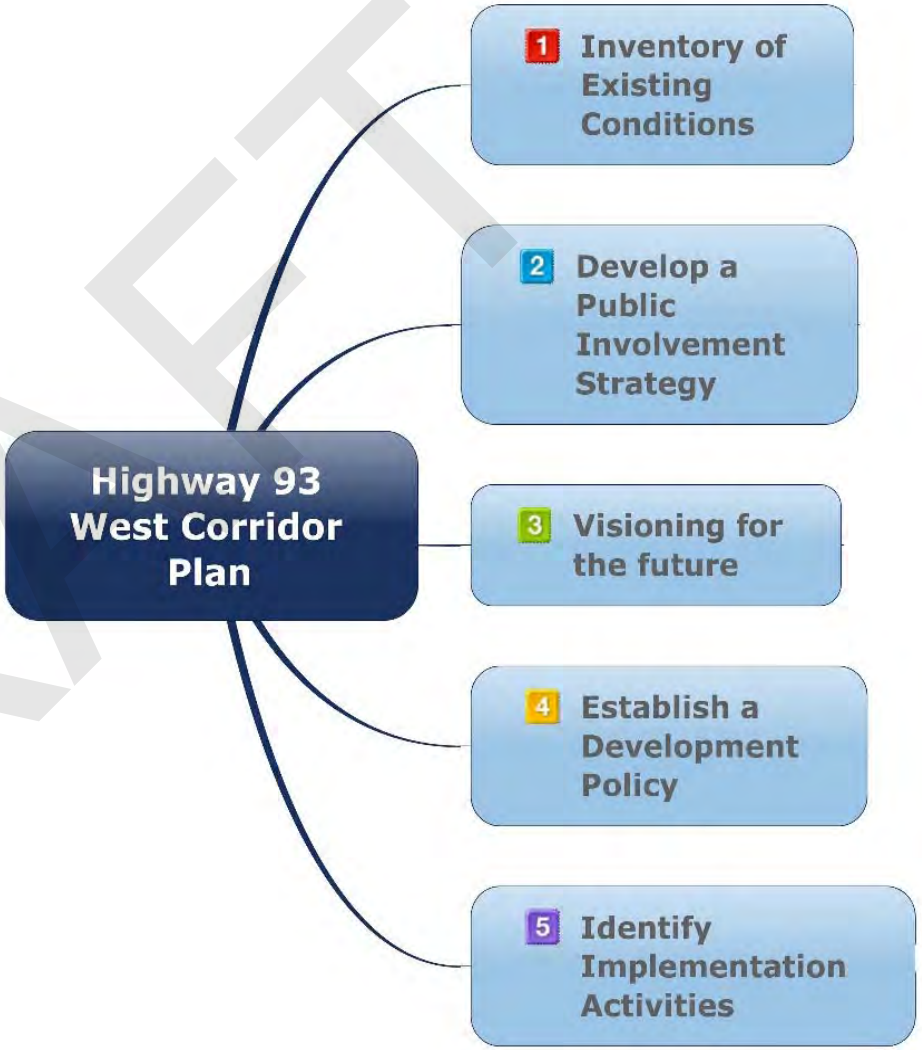
The planning process was divided into five phases.

Phase 1: Inventory of Existing Conditions

The data collection phase of the project provided a history of the corridor and utilized GIS to produce a series of maps illustrating existing conditions within the corridor. These maps provided the foundation for the next phases in the project.

The following existing conditions were inventoried:

- Corridor boundary
- Land ownership
- Population
- Highway and street circulation system
- Non-motorized circulation
- Sewer
- Water
- Topography and drainage
- Existing growth policy land uses
- Zoning
- Parks and cultural resources
- Existing Tax Increment Financing (TIF) district



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Phase 2: Develop a Public Involvement Strategy

The public involvement strategy included facilitating a Steering Committee and holding six Steering Committee meetings and three public input sessions where comments were collected and documented.

Steering Committee

The Whitefish City Council selected the Steering Committee composed of volunteers who own property within the study area, city staff, elected officials, corridor business owners, and other stakeholders to establish a development policy for the corridor. The committee was selected to represent the interests within the corridor. The positions and committee members are listed below:

Business Owner (Resort/Recreation):

- Doug Reed

Business Owner (Commercial/Professional Interests):

- Cora Christiansen

Whitefish City Council:

- Phil Mitchell
- Frank Sweeney
- Andy Feury

Idaho Timber:

- Todd Featherly
- Dave Taugher
- Hunter Homes

Planning Board:

- Ken Meckel
- Chad Phillips
- Ken Stein

Residential (Investment or Multi-Family):

- Jim Laidlaw

Residential (Owner Occupied):

- Anne Shaw Moran
- Ryan Zinke

WB-3 Property Owner:

- Ian Collins

At-Large Community Member or Property Owner:

- Nancy Woodruff

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Visioning Public Input

The planning staff, Steering Committee and consultants held six Steering Committee meetings where public input and participation was welcomed and noted. An open house was held in August 2013 that invited the public to comment and provide input on future planning for the corridor. A mailing to all residents within the corridor boundary was sent out prior to the first public input session inviting participation. Public notices were published in the Whitefish Pilot prior to each public input session. A second public input session was held in October 2013. The proposed land use area boundaries, Steering Committee approved land uses, and character and concerns were presented for comment. The third public input session, a design charrette, was held in December 2013. Information regarding Steering Committee meetings along with corridor plan information was posted on the city website.

Phase 3: Visioning for the Future

During the visioning phase, existing documents were reviewed including the 2007 City of Whitefish Growth Policy, the 2008 US Highway 93 Whitefish West Re-Evaluation, the 2013 Whitefish Parks and Recreation Master Plan, the 2009 Whitefish Transportation Plan, and the 2005 Whitefish Downtown Business District Master Plan. Steering Committee meetings and public input sessions were conducted to gather comments and concerns within the corridor and a charrette was held to imagine redevelopment of the Idaho Timber site.

Phase 4: Establish a Development Policy

This phase began with a review of the existing City of Whitefish Growth Policy and land use designations. The existing land use designations were then melded with findings from the public involvement and visioning sessions to determine appropriate future land uses. Guidelines were developed during this phase for the recommended uses that addressed land use, scale, transportation function and modes, noise, screening, landscaping, and urban design.

Phase 5: Identify Implementation Activities

The final phase revised the Growth Policy Future Land Use Map and recommended a strategy to allow for the gradual transition from historic and traditional land uses to meet the contemporary needs of the community. Changes to the zoning code are recommended. This phase identified potential public/private partnership opportunities to stimulate appropriate growth and development in the study area.

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I. Corridor Context: Analysis of Existing Conditions

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Corridor Area History

The name "Whitefish" originated from the nearby lake that was known to the local Indians and fur trappers for its abundant native fish known as the Whitefish. Whitefish was incorporated in 1905 following the emergence of the Great Northern Railroad into the Flathead Valley in 1891 and a spur from Columbia Falls through Whitefish and Rexford by 1902. In 1904, Great Northern Railroad decided to bypass the county seat of Kalispell with their main line north and west. Whitefish was chosen instead to be the division point. This precipitated a migration of railroad workers from Kalispell to Whitefish.

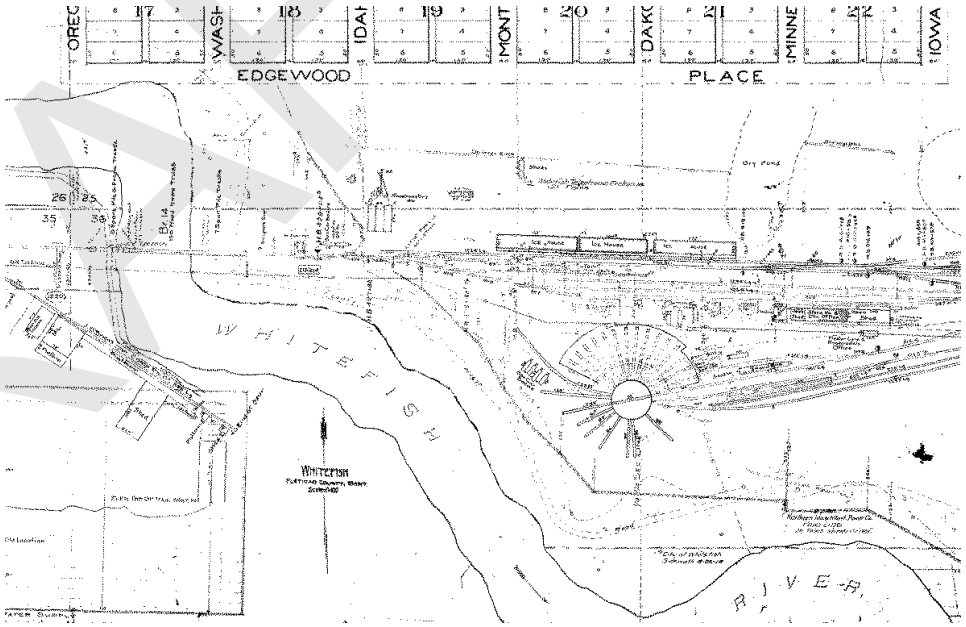
Important Land Uses

Four of the most important land use anchors within the Highway 93 West Corridor are the Whitefish Lake Golf Club, Grouse Mountain Lodge, Idaho Timber and the proposed Great Northern Veterans Peace Park.

Whitefish Lake Golf Club

The Whitefish Lake Golf Course was originally purchased and developed by the City of Whitefish as a landing field. The City purchased 104 acres west of the Whitefish River for $1600 in 1933 from Flathead County. The City completed the landing field/golf course and the terminal/clubhouse in 1937.

Since the 1940's, the Whitefish Golf Course Association has operated the golf course as a break-even venue. Over the years, the course has expanded and is now the only 36-hole golf course complex in Montana.



1905 Great Northern Railroad Yard Map

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Idaho Timber

The history of the Idaho Timber site goes back to a time prior to the dedication of the townsite when local logging families established interests at the south end of the lake and the Boston and Montana Commercial Company built a dam that allowed logs to be sluiced from the mouth of the river down to Kalispell or beyond. The O'Brien Lumber Mill and then the Somers Lumber Company operated a mill on the north end of the current Idaho Timber site until 1918. After 1918 the property was utilized as a mill site in various configurations under the ownership of the Great Northern Railway. The mill site as operated by Idaho Timber was closed in 2009.

Great Northern Veterans Peace Park

The mission of the Great Northern Veterans Peace Park (GNVPP) Foundation is to provide a family sledding park and community open space in a setting that recognizes the contributions of the veterans and the railroad to the community. The GNVPP Foundation also funds community education projects. After working with the BNSF for over six years and undergoing extensive improvements, the park received its final land donation in 2013 to make the total acreage of the park nearly 18 acres. It is anticipated that the park will provide an improved trail link between the Whitefish Lake Golf course and the City and serve as a location for a broad range of recreational activities such as sledding, frisbee golf, concerts, local festivals and community activities.[1]

Grouse Mountain Lodge

Tim Grattan was the visionary force behind the development of the Grouse Mountain Lodge facility, a vacation and meeting resort. Grattan owned the land that would later include a nine-hole expansion of the Whitefish Lake Golf Club as well as the site for the Lodge just south of the entry to the golf club. Grattan negotiated an arrangement with the City whereby the 50+ acres was designated for "multiple use zoning" paving the way for the golf course expansion, Lodge and residential housing. Grattan and his partners embarked on the building of the lodge along with continued home site development largely oriented to the golf course and the views to the east. Construction of the Lodge began on July 1, 1983. On June 30, 1984, Ted Schwinden, then Governor of Montana, appeared at Grouse Mountain Lodge's opening celebration. On July 1, 1984, paying guests came to the Lodge and the history of Grouse Mountain Lodge began. In 2011, Grouse Mountain Lodge was sold to Glacier Park Incorporated (GPI) who operated five historic lodges, three motor inns and the historic red buses in Glacier National Park and Waterton Lakes National Park. GPI is currently involved in a renovation program for the facility.

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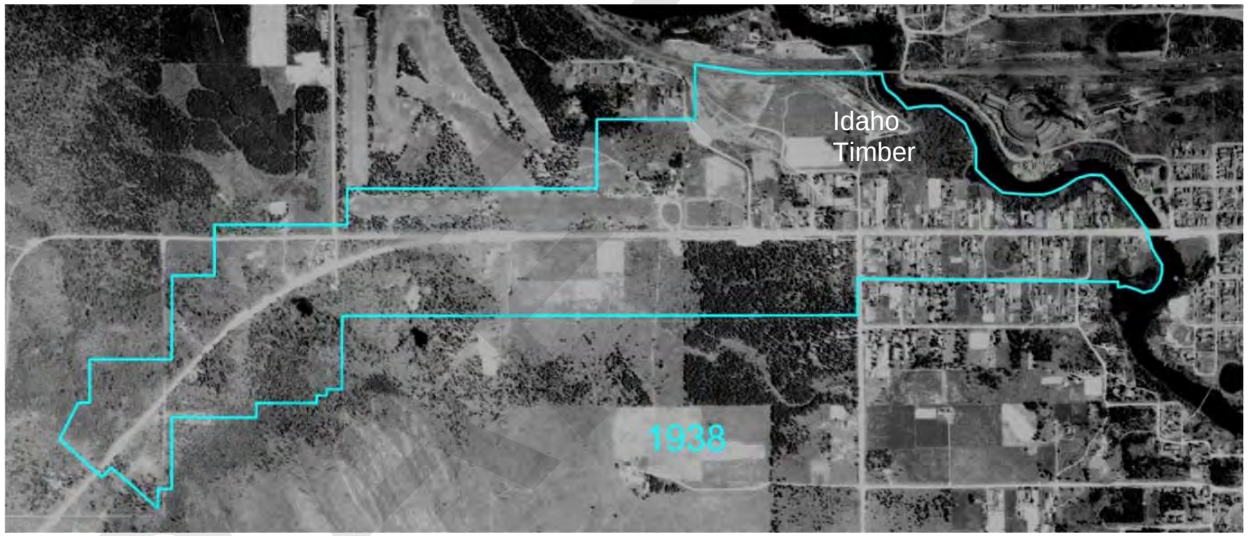
[1] Candace Chase, "Land donation gets peace park rolling," http://dailyinterlake.com, (February 3, 2008).

Source: Lacy's Photography, May 15, 1948, "Whitefish Lumber Yard"

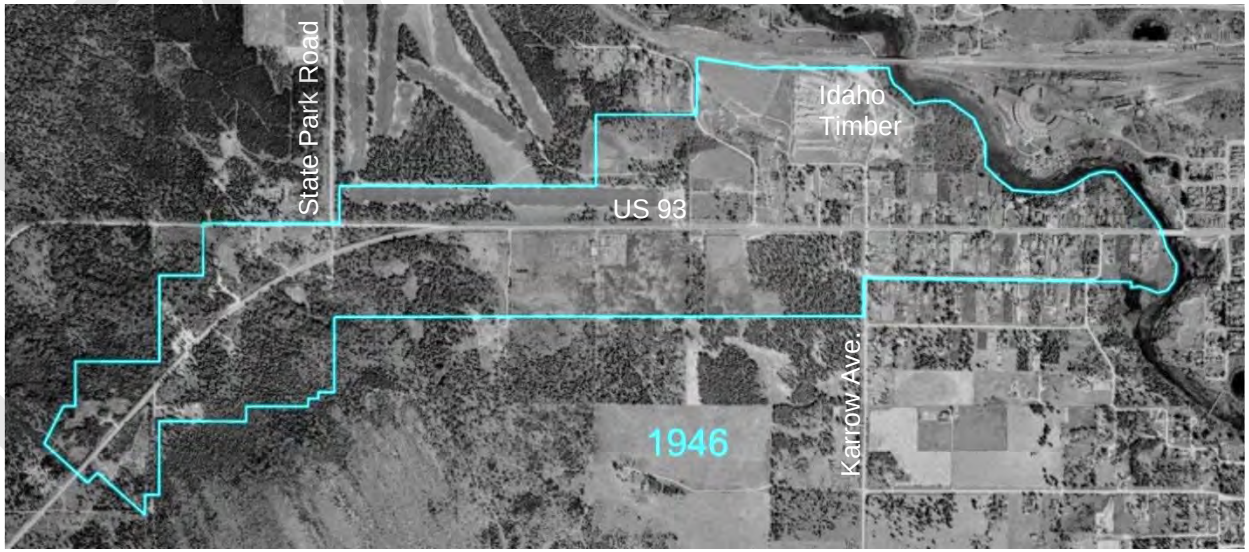
Development – Historic Aerial Photographs

The following historic aerial photographs represent 75 years of land use monitoring. The collection begins in 1938 and ends with a photograph taken in August of 2013.

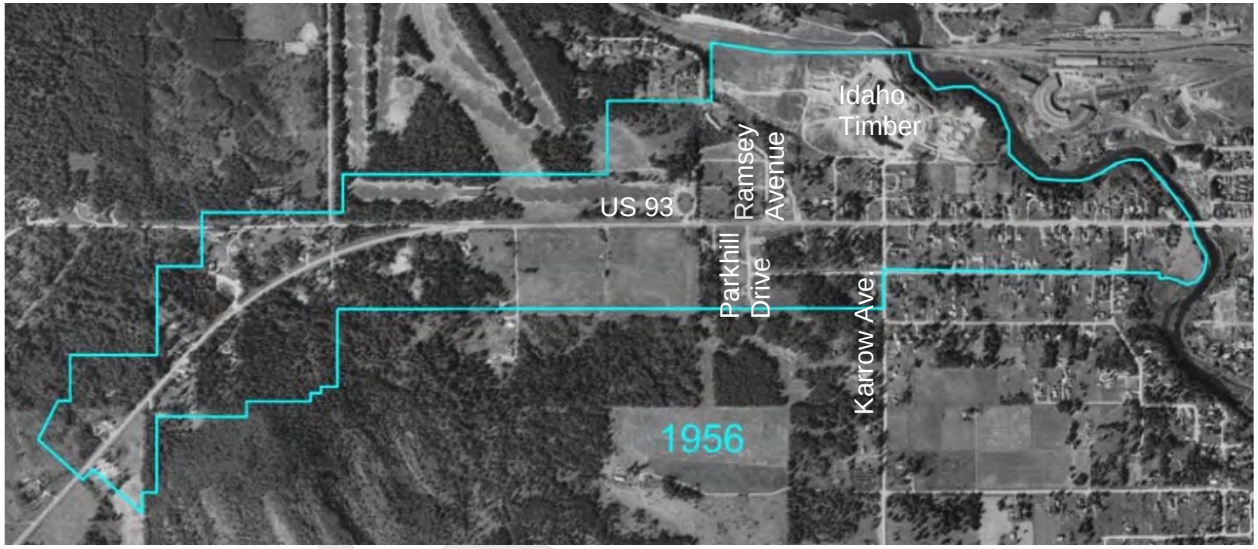
In 1938 most of the property west of Karrow Avenue was either undeveloped agricultural or silvicultural ground with the exception of the golf club. The home-site development east of Karrow Avenue on either side of the highway was considerably less dense than at present. The current Idaho Timber site remained largely undeveloped.



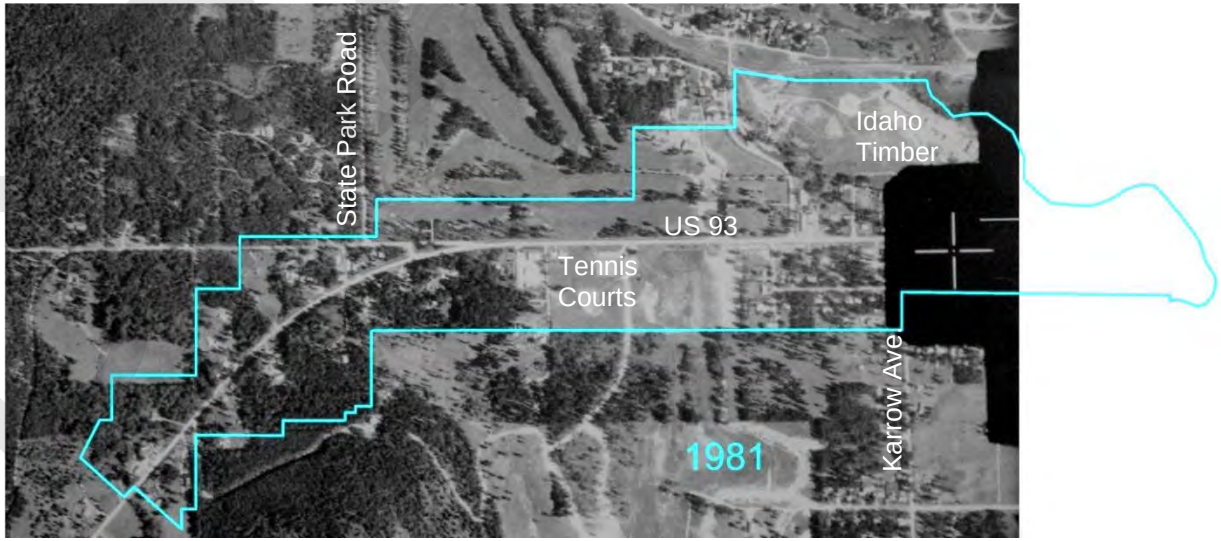
In 1946 after World War II, the rural land west of Karrow Avenue began to show signs of residential development especially in the area west of State Park Road. Additional timber was cleared west of Karrow Avenue and south of US Highway 93 West while utilization of the mill site increased in response to the nation-wide demand for lumber.



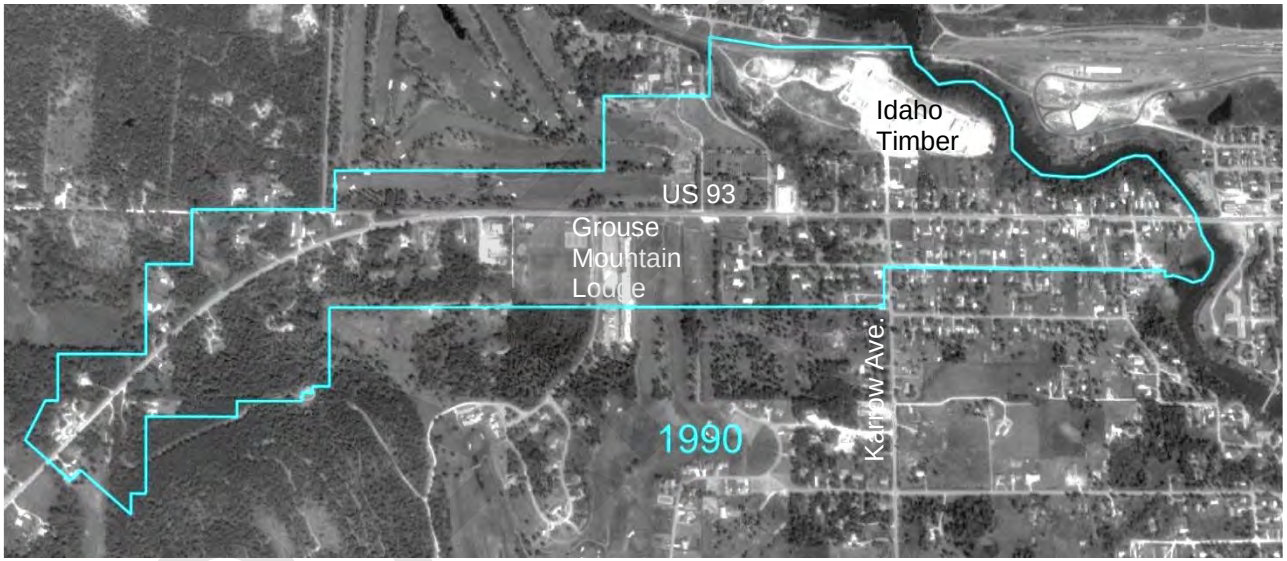
By 1956, 3rd Avenue was extended westward and turned northward as Parkhill Drive. The road extensions were accompanied with some residential development. Additional residential growth along Ramsey Avenue to the north was also occurring along with continued expansion of the mill site.



By 1981, the golf course had expanded south of US Highway 93 West and there was increased development northwest of the intersection of US Highway 93 West and State Park Road. The golf course north of US Highway 93 West was renovated while mill site activity seemed to be more concentrated in the north and east portion of the site. Tennis courts appeared in their current location south of US Highway 93 West. Forest Service and Border Patrol offices west of the new tennis courts were built.

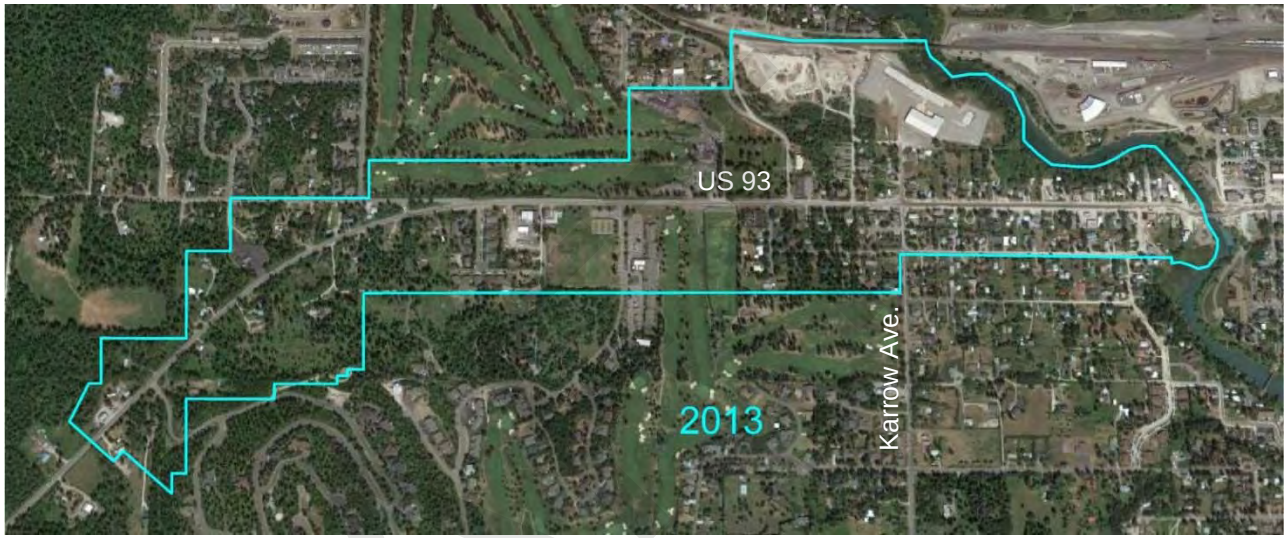


By 1990, Grouse Mountain Lodge was completed along with soccer fields west of the lodge. Residential development in and around the golf course expansion had progressed. The larger warehouse building had been built on the Idaho Timber site.



By 2005, additional residential growth had occurred northwest of the State Park Road intersection around the golf course expansion and into the timber hills formerly known as “Chicken Ridge”. The mill site remained in operation.

In 2013, residential development slowed due to the extended downturn in the national economy. The Idaho Timber mill closed June of 2009. The most significant land use change was the phase I renovation of US Highway 93 West from Lupfer Avenue to Karrow Avenue which began in 2012.



Over the years, many of the land uses have transitioned to support new land uses. Currently, there is a strong potential for many properties to transition from their traditional uses to uses that would better complement the community. The Great Northern Veteran's Peace Park (formerly BN) is transitioning to a community park. Wood products manufacturing and railroading were the traditional economic generators for jobs in Whitefish and the supportive workforce housing is still evident in the corridor. It is still one of the primary land uses in the corridor, but the buildings could be converted to support new uses. The Idaho Timber site has potential for the timely and appropriate transition from traditional wood products manufacturing to economic development generators to complement the downtown while respecting the zoning and manufacturing potential of the site.

Regional Context

One of the most important attributes of the US Highway 93 West Corridor is its position as a gateway into the community of Whitefish and the Flathead Valley for travelers coming into the area from Canada and northwestern Montana. Tourists flock to Whitefish for skiing and other outdoor recreation as well as its proximity to Glacier National Park. The gateway corridor complements these activities by providing exceptional residential housing sites, a golf course, resort and overnight lodging, and other recreational opportunities including access to Whitefish Lake and River and public parks.

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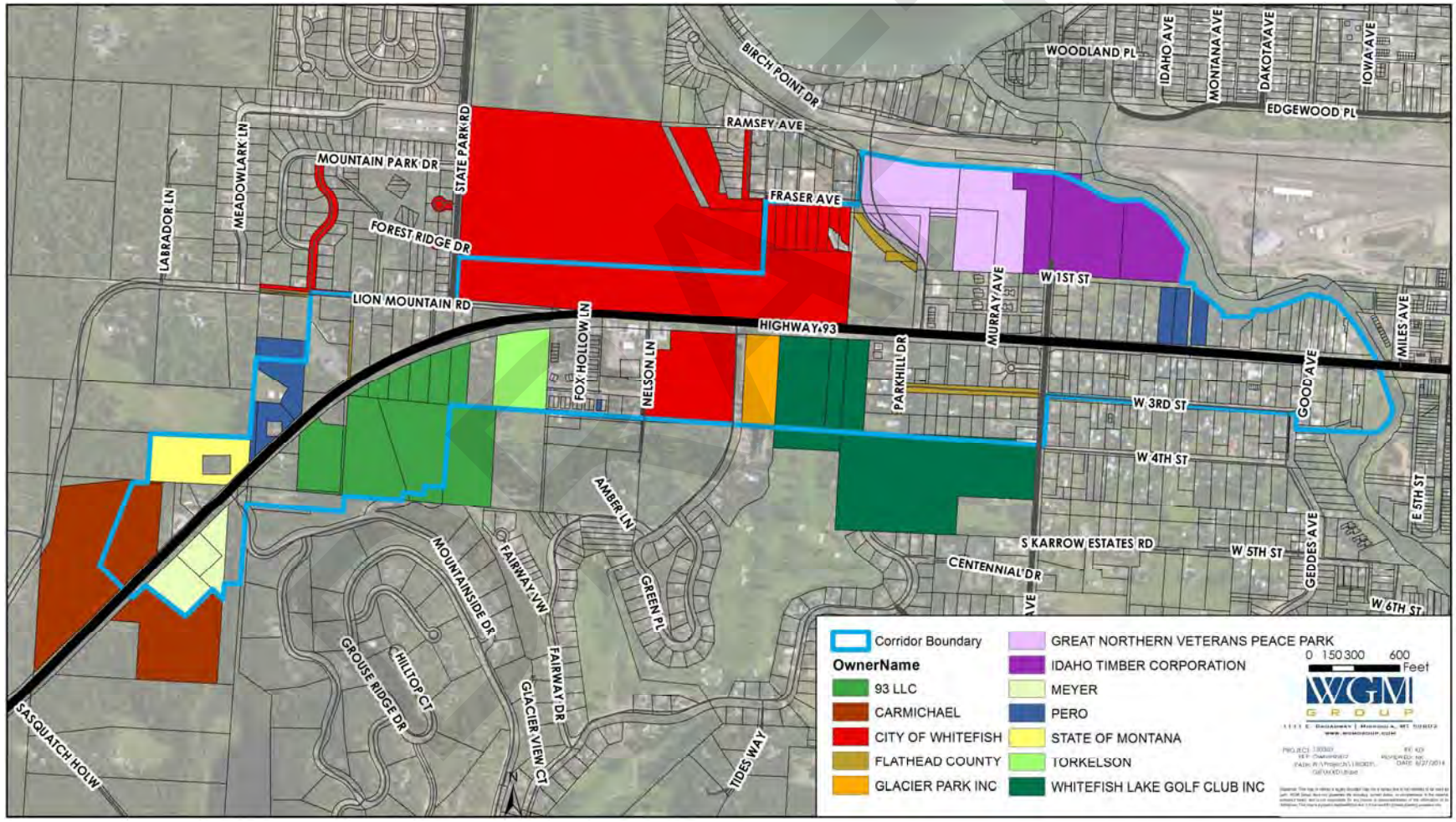
Existing Conditions

Corridor Boundary

The corridor area abuts US Highway 93 West from the Mountainside Drive area on the west to the Whitefish River on the east. The corridor is the gateway entrance into Whitefish from the west and includes a mix of residential, resort, and open space land uses. Just east of the boundary, the land use transitions to commercial as the highway crosses the Whitefish River and enters downtown. The corridor extends out from the highway a maximum of 1,270 feet and is approximately 1.5 miles in length beginning at the west side of the Whitefish Veteran's Bridge and extending 700 feet west of Mountainside Drive. The total area of the corridor is 225.2 acres.

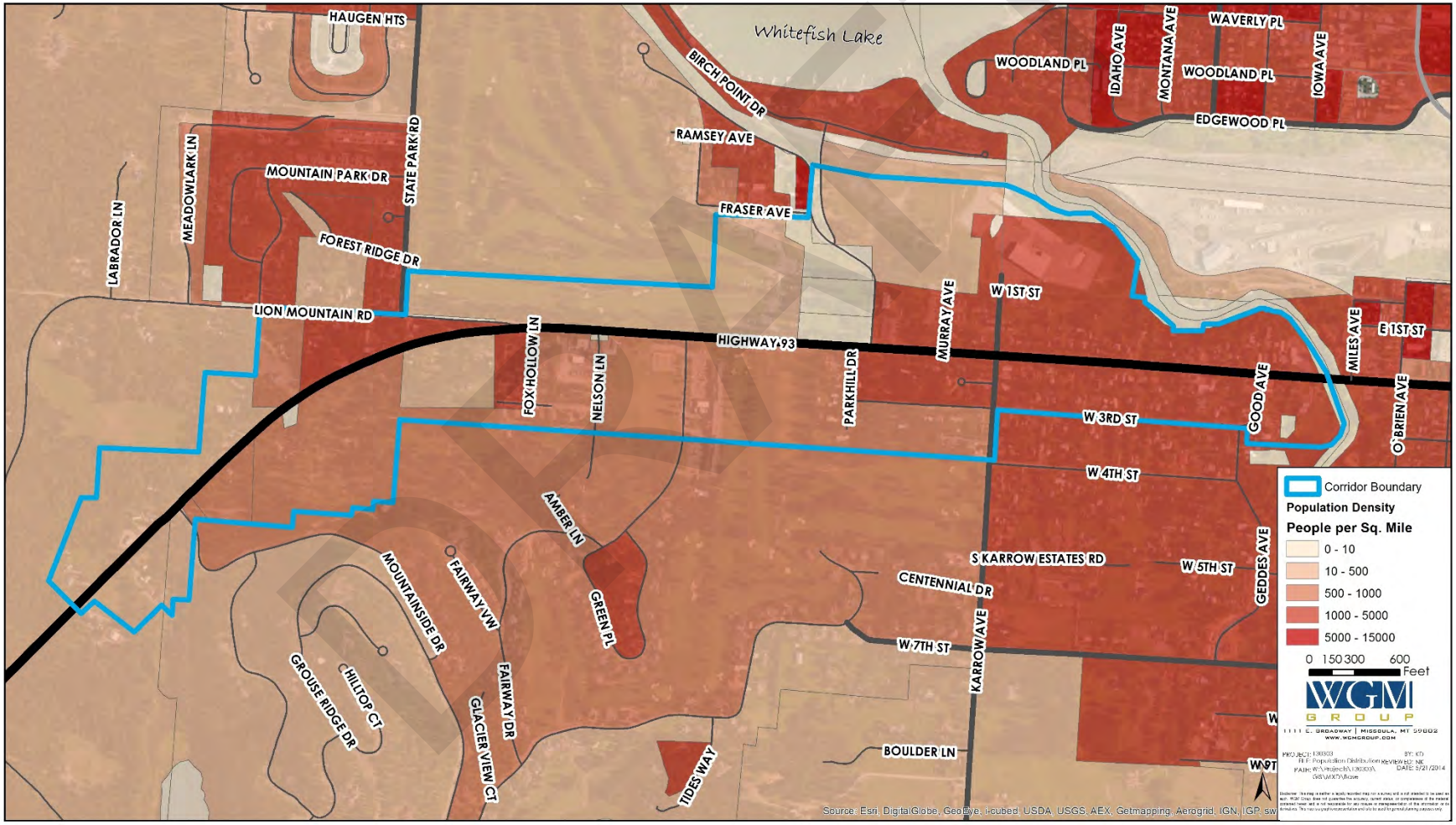
Ownership

Major property owners with over three acres of property within or adjacent to the corridor are identified in the map below.



Population

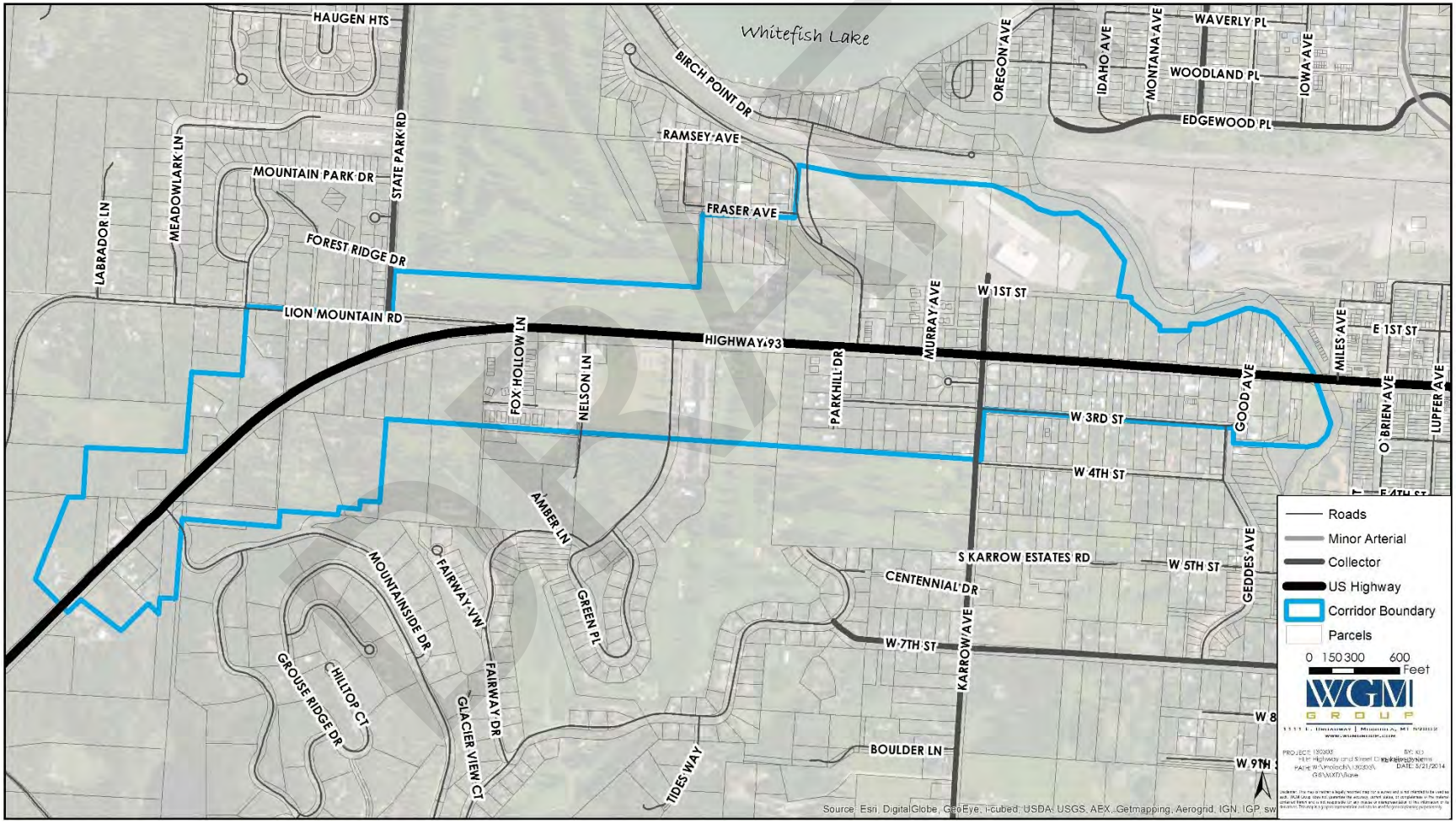
The population density in the corridor increases from the rural area in the west to the more densely populated area moving east towards the center of town.



Infrastructure

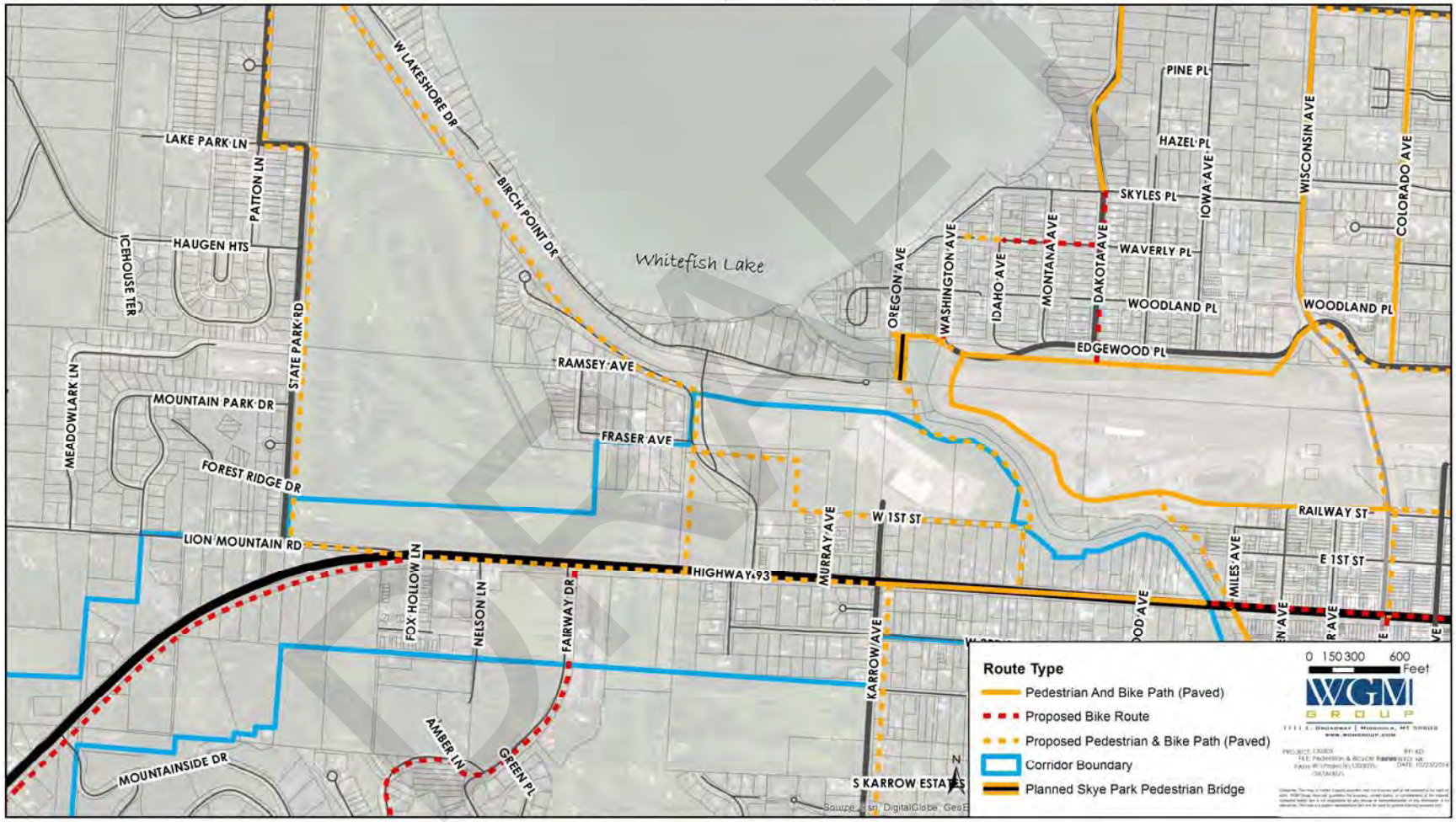
Highway and Street Circulation Systems

The corridor is bisected by US Highway 93 West, which is a National Highway System route between Canada and Mexico, and leads directly into downtown Whitefish. State Park Road and Karrow Avenue are north-south collector streets within the corridor, providing local circulation. Private and public local streets provide access to individual residences and businesses, however portions of the corridor lack connectivity through a grid road network.



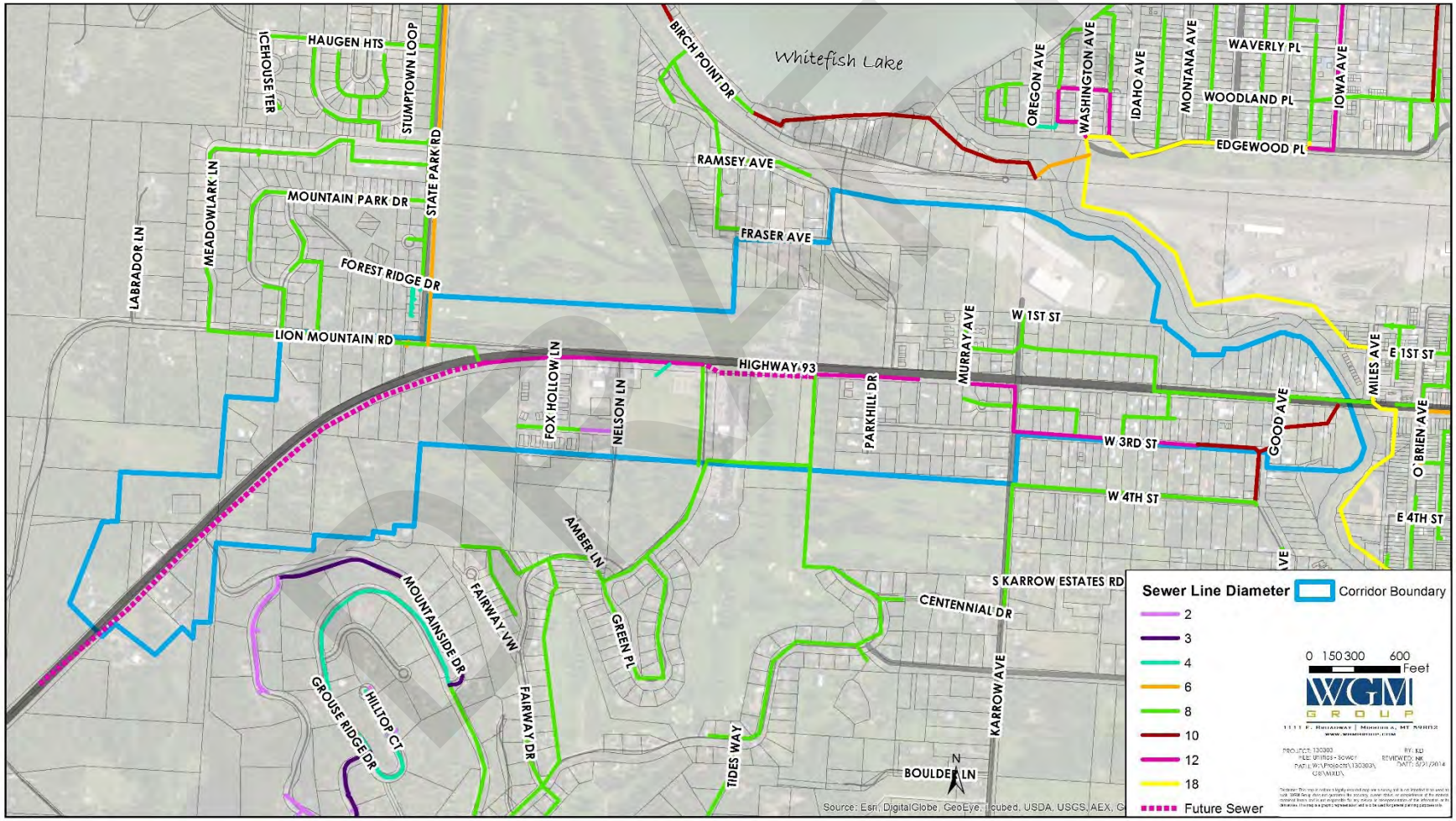
Non-motorized Circulation

There are pedestrian and bike paths, proposed bike routes and proposed pedestrian and bike paths proposed within the corridor. A multi-use path and sidewalk system is being constructed along US Highway 93 West as part of the MDT reconstruction project. The proposed bike route through Grouse Mountain may not be feasible since these are private roads.



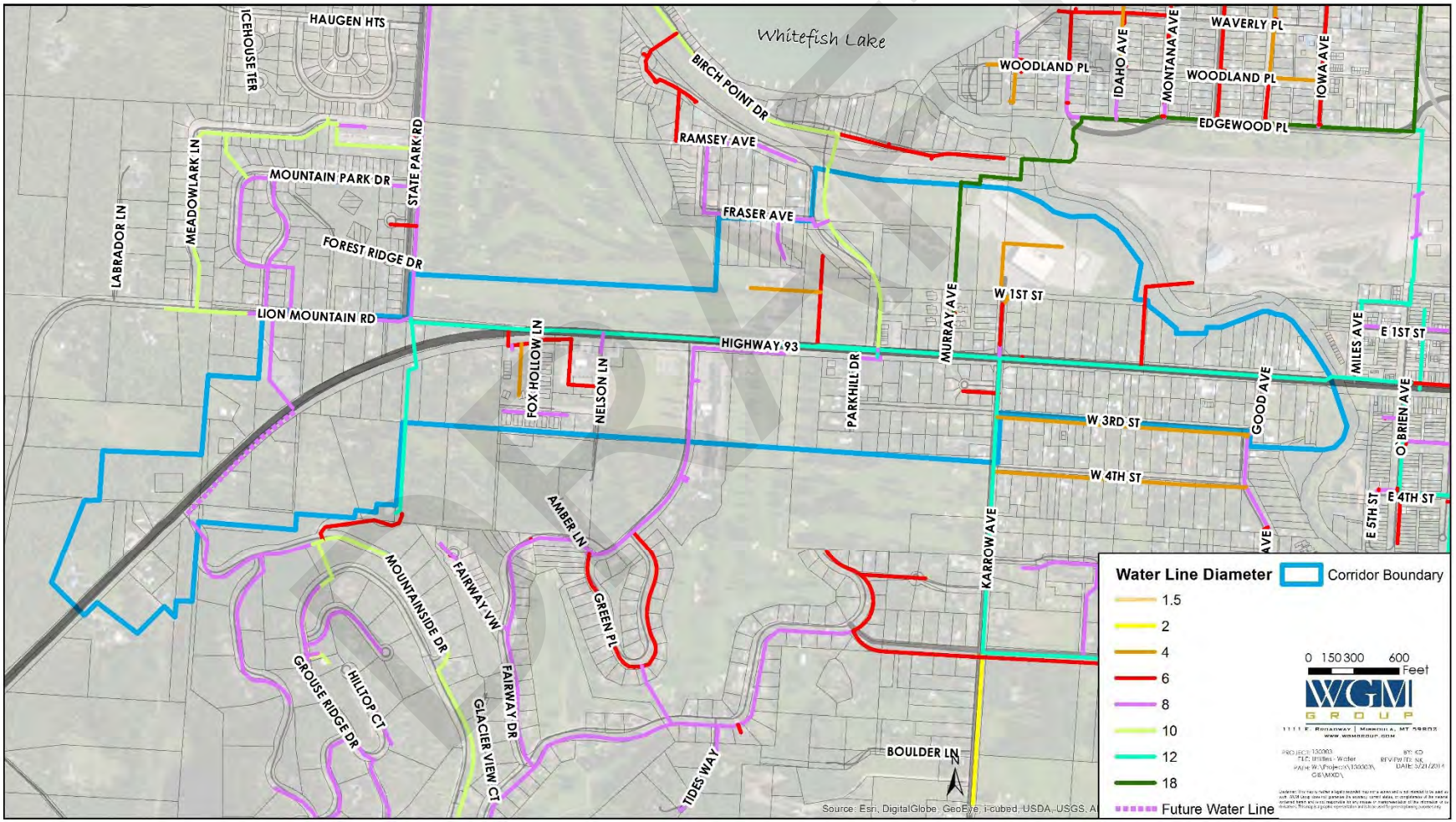
Sewer

Land within the corridor is generally served by public sanitary sewer east of State Park Road. The City is replacing and upsizing the existing 8-inch mains to 12-inch mains along US Highway 93 West with the reconstruction project to accommodate future growth. Sewer is expected to be extended west of State Park Road with the proposed 93 LLC subdivision.



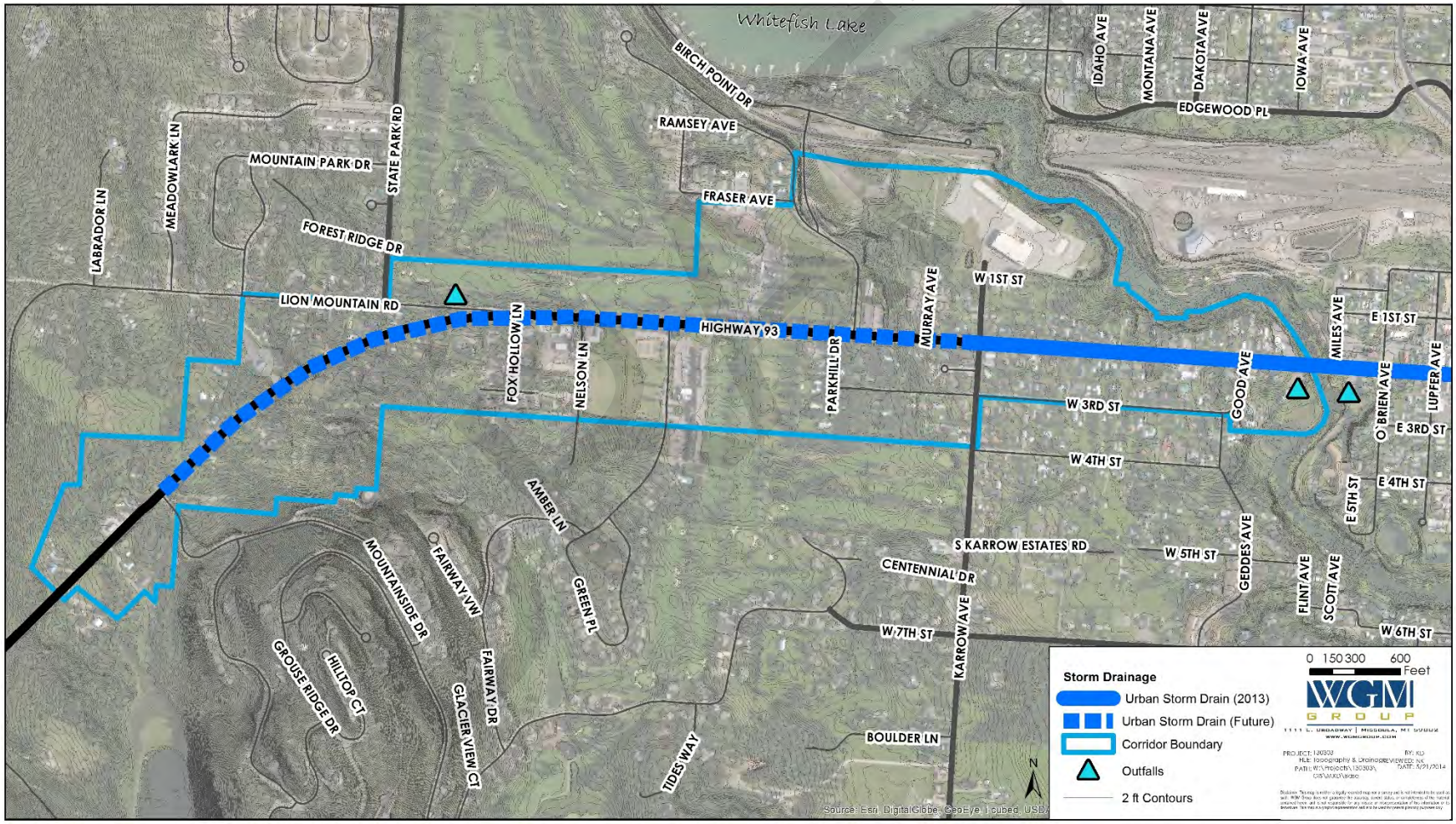
Water

A public water system serves land within the corridor extending to Mountain View Drive. The City is replacing and upsizing the existing 6-inch mains to 12-inch mains along US Highway 93 West to accommodate future growth. West of State Park Road, a new water line will be installed along US Highway 93 West as part of the MDT US Highway 93 West reconstruction project.



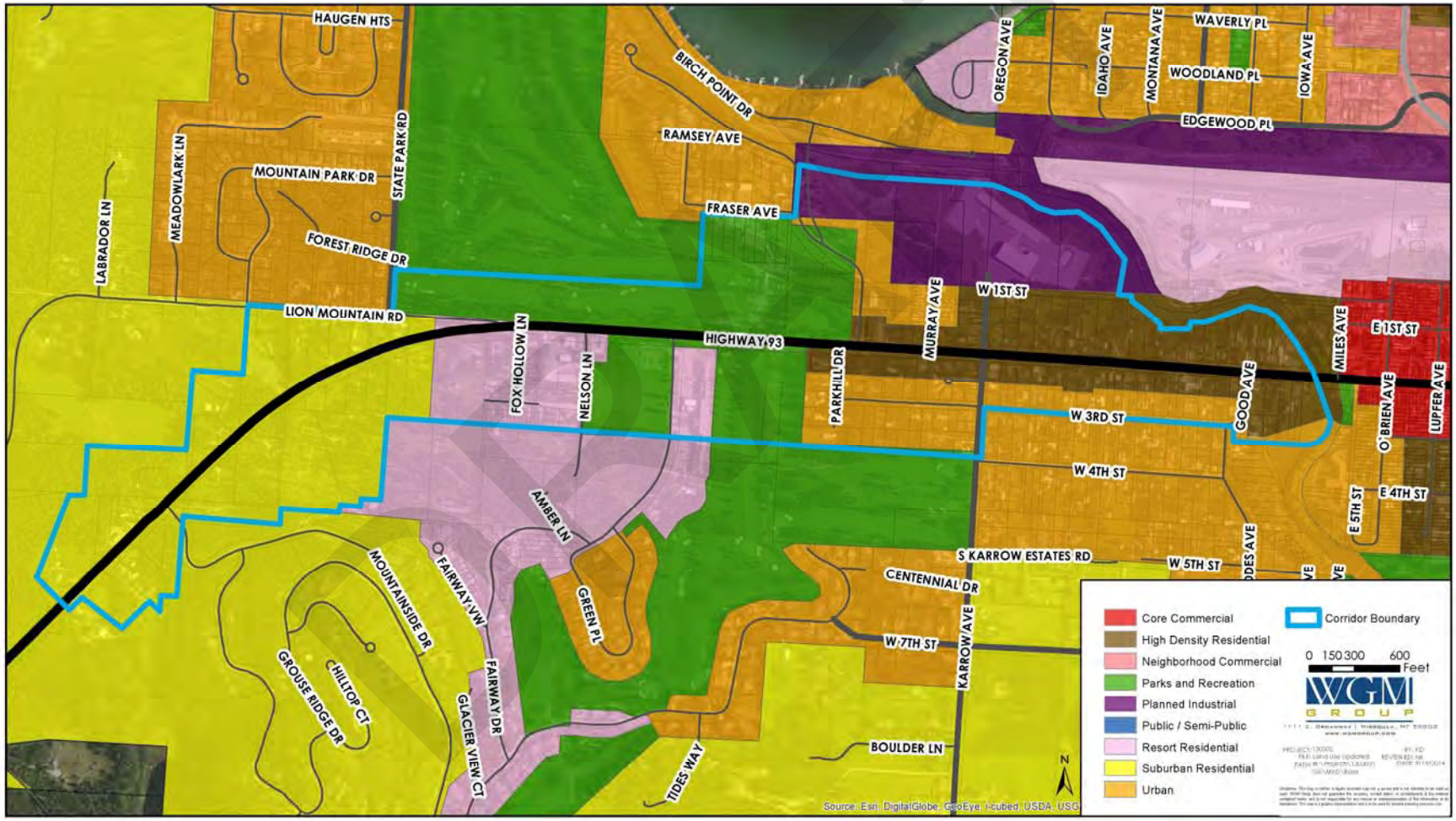
Topography and Drainage

Topography within the corridor is generally rolling terrain sloping toward the Whitefish River. The land begins to climb steeply west of State Park Road. Soils are generally poor-draining silts and clays, necessitating storm drain infrastructure. Existing drainage facilities are limited to roadside ditches and swales. The City is gradually installing curb and storm drain infrastructure on local streets within the corridor. The US Highway 93 West reconstruction project includes a new storm drain system from Mountain View Drive to the Whitefish River.



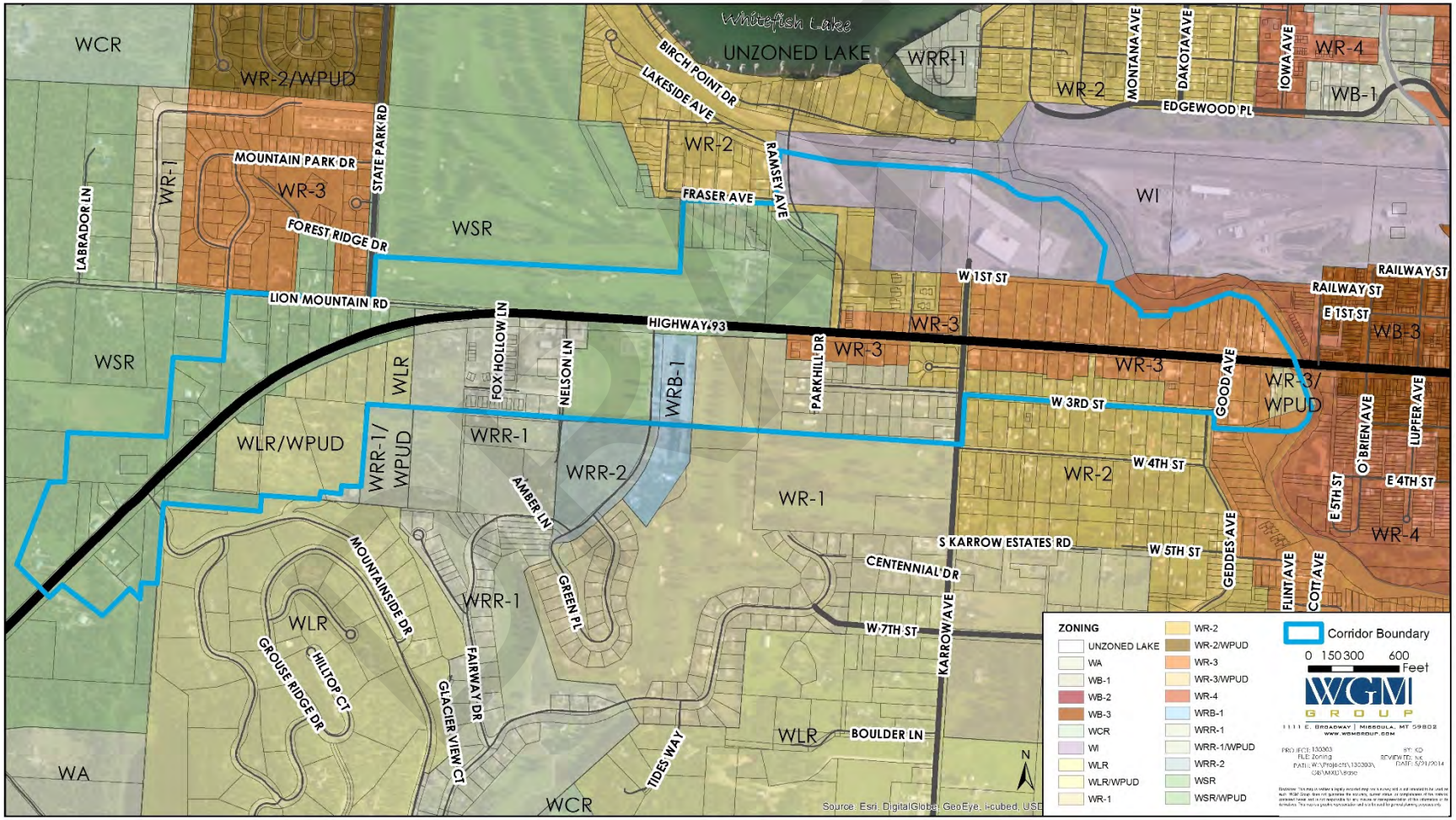
Future Land Use – 2007 City of Whitefish Growth Policy

The 2007 Growth Policy anticipated continued residential development along the US Highway 93 West corridor with continued industrial use at the Idaho Timber site and continued open space and recreational facilitation at the golf course and municipal ball fields along with resort commercial. Higher density residential development was proposed closer to the core and along the highway frontage. Suburban residential was proposed beyond State Park Road.



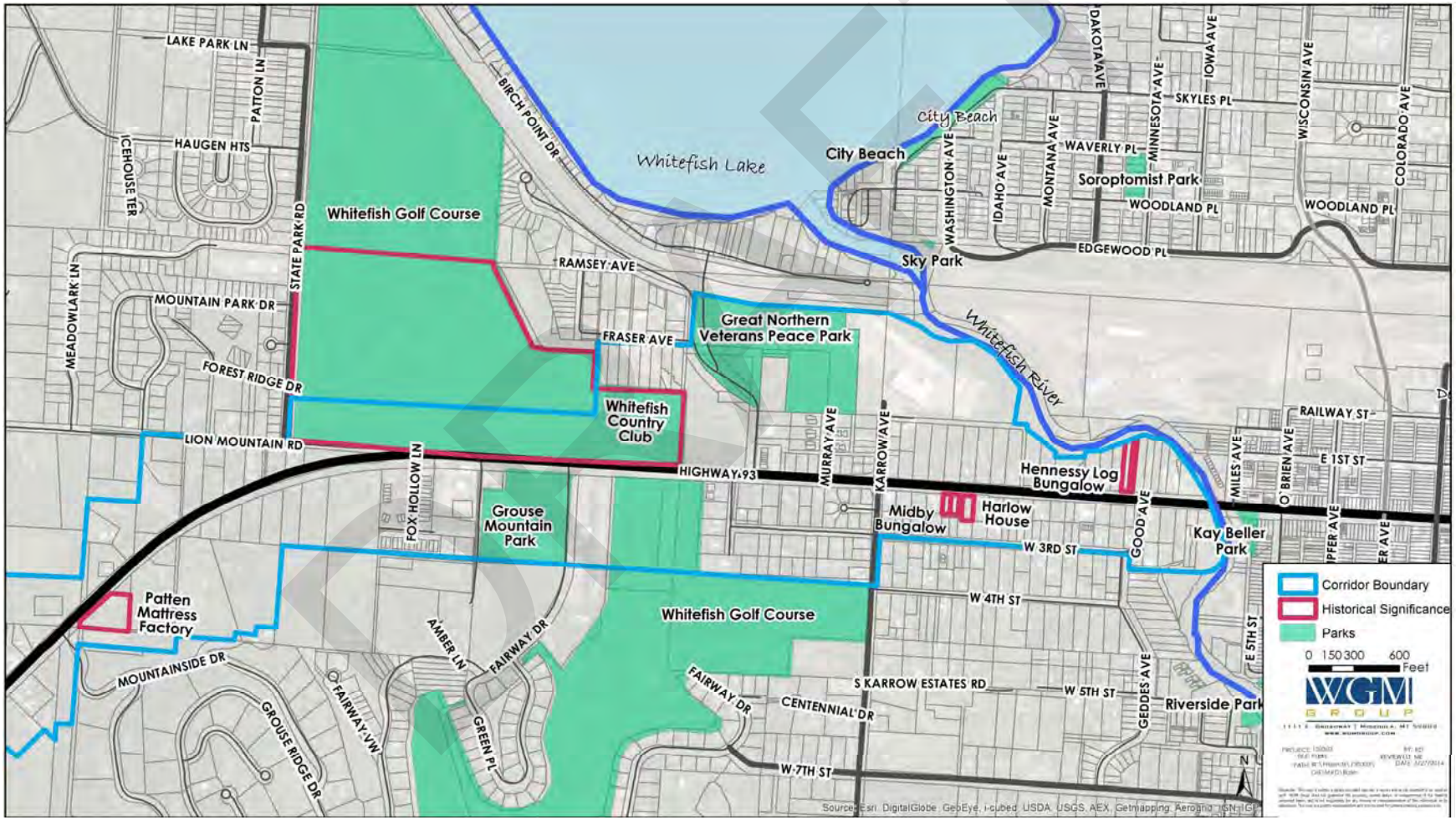
Zoning

The zoning within the corridor is primarily residential. There are a number of non-conforming commercial or conditionally permitted professional office uses along US Highway 93 West. The prevalent zoning districts within the US Highway 93 West Corridor are Suburban Residential (WSR), Low Density Multi-family Residential (WR-3), Industrial and Warehousing (WI), One-Family Residential (WR-1), Two-Family Residential (WR-2), One-Family Limited Residential (WLR), Low Density Resort Residential (WRR-1) and Limited Resort Business (WRB-1).



Parks and Cultural Resources

A variety of recreational opportunities are found within the corridor including the Whitefish Golf Course, Grouse Mountain Park which provides active recreation amenities with tennis courts and soccer fields and the Great Northern Veterans Peace Park which is under development and includes plans for a sledding hill and event space. In addition, there are several buildings within the corridor with historical significance which are identified below.



Tax Increment Financing (TIF)

Whitefish established an Urban Renewal TIF district in 1987 encompassing a large area within the city limits of the municipality. The life of the district was extended through the sale of TIF Revenue bonds in 2002, but is due to sunset in 2020. The taxable value of property within the district was $11,761,200 in 2012, an increase of $7,575,848 over its base value. This increase provides a substantial corresponding tax increment (incremental taxable value multiplied by the number of mills levied each year) for urban renewal programs and projects.

Previous Planning Documents

The City of Whitefish has adopted one policy guideline and three regulatory documents that guide and control development in the corridor as well as all other areas within the city limits. The four documents are the Growth Policy, the Zoning Ordinance, the Subdivision Regulations and the Building Regulations. In addition, the 2005 Downtown Business District Master Plan, the 2008 US Highway 93 Whitefish West Re-Evaluation, the 2009 Whitefish Transportation Plan, and the 2013 Parks and Recreation Master Plan provide additional guidance for the corridor. These documents are the current planning tools available to the City to respond to land use change and development in the corridor.

Growth Policy

The 2007 City of Whitefish Growth Policy is made up of a series of identified issues, goals and policies relating to the future growth and land use in the community of Whitefish. Land use decisions put before the City are weighed against the growth policy to determine compliance. Proposed land uses that do not comply with the growth policy are typically discouraged or denied. Occasionally, proposed land uses may trigger a request and consideration for a growth policy amendment. The current City growth policy is the basis for conducting and adopting corridor plans.

Zoning Ordinance

The corridor boundary encompasses an area in Whitefish with a diverse collection of land uses and zoning districts. The current zoning ordinance contains the usual zoning district descriptions along with permitted uses, conditional uses and property development standards. The highest concentration of population occurs generally within the Low Density Multi-Family Residential (WR-3) and Low Density Resort Residential (WRR-1) zones in the corridor. There are planned unit development overlays within the corridor that factor flexibility and higher densities over the underlying zoning districts.

The zoning ordinance contains chapters and special provisions that relate to other important land use regulations including landscape requirements, sign regulations, outdoor lighting standards, off-street parking and loading, water quality protection, bed and breakfast establishments, building height, dwelling groups, fences and retaining walls, guesthouses, home occupations, and erosion and sediment control. The ordinance also includes architectural standards that can influence development and are based on preserving the city's historic character and heritage through high quality design of new and significantly modified buildings.

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Building Regulations

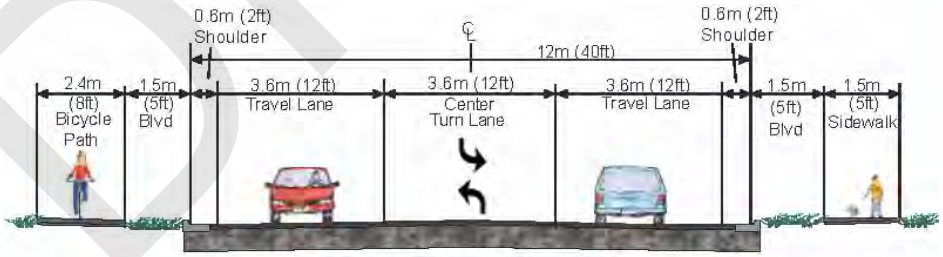
The City of Whitefish's building regulations state the current editions of the building, electrical, plumbing and mechanical codes and all accompanying appendices, amendments and modifications adopted by the Building Codes Bureau, Montana Department of Labor and Industry (or its successor), as set out in the administrative rules of Montana, as amended from time to time by the Building Codes Bureau, shall be adopted by reference by administrative order of the City Manager, as authorized by Montana code 50-60-301(1)(b), except for any exceptions noted in this section or any regulations not applicable to local government jurisdictions.

2005 Whitefish Downtown Business District Master Plan

The Whitefish Downtown Business District Master Plan (to be updated in 2015) identifies opportunities to increase the vitality of the downtown business district. It builds upon existing assets and historic character, capitalizes on significant land uses and features the natural environment. The plan calls for limiting the width of US Highway 93 West to two lanes with on-street parking within the downtown, and strong non-motorized and local street connections with the corridor west of downtown.

2008 US Highway 93 Whitefish West Re-Evaluation

The Whitefish West Re-Evaluation updated the 1994 Environmental Impact Statement for the Somers to Whitefish West corridor. The document pertains to reconstruction of US Highway 93 West from downtown Whitefish to west of Twin Bridges Road, and spells out specific design treatments to preserve the character of downtown Whitefish and minimize impacts to residences and businesses along the corridor. Within the study area, the plan calls for a two-way center turn lane on US Highway 93 West to Karrow Avenue, allowing unlimited access to adjacent properties. West of Karrow, the design calls for a raised center median, limiting access to properties in the less developed area near the golf course. Sidewalks, a multi-use path, street lighting, and pedestrian underpasses are included.



2nd Street Bridge to Karrow Ave.

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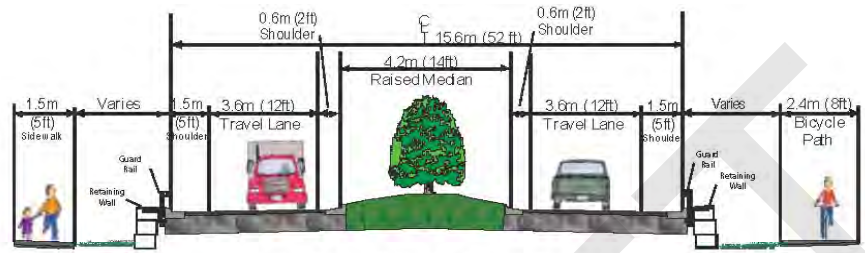
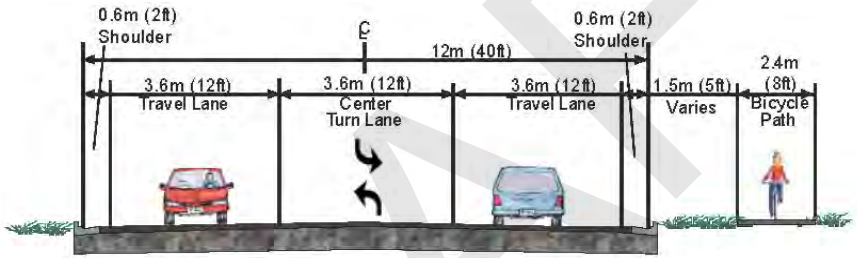


Karrow Ave. to West of Lion Mountain Rd.



West of Lion Mountain Rd. to West of Mountainside Dr.

2009 Whitefish Transportation Plan

The Transportation Plan is intended to help guide decisions about future improvements for the transportation network to relieve existing problems and prepare for future needs. Within the study area, the plan recommends improvements to Karrow Avenue to improve connectivity and address increasing traffic demands. The plan calls for Karrow Avenue to be reconstructed as a three-lane minor arterial with pedestrian and bicycle facilities between 7th Street and US Highway 93 West.

2013 Whitefish Parks and Recreation Master Plan

The City of Whitefish Parks and Recreation Master Plan presents a vision for the development of future parks and recreation services in the Whitefish area. Based on a needs assessment and public input, the plan establishes priorities to meet community needs for the next 20 years. A focus of the plan is completing the trail system to fill in gaps between existing trails and providing connectivity to schools, parks and recreation sites. Within the study area, the plan calls for extending trails along US Highway 93 West, the riverfront, and through the golf course to State Park Road, as well as trails to the north connecting Great Northern Veterans Peace Park and City Beach.

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II. Public Involvement

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Public Involvement Process

The public involvement process included a series of meetings with the Steering Committee and three public input sessions, one of which was a design charrette for the Idaho Timber site. Several key issues were repeatedly brought up during the process. There were concerns regarding the following:

- US Highway 93 West design and construction.
- Commercial development along US Highway 93 West that could affect residential neighborhoods through increased traffic and noise.
- Great Northern Veterans Peace Park design and the potential traffic and noise caused by events at the park.
- Short-term rentals affecting the character of residential neighborhoods.

Steering Committee

Through a series of meetings, that included public comment, the Steering Committee guided the project. Below is a summary of each meeting.

1) The first Steering Committee meeting was held July 8, 2013 to introduce the Steering Committee to the project planning process, to review the corridor boundary and highway design, and to allow committee members to express their expectations for the project.
2) The second Steering Committee meeting was held July 22, 2013 and there was a review of the expectations of the Steering Committee and of the existing conditions maps.
3) The third Steering Committee meeting was held August 12, 2013 and included a corridor field trip to familiarize the committee with issues and land uses within the corridor. There was a discussion regarding corridor zoning scenarios/zoning districts and tax increment financing. Public Input Session #1 was set for August 20, 2013. It was decided that Steering Committee members would be responsible for taking comments at stations representing their interests in the corridor.
4) On August 26, 2013, the Steering Committee met to summarize information from Public Input Session #1. The public comments were used to organize land use areas through a bubble diagram. These areas were discussed and reviewed by the Steering Committee. There was also a review of the existing Whitefish Growth Policy.
5) On September 5, 2013, a refined land use bubble diagram was reviewed and the Steering Committee agreed to fill out a survey to determine which land use qualities and characteristics were most important for each land use area.
6) On September 23, 2013, the survey results were reviewed and land use qualities and characteristics were approved. These results were then presented to the public at Public Input Session #2.

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7) On June 12, 2014, the Steering Committee met and reviewed a draft of the corridor plan. The Steering Committee made recommendations to be incorporated into the final document.
8) On October 20, 2014, the draft corridor plan was reviewed that proposed three new land use designations and two new zoning districts.
9) The final Steering Committee meeting was held on November 7, 2014. The Steering Committee revised the draft and recommended the corridor plan to the Planning Board.

Public Input Sessions

Public Input Session #1

The first public input session was held on August 20, 2013. It was as an open house to present the geographic limits of the corridor plan boundary and provide information on the existing conditions within the corridor. The public was invited to comment on issues within the corridor. Much of the input collected included concerns about various aspects of the on-going construction of the US Highway 93 West improvements between Lupfer Avenue and Karrow Avenue as well as concerns about future planned highway construction between Karrow Avenue and Twin Bridges. Refer to Appendix B for a complete list of comments and concerns collected during the public input session.

Issues that were brought up during the meeting include:

- US Highway 93 West construction concerns especially with the Karrow Avenue intersection
- US Highway 93 West design
- Character and concerns regarding specific areas within the corridor including the 3rd Street neighborhood
  - Maintain the residential character of the 3rd Street neighborhood
  - Surrounding land uses shouldn't impact the character of the 3rd Street neighborhood
- Recreation and parks
- Redevelopment of the Idaho Timber site
- Commercial uses fronting the Whitefish River
- Vehicular circulation

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Public Input Session #2

Prior to the September 23, 2013 Steering Committee meeting, the consultants presented the results of a survey that was circulated to the committee to determine appropriate land uses as well as character and concern considerations. Survey Monkey was utilized to formulate and tabulate the survey and results. A preliminary concept plan was circulated with the survey to define the planning Sub-Districts. Complete survey results can be found in Appendix C.

1. Residential West Side Character & Concerns

	Extremely Important	Moderately Important	Slightly Important	Not Important
Rural Character				
Trees & Vegetation				
Trails & Recreation				
Privacy				
Access				

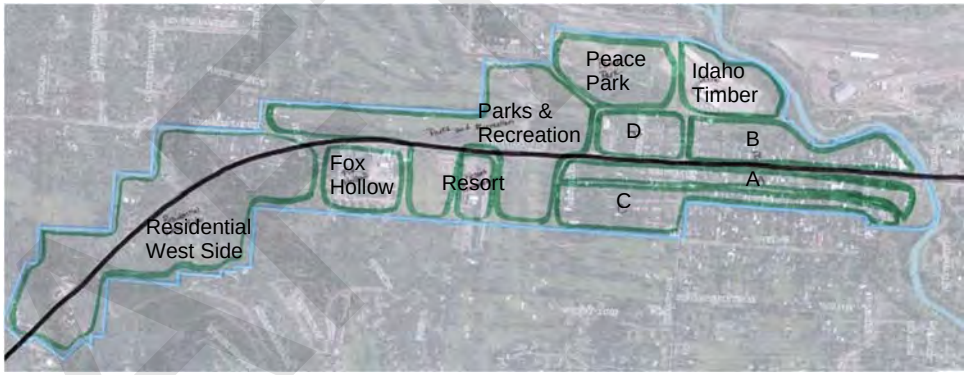
Comment

2. Residential West Side Land Use

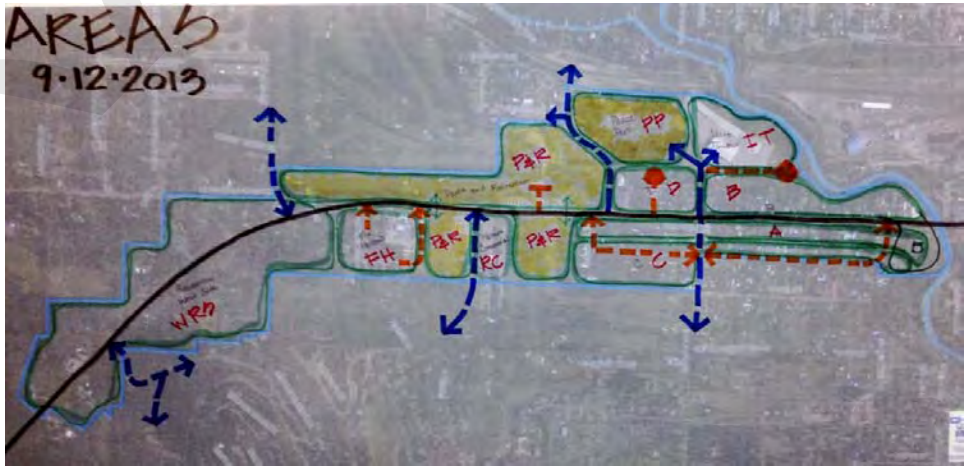
	Extremely Appropriate Use	Moderately Appropriate Use	Slightly Appropriate Use	Inappropriate Use
Single Family Residential - High				
Single Family Residential - Medium				
Single Family Residential - Low				
Single Family Residential - Rural				
Community Commercial				
Neighborhood Commercial				
Public/Quasi-Public				

Comment

Survey Page Example



Preliminary Concept Plan



Corridor Sub-District Sketch Map

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The survey provided the Steering Committee with a tool to measure character and concern, and rate the suitability of particular land uses within the Sub-Districts of the overall plan. The results are illustrated and described in detail in the Visioning for the Future and Development Policy chapter.

SUMMARY - PARKS and RECREATION

	Importance					
Character and Concerns	Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Recreation/Resort Character	67%	33%	0%	0%		
Votes	6	3	0	0	9	1.33
Connectivity with Rds & Trails	80%	20%	0%	0%		
Votes	8	2	0	0	10	1.200
Access	70%	30%	0%	0%		
Votes	7	3	0	0	10	1.30
Traffic	30%	50%	20%	0%		
Votes	3	5	2	0	10	1.90

	Appropriate						
Land Use	Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	**APPROVAL**
Parks/Open Space	78%	22%	0%	0%			*Approved*
Votes	7	2	0	0	9	1.22	
Passive Open Space	76%	12%	0%	12%			*Approved*
Votes	6	1	0	1	8	1.50	
Recreational Open Space	88%	12%	0%	0%			*Approved*
Votes	7	1	0	0	8	1.13	
Public/Quasi-Public	38%	38%	12%	12%			*Approved*
Votes	3	3	1	1	8	2.00	
View Protection Area	28%	44%	28%	0%			*Approved*
Votes	2	3	2	0	7	2.00	
Resort Commercial	38%	50%	12%	0%			*Approved*
Votes	3	4	1	0	8	1.75	

Survey Result Example

(Complete survey results can be found in Appendix C.)

Initial Draft, Land Use Map

The second public input session was held on October 15, 2013. The open house included a project review, presentation of survey results and a draft of the initial land use map for the US Highway 93 West Corridor.

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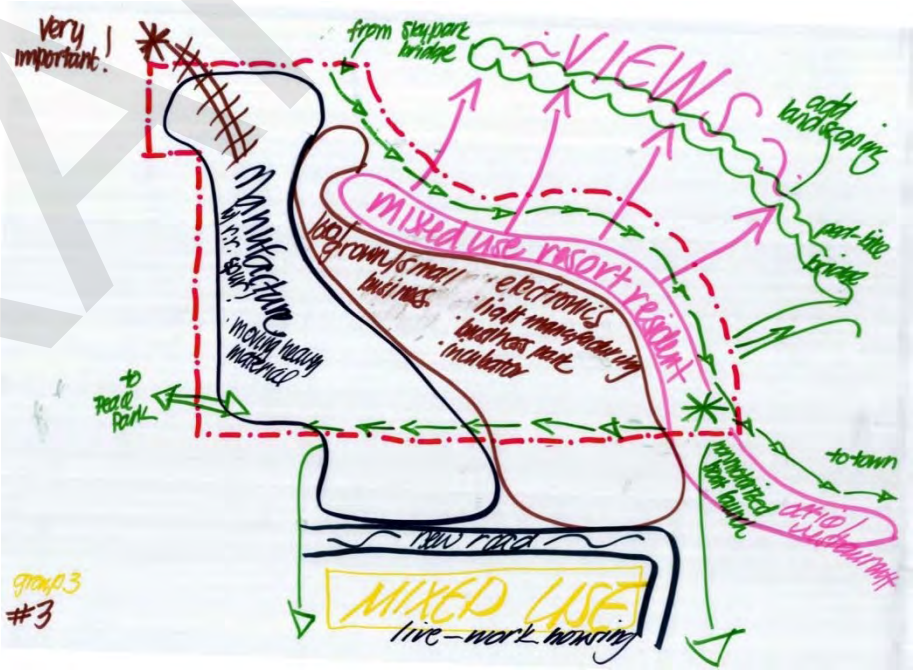
Public Input Session #3

The third public input session was held on December 12, 2013 as a design charrette focusing on the Idaho Timber site. A charrette is a collaborative, visioning exercise that takes place in many disciplines, often in land use planning or urban planning. Charrettes have become a technique for consulting with all stakeholders and involving them in the design and planning effort. The session involved four groups of community and planning team members that generated four different scenarios for the re-development of the Idaho Timber site. The conceptual plans responded to the uses surrounding the site, the Whitefish River, railroad, housing, and the Great Northern Veterans Peace Park, and looked to incorporate a variety of uses on the site. Appendix D is a summary of the charrette.

Charrette participants presenting concept site plans



One of four concept site plans generated during the charrette

III. Visioning for the Future & Development Policy

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Visioning Process

The information gathered at the public input sessions and from the Steering Committee survey responses was used to establish corridor Sub-Districts and to determine the recommended land uses, character, and concerns in these Sub-Districts.

The land use map below constitutes the proposed planning areas within the US Highway 93 West Corridor. The area boundaries designate similar uses and characteristics. **These boundaries were modified throughout the visioning process. The colors used to differentiate between areas do not relate to land use types. The boundaries are intended to be along property boundaries or the centerlines of streets.**

Recommended Land Uses

From the visioning process, the recommended land uses were used to determine the appropriate land use designation for each Sub-District. For some Sub-Districts, the land use designation was an existing designation from the current Growth Policy while other Sub-Districts required the development of new land use designations. After assigning a land use designation, an appropriate method to implement the recommended land uses and to address the character and concerns for each Sub-District was determined. The options for implementation include amending the ARC standards, keeping the existing zoning, changing the existing zoning, or creating a new zoning district. Refer to the Whitefish Zoning Jurisdiction Regulations, Chapter 2: Zoning Districts for the complete description of each zoning district, permitted uses, and conditional uses. The zoning compliance, conditional uses permits, and the PUD process can be found on the City's website.

As identified in the current Growth Policy, the City of Whitefish shall promote beneficial job growth in the base economy, particularly in areas that diversify the economy beyond development related and visitation based business and industries. It is recommended that partnerships be formed to identify and recruit clean, community-compatible industry to Whitefish. It also recommends a business incubator be established to diversify the community's base economy. The Growth Policy acknowledges the shortage of affordable housing in the community and the importance of locating affordable housing that is within walking or biking distance of employment and services. These recommendations were built into the land use and implementation recommendations to give the community flexibility in addressing these concerns.

To provide flexibility in housing and business development, the artisan manufacturing land use was introduced along with the concept of mixed-use. These include mixed-use and artisan manufacturing. Mixed-use refers to the pattern of mixing compatible non-residential and residential uses to increase the diversity of land uses in an area. These uses may occupy the same building, adjoining buildings or be grouped in a cluster of buildings. The variety of uses often leads to active neighborhoods throughout the day, diverse housing options, and walkable neighborhoods with convenient access to goods and services. Uses can be vertically mixed with non-residential uses on the ground floor and residential space on the upper floors. The uses can also be horizontally mixed with non-residential buildings located adjacent to residential buildings.[2]

Artisan manufacturing provides for uses that can integrate with existing uses while diversifying and strengthening the community's economy. It allows for the production of goods by the use of hand tools or small-scale, light mechanical equipment within a limited space. Typical uses have negligible negative impact on surrounding properties and include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.

[2] Sonoran Institute, RESTORE, 2014.

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Areas of mixed-use are typically found outside of central business areas and downtowns along major commercial corridors or adjacent to established residential neighborhoods. These are catalyst areas intended to create new amenities and housing, or to revitalize underused sites and transition them into areas that drive economic development with complementary residential uses. Mixed-use districts can also provide a land use buffer between residential areas and business districts, thereby providing services in proximity to residences and a denser, more diverse, and more urban land use form.[3]

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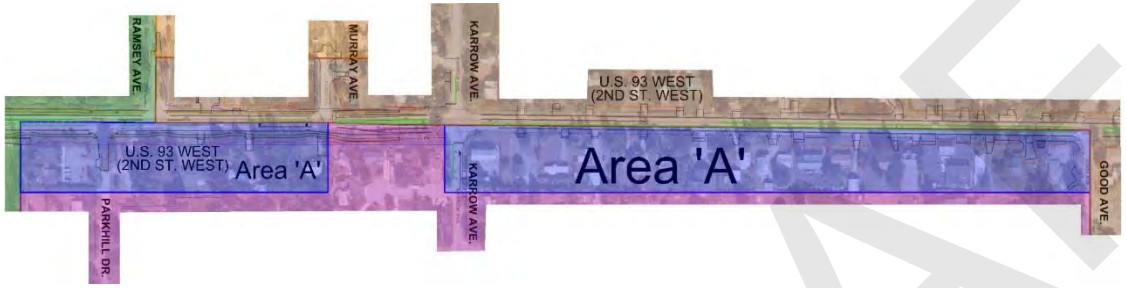
[3] Sonoran Institute, RESTORE, 2014.

Area A

Character - Area A fronts the south side of US Highway 93 West. The land uses in Area A are primarily residential uses. The land has been subdivided into lots that front the highway with no alley. The lots are of a size and depth that mostly limits the lots to a single structure. Non-residential uses in Area A include a professional office building, a veterinary clinic and a convenience store. This area is 11 acres and 4.9% of the total corridor area.



Public Input Summary

Character
Residential character
Single front lots onto US Highway 93 West
No alleys exist

Concerns Relative to Land Uses
Traffic
Noise
Light
Hours of operation
Commercial uses outside of downtown

Existing Zoning
WR-3

Recommended Land Uses
Residential Uses
Permitted and conditional uses allowed in the current zoning including:
- Professional Offices
- Personal Services

Public Input - During the planning process, the public indicated that the existing professional offices and the existing veterinary clinic better fit the character of Area A than does the convenience store which is a nonconforming use under the current zoning. The public *liked* the existing professional office building because it has:

- Appropriate hours of operation.
- Parking in the front to limit noise and light pollution from rear lot parking.
- Architecture that suggests traditional residential character.

The public *concerns* raised during the planning process were:

- Impacts from traffic generated by land uses.
- Impacts from light spilling from land uses into residential areas.
- Noise generated by land uses.
- Impact from hours of operation that extend longer than normal daytime uses.
- Impact of commercial uses outside of downtown area.

Existing Zoning - The existing zoning is WR-3. This district is intended for residential purposes to provide for one-family, duplex, triplex, fourplex and attached single-family residential uses in an urban setting connected to all municipal utilities and services. In addition to

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permitted uses, the zoning allows for conditional uses with specific performance standards and for Planned Unit Developments (PUD). The conditional uses include professional offices and personal services.

Recommended Land Uses - From the survey and public input during the planning process, the following land uses were recommended and *are congruent* with the permitted and conditional uses allowed in the current zoning. These can occur as stand alone uses or as part of a mixed-use pattern.

- Residential Uses.
- Professional Offices.
- Personal Services.

Recommended Guidelines - The vision for Area A reflects the energy and activity generated by its location on US Highway 93 West. The potential land uses in this area must be sensitive to the existing residential character. This area is primarily a residential neighborhood, but non-residential uses, as allowed by the existing zoning, are also appropriate for this area. The current zoning addresses concerns regarding residential uses. The following guidelines would address non-residential concerns.

Non-Residential Guidelines

- Limit building height to two stories.
- Non-residential uses on the ground floor only.
- Restrict traffic access to Area A from the 3rd St. residential area.
- Restrict hours of operation to 7am-8pm.
- Encourage joint use parking where applicable.
- Provide for architectural standards that reflect the residential character of the area.

Implementation Steps

1. Guidelines can be addressed through the ARC Standards.

Recommended Land Uses	Growth Policy Land Use	Zoning
Residential Uses Permitted and conditional uses allowed in the current zoning including: Professional Offices Personal Services	Current Designation: High Density Residential	Existing Zoning: WR-3
	Recommended Designation: High Density Residential	Recommended Zoning: WR-3

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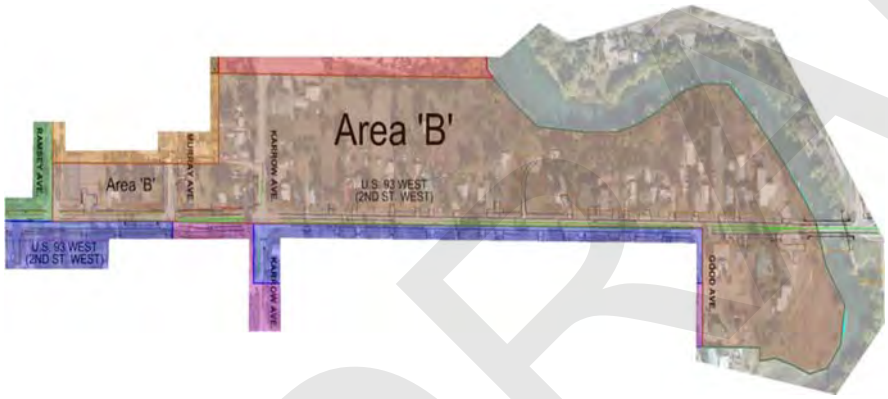
Area B

Character - Area B encompasses the area along the north side of US Highway 93 West from the Whitefish River west to Ramsey Avenue. It also encompasses land south of US Highway 93 West between the Whitefish River and Good Avenue. Area B fronts both sides of the highway west of the Whitefish River Bridge serving as the western gateway to downtown Whitefish. A portion of Area B adjoins the Idaho Timber property. The land uses in Area B are primarily residential. Non-residential uses in Area B include professional office buildings and personal services. The land has been subdivided into lots, some of which front the highway while others front on Karrow Avenue, Murray Avenue, or the east side of Good Avenue. Most of the lots that front US Highway 93 West are of a size and depth that could accommodate multiple buildings. Generally, there are no alleys in Area B. Area B is 28.45 acres and 12.6% of the total area in the corridor.



Public Input Summary

Character
Residential character
Single front lots onto US Highway 93 West
Generally no alleys exist

Concerns Relative to Land Uses
Traffic, noise, light, hours of operation
Architectural character of non-residential uses
For-rent impacts to residential character
Commercial uses outside of downtown
Appropriate timing of transitional uses

Existing Zoning
WR-3

Recommended Land Uses
Residential Uses
Resort Residential
Artisan Manufacturing
Coffee Shops and Sandwich Shops
Permitted and conditional uses in the current zoning including:
- Professional Offices
- Personal Services

Area B is gradually *transitioning* from single-family residential to other uses such as professional offices and personal services allowed in the current WR-3 zoning as a conditional use. These uses are appearing in Area B because the larger size and depth of the lots can accommodate these uses. There was discussion during the public process that the area will *continue* to transition away from single-family residential to allow additional uses beyond those allowed in the WR-3 zoning which would require a zoning change.

Public Input – During the planning process, the public indicated Area B forms the entry sequence into the downtown which is the historic heart of Whitefish. The entry sequence should reflect the scale of the residential neighborhood, complement the open space uses along the river, preserve views to the mountains and accommodate non-residential uses allowed in the current WR-3 zoning. The residents in

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the Murray Avenue area were concerned about the transition of uses along the highway frontage proximate to the residences on Murray Avenue. The public *liked* the professional office buildings or personal services that have:

- Appropriate hours of operation.
- Parking located along the street front to limit noise and light pollution to existing residential uses.
- Architecture that suggests traditional residential character like steeper pitched roofs.

The public *concerns* raised during the planning process were:

- Protecting river vegetation.
- Protecting views to the north.
- Impacts from traffic generated by land uses.
- Impacts from light spilling from land uses adjacent to residential areas.
- Noise generated by land uses.
- Impact from hours of operation that extend longer than normal daytime uses.
- Impact of commercial uses outside of downtown area.
- Architectural character of non-residential uses.
- For-rent impacts to residential character.
- Appropriate timing of transitional non-residential uses.

Existing Zoning - The existing zoning is WR-3. This district is intended for residential purposes to provide for one-family, duplex, triplex, fourplex and attached single-family residential uses in an urban setting connected to all municipal utilities and services. In addition to permitted uses, the zoning allows for conditional uses with specific performance standards and for Planned Unit Developments (PUD).

Recommended Land Uses - The public, while noting Area B as the gateway to the downtown, with some frontage against the Idaho Timber site, also noted *the potential* of the area for other specific non-residential uses as the area continues to transition naturally from its current residential character. From the survey and public input during the planning process the following land uses were recommended. These can occur as standalone uses or as part of a mixed-use pattern.

- Residential Uses
- Professional Offices
- Personal Services
- Resort Residential
- Artisan Manufacturing
- Coffee Shops and Sandwich Shops

Recommended Guidelines - The vision for Area B is similar to Area A in that the potential land uses in this area must be sensitive to the existing residential character of the neighborhood. However, Area B has larger lots and frontage on both sides of the highway and along

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the Idaho Timber site. This sets up the area to gradually transition to new uses through the WT-3 zoning district. The transition will be initiated by the landowner at a suitable time to remain sensitive to existing uses. Through the progression of thought in the planning process, it was determined that the lots fronting on US Highway 93 West between Murray Avenue and Ramsey Avenue remain High Density Residential as opposed to Neighborhood Mixed-Use Transitional. See the Proposed Future Land Uses Map on p. 67. The area along Murray Avenue will remain in the WR-3 zoning district to preserve the residential character of the area. Concerns from the public input process are addressed in the new zoning district. Refer to Appendix D for the complete WT-3 zoning district.

Implementation Steps

1. Adopt new Neighborhood Mixed-Use Transitional land use designation.
2. Consider new WT-3 zoning when requested by landowners.

Recommended Land Uses	Growth Policy Land Use	Zoning
Residential Uses Resort Residential Artisan Manufacturing Coffee Shops and Sandwich Shops Permitted and conditional uses allowed in the current zoning including: Professional Offices Personal Services	Current Designation: High Density Residential	Existing Zoning: WR-3, WR-3 W/PUD
	Recommended Designation: Neighborhood Mixed-Use Transitional and High Density Residential	Recommended Zoning: WT-3 and WR-3

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Area C

Character - Area C runs from Good Avenue to the Whitefish Golf Course surrounding 3rd Street which is characterized as a narrow residential street full of activity with kids walking and riding their bikes. The land uses in Area C are residential. Residents are concerned with traffic being diverted through the neighborhood due to the median that is part of the US Highway 93 West improvements. Area C is 21.28 acres and 9.4% of the total area in the corridor.

Public Input Summary

Character
Rural character
Kids walking and biking
Narrow street
No alleys

Concerns Relative to Land Uses
Traffic diversion due to medians
Noise
Hours of operation

Existing Zoning
WR-1, WR-2, WR-3

Recommended Land Uses
Single-Family Residential
Two-Family Residential

Public Input – During the planning process, the public indicated that preserving the existing residential uses is important. The public *liked* the existing residential neighborhood because it has:

- Rural character.
- An active and safe street for kids to walk and bike.
- A narrow street.

The public *concerns* raised during the planning process were:

- Impacts from traffic diverted from the medians on US Highway 93 West.
- Noise generated by land uses.
- Impact from hours of operation that extend longer than normal daytime uses.

Existing Zoning - The existing zoning is WR-1, WR-2, and WR-3. The WR-1 (One-Family Residential) district is intended for residential purposes to provide for single-family dwellings in an urban setting connected to all municipal utilities and services. The WR-2 (Two-

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Family Residential) district is intended for residential purposes to provide for one-family and two-family homes in an urban setting connected to all municipal utilities and services. There is a small area of WR-3 near Good Avenue. WR-3 (Low Density Multi-Family Residential) district is intended for residential purposes to provide for one-family, duplex, triplex, fourplex and attached single-family residential uses in an urban setting connected to all municipal utilities and services.

Recommended Land Uses - From the survey and public input during the planning process, the following land uses were recommended and are congruent with the uses allowed in the current zoning:

- Single-family Residential Uses.

Recommended Guidelines - The vision for Area C is to continue and protect residential use. The recommendation is to retain the current urban land use designation. The urban designation is generally a residential designation and includes the traditional neighborhoods near downtown Whitefish. The designation also includes a second tier of neighborhoods both east of the river and in the State Park Road area. Residential unit types are mostly one and two-family, but townhomes and lower density apartments and condominiums are also acceptable in appropriate locations using the PUD. Densities generally range from 2 to 12 units per acre. The growth policy description of the urban land use type includes limited neighborhood commercial along arterial or collector streets. However, neighborhood commercial was not an approved land use for Area C so it is not recommended for this area. Current zoning addresses concerns from the public input process.

Implementation Steps

1. No action needed.

Recommended Land Uses	Growth Policy Land Use	Zoning
Single-family Residential Two-Family Residential	Current Designation: Urban	Existing Zoning: WR-1, WR-2, WR-3
	Recommended Designation: Urban	Recommended Zoning: WR-1, WR-2, WR-3

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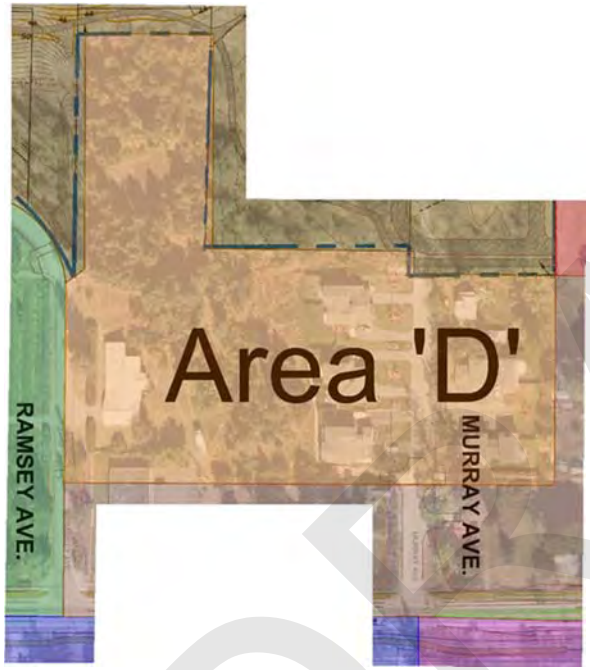
Area D

Character - Area D is north of US Highway 93 West but does not include the lots that front the highway. The area includes the lots that front Murray Avenue and extend west to Ramsey Avenue. This is a single-family residential area. Area D is 5.68 acres and 2.5% of the total area in the corridor.



Public Input Summary

Character
Single-family residential

Concerns Relative to Land Uses
Traffic diversion due to medians
Noise
Hours of operation
For-rent residential character

Existing Zoning
WR-2

Recommended Land Uses
Single-Family Residential
Two-Family Residential

Public Input – During the planning process, the public indicated that preserving the existing residential uses is important. The public *liked* the existing residential neighborhood.

The public *concerns* raised during the planning process were:

- Impacts from traffic diverted from the medians on US Highway 93 West.
- Noise generated by land uses.
- Impact from hours of operation that extend longer than normal daytime uses.
- Impacts of for-rent residences on character of existing neighborhood.

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Existing Zoning - The existing zoning is WR-2. The WR-2 (Two-Family Residential) district is intended for residential purposes to provide for one-family and two-family homes in an urban setting connected to all municipal utilities and services.

Recommended Land Uses - From the survey and public input during the planning process the following land uses were recommended and are congruent with the uses allowed in the current zoning:

- Single-family Residential Uses.
- Two-family Residential Uses.

Recommended Guidelines - The vision for Area D is to continue residential use and retain the current urban land use designation. The growth policy description of the urban land use type includes limited neighborhood commercial along arterial or collector streets. However, neighborhood commercial was not an approved land use for Area D so it is not recommended for this area. Current standards address concerns from the public input process.

Implementation Steps

1. No action needed.

Recommended Land Uses	Growth Policy Land Use	Zoning
Single Family Residential Two-Family Residential	Current Designation: Urban	Existing Zoning: WR-2
	Recommended Designation: Urban	Recommended Zoning: WR-2

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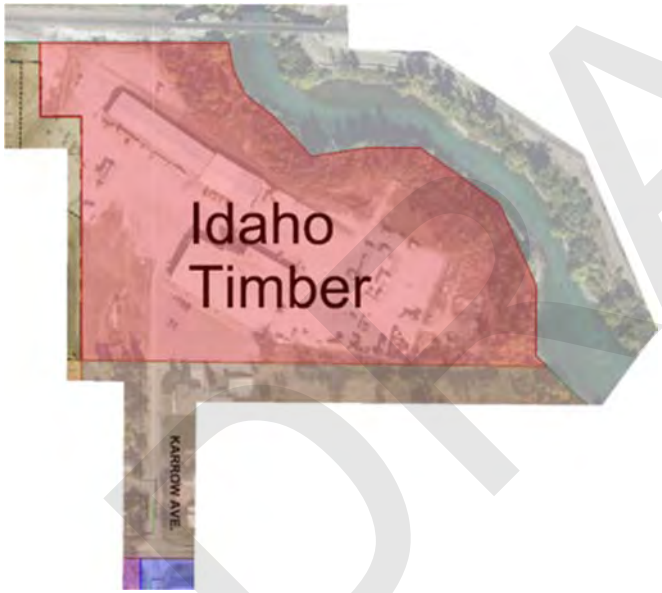
Idaho Timber Area

Character-The Idaho Timber Area is the site of the closed Idaho Timber lumber mill. The area is located southerly of the Burlington-Northern main line railroad tracks and has rail access. It is bordered on the west by the proposed Great Northern Veterans Peace Park and to the east by the Whitefish River. To the south is the right-of-way for 1st Street West and is directly accessed by Karrow Avenue. The site is in private ownership and is occupied by industrial buildings and hard surface paving while supporting riparian vegetation along the Whitefish River frontage. The site also has a small pond in the southwesterly portion of the site that may be traded to the Great Northern Veterans Peace Park. The Idaho Timber area is 14.18 acres and 6.3% of the total area of the corridor.



Public Input Summary

Character
Vacant industrial site
Adjoins RR main line
Whitefish River frontage
Adjoins GNVPP WI zoning
Karrow Avenue direct access

Concerns Relative to Land Uses
Riverfront parks/trails/wildlife
Complement & protect river
Connectivity to the community
Sustainable development
Access
Screening/buffering of manufacturing
Traffic associated with land uses

Existing Zoning
WI

Recommended Land Uses
Recreational Facilities
Artisan Manufacturing
Multi-Family Residential
Resort Residential
Permitted and conditional uses allowed in the current zoning

Public Input -Historically, this site has had an industrial use, but Steering Committee members indicated, on the survey, that it is not important to maintain the historical industrial character of this area. The site can accommodate a wide-variety of adaptive uses or redevelopment options. While the existing potential of the site includes a heavy industrial use or a combination of heavy and light industrial uses, the community envisions an adaptive use or redevelopment of the site beyond its potential for industrial uses. This vision

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includes land uses that could be of a lower intensity including manufacturing or an industrial component at a reduced scale to allow for additional uses on the site. The tax increment financing in place could be used to advance the economic development and industrial opportunities of the site.

The Idaho Timber Area has extensive frontage along the Whitefish River. The Idaho Timber Area would benefit from increased community connectivity. One of the visions brought forward was a riverfront trail on the west side of the Whitefish River to connect to the proposed Skye Park bridge north of the railroad tracks with the sidewalk system on the north side of US Highway 93 West. This would better connect businesses and residences on both sides of the river to shopping, work and recreation. The public *liked* several aspects of the site:

- Potential employment center.
- Whitefish River frontage.
- Potential for adaptive use.
- Direct access from Karrow Avenue.
- Rail access.
- Utilities available for manufacturing.
- Potential riverfront parks/trails/wildlife protection.
- Potential for development that complements and protects river.
- Potential connectivity to the community.
- Potential sustainable development.

The public *concerns* raised during the planning process were:

- Noise.
- Hours of operation.
- The impacts to the surrounding area.
- Access.
- Screening/buffering of manufacturing.
- Traffic associated with land uses.

Existing Zoning – The existing zoning is WI. The zoning allows a range of industrial uses that would be congruent with the historic use of the site by the railroad. The WI (Industrial and Warehousing) district is intended to provide for light industrial and service uses in which a reasonable degree of control is desirable for the general well-being of the community area.

Recommended Land Uses - The public, while noting the Idaho Timber Area is a valuable industrial site under the current zoning, also noted *the potential* of the area for other uses as the area may transition away from industrial uses. At such time that a re-zoning of the property may be appropriate, the new zoning would restrict heavy industrial uses with their associated impacts of noise, odor, or smoke.

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From the survey and public input during the planning process, the following land uses were recommended for the transition of the site. These can occur as standalone uses or as part of a mixed-use pattern.

- Artisan Manufacturing.
- Recreational facilities, including parks and playgrounds along the Whitefish River.
- Multi-Family Residential.
- Resort Residential.

Recommended Guidelines - The vision for the Idaho Timber Area is to gradually transition away from heavy manufacturing to adaptive, clean industries and a mixed-use environment while developing the Whitefish River as a recreational amenity. Two new zoning districts, WI-T and WT-3, will be used to accomplish this transition. The transition will be initiated by the landowner at a suitable time to remain sensitive to existing uses. Concerns from the public input process are addressed in the new zoning districts. Refer to Appendix D for the complete WI-T and WT-3 zoning districts.

Implementation Steps

1. Incorporate two new land use designations, Industrial Transitional & Neighborhood Mixed-Use Transitional, into the Growth Policy.
2. At such time that a re-zoning of the property may be appropriate, the new WT-3 or WI-T zoning could be adopted for the site to accommodate additional land uses.

Recommended Land Uses	Growth Policy Land Use	Zoning
Permitted or conditional uses and uses allowed through the PUD process in the current zoning Recreational Facilities Artisan Manufacturing Multi-Family Residential Resort Residential	Existing Designation: Planned Industrial	Existing Zoning: WI
	Recommended Designation: Industrial Transitional & Neighborhood Mixed-Use Transitional	Recommended Zoning: WT-3 & WI-T

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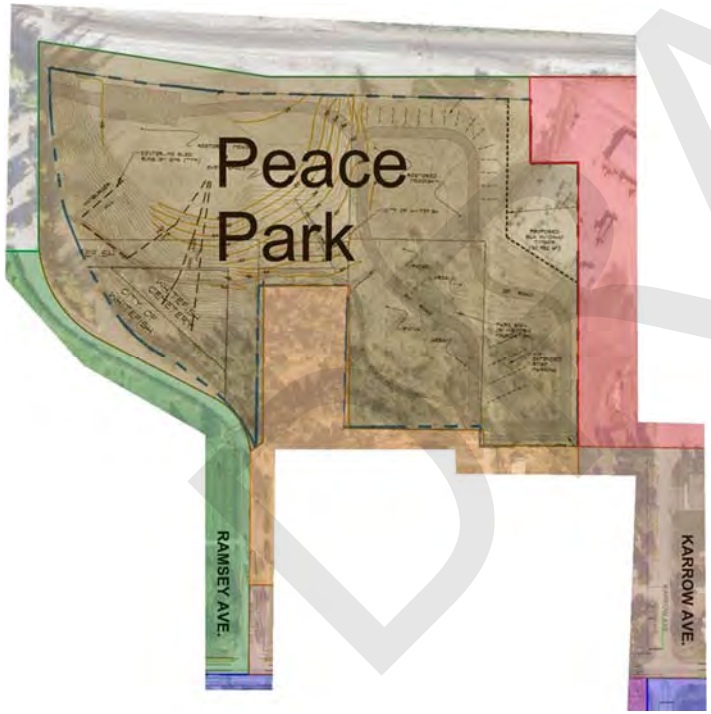
Peace Park

Character - The Peace Park Sub-District is located adjacent to and south of the Burlington-Northern main line track. To the west is Ramsey Avenue, the cemetery and several homes. To the east is the Idaho Timber site. To the south is timbered open space and single-family homes. Murray Avenue ends at the Peace Park Sub-District. The northerly portion of the site is a vacant industrial site that was, up until recently, owned by Burlington-Northern, but is now owned by another private entity, the Great Northern Veterans Peace Park. The site has been used by the public for passive recreation and sledding. The Peace Park is 15.15 acres and 6.7% of the total area in the corridor.



Public Input Summary

Character
Vacant industrial site
Adjoins RR main line
Mature vegetation southerly part
Adjoins Idaho Timber Site WI zoning
Topographic relief

Concerns Relative to Land Uses
Noise
Access
Traffic
Connectivity
View protection

Existing Zoning
WI

Recommended Land Uses
Parks/Open Space
Recreational Open Space

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The site is proposed to be developed as the Great Northern Veterans Peace Park. The vision for the Peace Park area is a community open space that accommodates passive recreation activities such as sledding, walking, skating and picnicking. More intensive recreational uses include Frisbee golf. A pond adjoins the site to the west on the Idaho Timber site. The pond has been used by the public for ice skating and may become part of the GNVPP through a land trade with Idaho Timber. The founders of the Peace Park also have a vision for occasional outdoor concerts in the natural bowl on the site. Accessory to the use of the site is an internal road system, parking and overnight parking in association with concerts.

Public Input - During the planning process, the public indicated that the proposed use of the site is much preferred to a vacant industrial site or the return of the site to a heavy industrial use. The public *liked* the proposed land use because it has:

- Passive recreation in keeping with the past use of the site for public skating and sledding.
- The idea of an internal circulation system with visitor parking.
- The retention of mature vegetation.
- The conversion from a heavy industrial use to a parks and recreational use.
- The opportunity for a future river trail connecting 1st Street to the Peace Park.

The public *concerns* raised during the planning process were:

- Traffic.
- Noise.
- Hours of operation.
- The impacts of the Peace Park on the residential character of existing neighborhoods.

Existing Zoning – The existing zoning is WI. The zoning allows a range of industrial uses that would be congruent with the historic use of the site by the railroad. The WI (Industrial and Warehousing) district is intended for light industrial purposes and to provide for light industrial and service uses in which a reasonable degree of control is desirable for the general well-being of the community area.

Recommended Land Uses - From the survey and public input during the planning process, the following land uses were recommended and *are not* compatible with the uses allowed in the current zoning:

- Parks/Open Space.
- Recreational Open Space.

Recommended Guidelines – The vision for the Peace Park Sub-District is in line with the past recreational use of the site by the public. The proposed use of the site to include the traditional recreational uses, adding Frisbee golf and occasional concerts is compatible with the use of public open space. As the plans for the GNVPP develop, it is recommended that the Peace Park Sub-District develop a management plan including their intended uses and hours of operation to assist the governing body in developing an appropriate zoning

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district for the area with permitted uses and conditional uses. Guidelines will help the Peace Park Sub-District to be compatible with the residential uses in the area.

Guidelines

- Noise decibel restrictions for concerts.
- Hours for concert events.
- Dawn to dusk hours of operation for permitted uses.
- Extended hours of operation for conditional uses.
- Single story building height restrictions.
- Include conditional uses such as camping, recreational vehicle camping, and outdoor concerts.

Implementation Steps

1. Change the growth policy land use designation from Planned Industrial to Parks & Recreation.
2. Request the founders of the Great Northern Veterans Peace Park to work with the City for a management plan for the park.
3. Re-zone the property to a Parks & Recreation Zoning District.

Recommended Land Uses	**Growth Policy Land Use**	**Zoning**
Parks/Open Space Recreational Open Space	Current Designation: Planned Industrial	Existing Zoning: WI
	Recommended Designation: Parks & Recreation	Recommended Zoning: Parks & Recreation

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Parks and Recreation

Character - The Parks and Recreation area includes the Whitefish Golf Course and Club House, Grouse Mountain Park with tennis courts and soccer fields, and the cemetery. The road improvements along US Highway 93 West include a multi-use trail and sidewalk that will connect downtown Whitefish to the corridor and golf course. The Parks and Recreation area is 52.58 acres and 23.3% of the total area in the corridor.

Public Input Summary

Character
Recreational/Resort Character

Concerns Relative to Land Uses
Connectivity
Access
Traffic

Existing Zoning
WSR

Recommended Land Uses
Parks/Open Space

Public Input – During the planning process, the public indicated that maintaining the existing open space uses and character are important.

The public *concerns* raised during the planning process were:

- Connectivity.
- Access.
- Traffic.

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Existing Zoning - The existing zoning is WSR. The WSR (Suburban Residential) district is intended for single-family homes in an estate type setting and is designed to maintain, protect and preserve a character of development characterized by uses of a residential purpose and with no more than one dwelling unit and customary accessory buildings on one lot.

Recommended Land Uses - From the survey and public input during the planning process, the following land uses were recommended and are not compatible with the uses allowed in the current zoning:

- Parks/Open Space.

Recommended Guidelines - The vision for the Parks & Recreation area is to retain the existing, formal recreation uses, country club, and cemetery. This recreational area is fully developed with active, formal recreation and commercial country club activity associated with the golf course. A Parks & Recreation Zoning District should be developed and include guidelines as recommended for the Peace Park.

Implementation Steps

1. Re-zone the property to Parks & Recreation Zoning District and include recommended guidelines.

Recommended Land Uses	Growth Policy Land Use	Zoning
Parks/Open Space	Existing Designation: Parks & Recreation	Existing Zoning: WSR
	Recommended Designation: Parks & Recreation	Recommended Zoning: Parks & Recreation

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Resort-Commercial

Character - The Resort-Commercial area is the existing site of Grouse Mountain Lodge, a vacation and meeting resort. It is south of US Highway 93 West and bordered by the Whitefish Golf Course to the east and the Grouse Mountain Park to the west. The Resort-Commercial area is 3.91 acres and 1.7% of the total area in the corridor.

Public Input Summary

Character
Resort

Concerns Relative to Land Uses
None

Existing Zoning
WRB-1

Recommended Land Uses
Resort Commercial
Resort Residential

Public Input – During the planning process, the public indicated that the existing resort commercial uses are appropriate for this area.

The public did not raise any *concerns* during the planning process.

Existing Zoning - The existing zoning is WRB-1. The WRB-1 (Limited Resort Business) district is intended for resort purposes; to provide for the development of medium to high density resort uses, including hotels, motels, resort condominiums and other similar uses oriented towards tourism and resort businesses. This district is to also provide a place for meeting rooms, convention centers and facilities, bars, lounges and restaurants and limited ancillary retail and commercial uses intended primarily for the convenience of guests of the facilities provided within this district.

Recommended Land Uses - From the survey and public input during the planning process, the following land uses were recommended and **are congruent** with the uses allowed in the current zoning:

- Resort Commercial.
- Resort Residential.

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Recommended Guidelines – The vision for the Resort-Commercial Sub-District is to continue resort commercial and resort residential uses. To better accommodate the existing uses, a new Resort-Commercial land use designation is recommended that is congruent with the WRB-1 and WRB-2 zoning. Current zoning is appropriate for this Sub-District.

Implementation Steps

1. Incorporate a new land use designation, Resort-Commercial, into Growth Policy. The corridor boundary is not congruent with the property ownership or the current zoning. It is recommended that the Resort-Commercial land use designation extend beyond the corridor boundary to include the entire Grouse Mountain property.

Recommended Land Uses	Growth Policy Land Use	Zoning
Resort Commercial Resort Residential	Existing Designation: Resort Residential	Existing Zoning: WRB-1
	Recommended Designation: Resort-Commercial	Recommended Zoning: WRB-1

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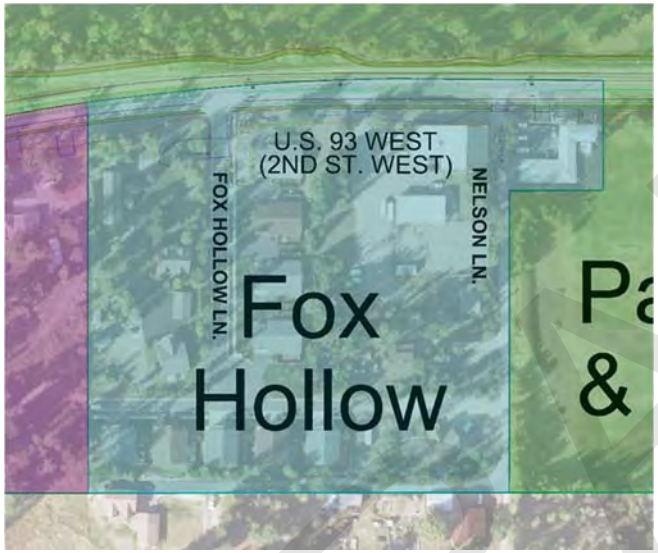
Fox Hollow

Character - The Fox Hollow Sub-District is south of US Highway 93 West and includes the Forest Service, Border Control, and residences accessed off of Fox Hollow Lane. The Fox Hollow area is 10.65 acres and 4.7% of the total area in the corridor.



Public Input Summary

Character
No comments

Concerns Relative to Land Uses
No comments

Existing Zoning
WRR-1

Recommended Land Uses
Single-Family Residential
Multi-Family Residential
Resort Residential

Public Input – During the planning process, there were no comments made regarding the Fox Hollow Sub-District indicating the public is satisfied with the existing land uses.

Existing Zoning - The existing zoning is WRR-1. The WRR-1 (Low Density Resort Residential) district is intended to provide a low density setting for secondary residential resorts.

Recommended Land Uses - From the survey and public input during the planning process, the following land uses were recommended and **are congruent** with the uses allowed in the current zoning:

- Single-Family Residential.
- Multi-Family Residential.
- Resort Residential.

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Recommended Guidelines - The vision for Fox Hollow is to continue resort residential use. The growth policy description of the resort residential land use type includes development of all types and densities (in accordance with specific zoning). Included are one- and two-family residential, rental cabins, vacation cottages, condominiums, and townhomes. Commercial hotels and motels are not a part of this designation, but limited resort commercial is allowed. Current zoning is appropriate for this Sub-District.

Implementation Steps

1. No action needed.

Recommended Land Uses	Growth Policy Land Use	Zoning
Single-Family Residential Multi-Family Residential Resort Residential	Existing Designation: Resort Residential	Existing Zoning: WRR-1
	Recommended Designation: Resort Residential	Recommended Zoning: WRR-1

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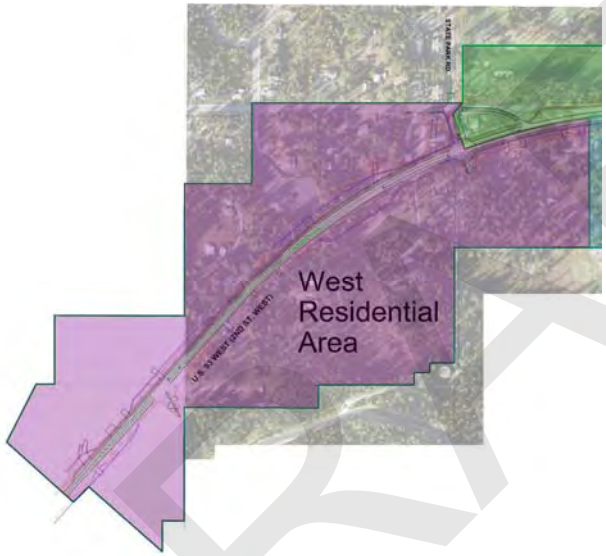
West Residential

Character - The West Residential Sub-District is a rural residential area with established trees and vegetation, privacy, and trails and recreation being important characteristics. There is also a church within this Sub-District. Access is a concern in this area as the road improvements on US Highway 93 West are implemented. The West Residential Sub-District is 62.34 acres and 27.7% of the total area in the corridor.



Public Input Summary

Character
Rural Character
Trees & Vegetation
Privacy
Trails & Recreation

Concerns Relative to Land Uses
Access
Lot size due to US Highway 93 construction

Existing Zoning
WSR, WLR, WRR-1

Recommended Land Uses
Single-Family Residential
Two-Family Residential
Church/Institutional Uses

Public Input – During the planning process, the public indicated that maintaining the single-family residential uses and character is important. The public *liked* the existing residential area because it has:

- Rural character.
- Mature trees and vegetation.
- Privacy.
- Trails and recreation opportunities.

The public *concerns* raised during the planning process were:

- Access.
- Impacts of US Highway 93 West construction affecting lot size and limiting development options.

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Existing Zoning - The existing zoning is WCR, WSR, WLR and WER. The WCR (Country Residential) district is intended for detached single-family homes together with farm and/or accessory buildings situated in a setting conducive to a rural lifestyle. The WSR (Suburban Residential) district is intended for single-family homes in an estate type setting and is designed to maintain, protect and preserve development characterized by uses of a residential purpose and with no more than one dwelling unit and customary accessory buildings on one lot. The WLR (One-Family Limited Residential) district is intended for residential purposes to provide for single-family homes in a low density setting, connected to municipal utilities and services. The WER (Estate Residential) district provides for single-family, large tract or estate development. These areas will typically be found in suburban areas, generally served by municipal sewer and water lines.

Recommended Land Uses - From the survey and public input during the planning process, the following land uses were recommended and are congruent with the uses allowed in the current zoning:

- Single-Family Residential Uses.
- Two-Family Residential Uses on the northwest corner of the intersection of State Park Road and US Highway 93 West.
- Church/Institutional Uses.

Recommended Guidelines - The vision for the West Residential Sub-District provides for low-density residential uses while maintaining the rural character of the area. This area will remain under the suburban residential land use designation. Lower density residential areas at the periphery of the urban service area generally fall under this designation. The residential designation is predominantly single-family, but clustered homes and low-density townhomes that preserve significant open space are also appropriate. Densities range from one unit per 2.5 acres to 2.5 units per acre, but could be higher through the PUD. Clustered residential that preserves considerable open space, allows for limited agriculture, and maintaining wildlife habitat is encouraged. The area should be aggressively restricted to a transitional residential zone between rural and semi-urban. Current zoning is appropriate for this Sub-District except for the northwest corner of the intersection of State Park Road and US Highway 93 West where the lots were impacted by the highway construction.

Implementation Steps

1. Address existing non-conforming uses and public/quasi-public uses.

Recommended Land Uses	Growth Policy Land Use	Zoning
Single-Family Residential Two-Family Residential Church/Institutional Uses	Existing Designation: Suburban Residential	Existing Zoning: WSR, WLR, and WRR-1
	Recommended Designation: Suburban Residential	Recommended Zoning: WSR, WLR and WRR-1

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IV. Implementation

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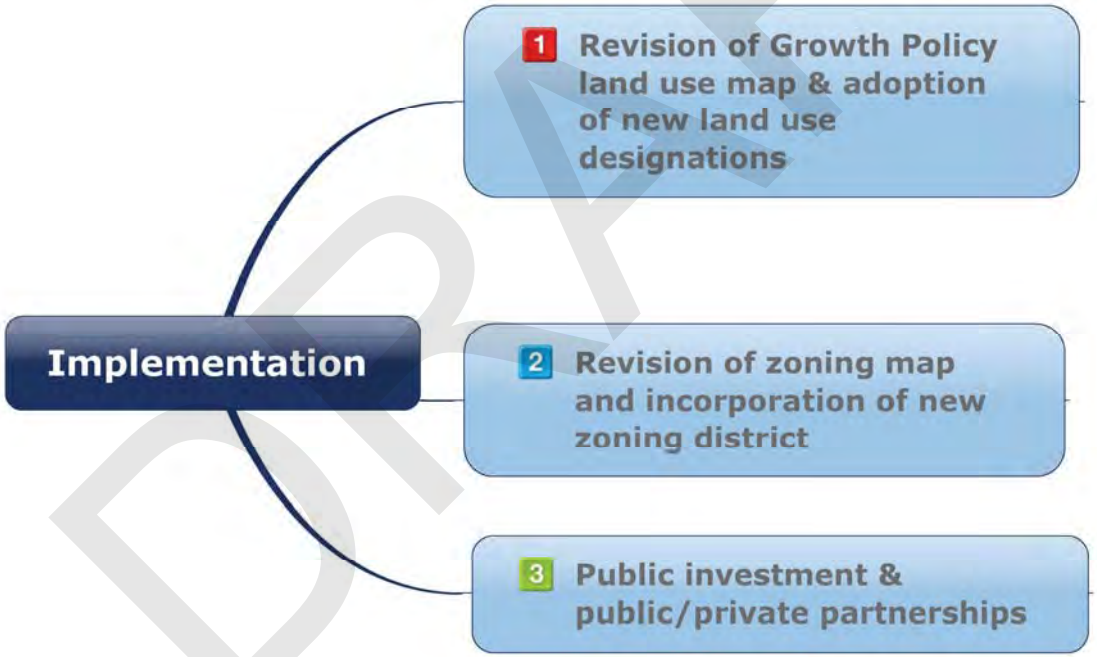
Implementation Steps

The implementation of the Corridor Plan is broken down into three steps:

1) The revision of the Growth Policy land use map and adoption of new land use designations. This includes changing existing land use designations to more appropriate designations for certain Sub-Districts.
2) The revision of the zoning map and incorporation of new zoning districts and performance standards to support the appropriate transition of neighborhoods. The transition will be initiated by the landowner at a suitable time to remain sensitive to existing uses.
3) Opportunity exists for future public investment and public-private partnerships.



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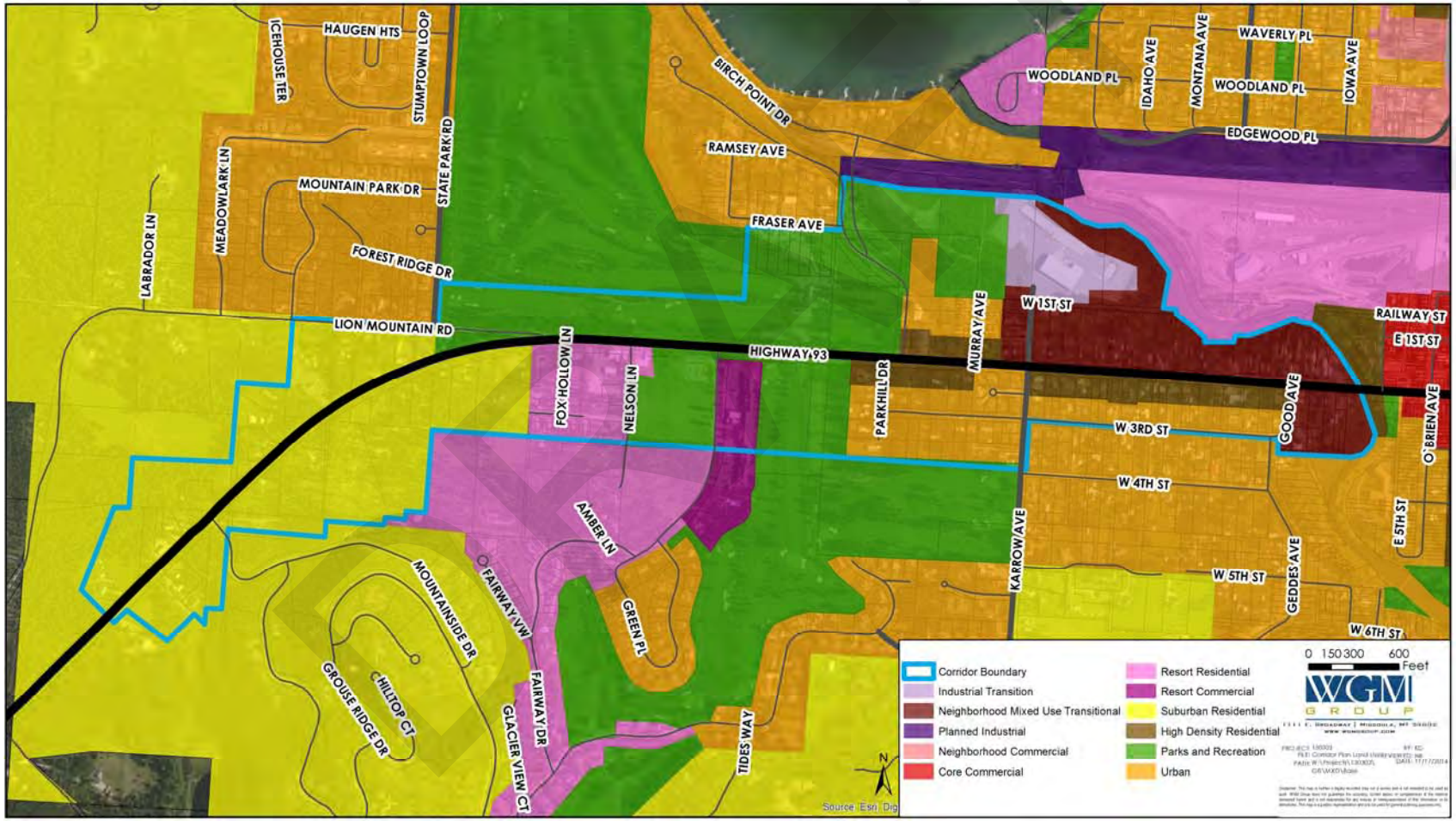
Growth Policy Land Use Designations

Proposed Future Land Uses Map

The land use recommendations for the Highway 93 West Corridor are shown in the Proposed Future Land Uses Map below.



Proposed Land Use Designations

Three proposed land use designations are recommended as part of the corridor plan. These include Neighborhood Mixed-Use Transitional, Industrial Transitional, and Resort Commercial.

Neighborhood Mixed-Use Transitional:

- This designation is applied to neighborhoods near downtown Whitefish and along major transportation routes that have a strong historic character that varies across a range of uses from manufacturing to residential workforce housing. Key characteristics of the neighborhood include being a community gateway, frontage along the Whitefish River, employment and recreational uses close to homes, opportunity for adaptive use or zoning that allows for a variety of uses and within walking distance of shopping in downtown. These characteristics create opportunities for the transition from historic uses to more contemporary uses. As new, diverse uses appear in these traditional neighborhoods a land use trend is created where professional uses and higher density residential uses appear. Densities generally range from 2 to 16 units per acre. Townhomes, apartments and condominiums are also acceptable. The neighborhood may include single-use or mixed-use buildings. The applicable zoning districts are WR-3, WR-4, and WT-3 with appropriate conditional uses and PUD options as well as Architectural Review Standards.

Industrial Transitional:

- This designation is for areas that are proximate to the downtown and have traditionally been used for heavy manufacturing. These areas are either vacant or underutilized and have opportunities for a gradual transition to adaptive, clean industries and business incubators. There are existing high capacity utility services and existing multi-modal transportation opportunities such as rail and highway access in these areas. Transitional areas can be the catalyst that generates new jobs and new economic development as businesses achieve success and relocate appropriately in the community. These areas have easy access to the downtown where the new workforce creates additional demand for goods and services and existing police and fire services can be utilized. The applicable zoning district is WI-T.

Resort-Commercial:

- This designation accommodates commercial and residential uses oriented towards tourism and resort activities. The lodging can include hotels and motels including restaurants, bars, and retail as accessory uses to hotels and motels. Applicable zoning districts are WRB-1 and WRB-2.

In addition to the proposed land use designations, it is recommended that the Peace Park Sub-District land use designation be changed from Planned Industrial to Parks & Recreation to reflect the vision for this area.

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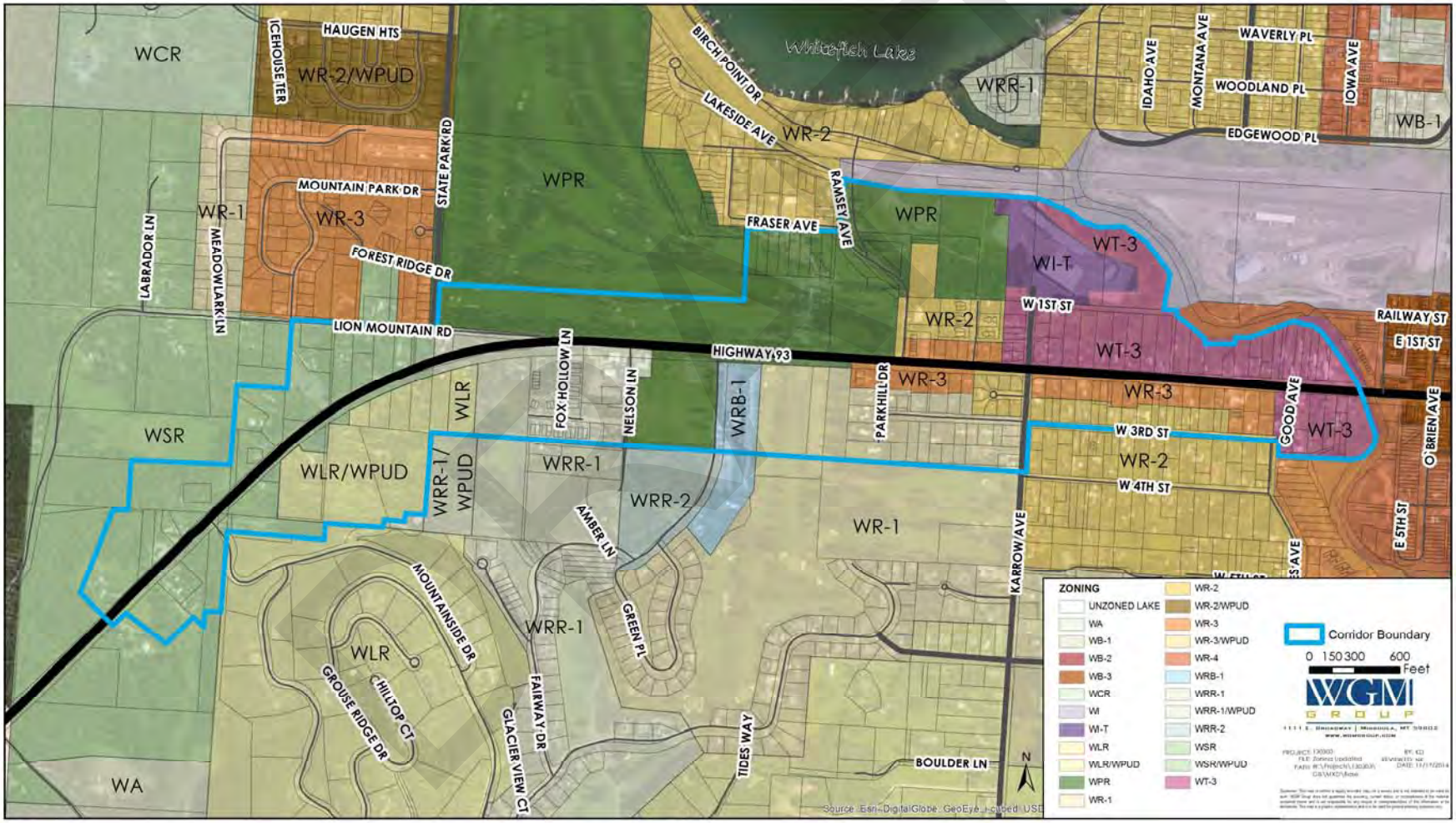
Zoning Changes

Proposed Future Zoning Map

The zoning recommendations for the Highway 93 West Corridor are shown in the Proposed Future Zoning Map below.



Proposed Zoning Districts

Three proposed zoning districts are recommended as part of the corridor plan. These include the WT-3 Neighborhood Mixed-Use Transitional District, the WI-T Industrial Transitional District, and the WPR Parks & Recreation District. Refer to Appendix D for the complete WT-3 and WI-T Districts.

WT-3 Neighborhood Mixed-Use Transitional District:

- The WT-3 District is intended for transitional development including high density residential, professional offices, light manufacturing, light assembly and ancillary services to provide a performance-based mixed-use environment with a recreational amenity, such as the Whitefish River, a community gateway, or adaptive use areas which are transitioning from their traditional uses.

WI-T Industrial Transitional District:

- The WI-T District is intended to allow for the gradual transition on vacant or underutilized sites that were traditionally used for heavy manufacturing to adaptive, clean industries and business incubators. These sites are generally proximate to the downtown, have existing high capacity utility services and existing multi-modal transportation opportunities such as rail and highway access.

WPR Parks & Recreation District:

- The WPR District is intended for parks and recreational uses. As the plans for the GNVPP develop, it is recommended that the Peace Park Sub-District develop a management plan including their intended uses and hours of operation to assist the City in developing an appropriate zoning district for the area with permitted uses and conditional uses.

Future Investment

With the appropriate regulatory tools in place, the vision for the future corridor development is implemented through public investment and public-private partnerships.

Public Investment

Capital Facilities Planning

The desirable land use pattern should be proactively considered when planning public infrastructure projects. Investments should be prioritized in areas where desirable development can occur and those investments should be timed to coincide with private developments.

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Streets, Sewer, Water, Storm Drain

Targeted investment in public infrastructure can play a vital role in implementing this corridor plan, especially in the Idaho Timber planning area. A local street network creates connectivity and relieves pressure on US Highway 93 West to accommodate local circulation. Availability of public sewer and water allows concentration of development, which can preserve and protect open space, recreational areas, and the river corridor. The presence of public storm drain infrastructure reduces the need to provide on-site retention and storage, reduces cost, and increase the land available for development.

Transportation infrastructure should support the desirable land uses in the corridor and the following standards:

Connectivity:

- Encourage development/use of local grid road network off of US Highway 93 West (develop 1st Street as parallel road, connect across river to Railway St, connect north across tracks to Edgewood) to improve access, circulation, and safety.
- Mitigate neighborhood traffic impacts with traffic calming, on-street parking, narrow street section to keep speeds low, discourage cut-through traffic.

Access:

- Discourage direct access to the highway.
- Use side streets first, then joint-use approaches to consolidate/eliminate approaches.
- Look at alley rights-of-way for access/circulation.
- Reduce number of approaches to improve safety for vehicles, bikes, pedestrians.

Non-Motorized:

- Add curb and sidewalks on local streets.
- Interconnect sidewalks/trails.
- Look for alternate bike routes off of US Highway 93 West.
- Add parallel route along river connecting to the Peace Park and public open space to the west.

Public Infrastructure Financing Tools

Tax Increment Financing

A portion of the Highway 93 West Corridor study area includes the Whitefish Urban Renewal Tax Increment Financing (TIF) district. TIF is a state authorized, locally driven funding mechanism that allows cities to direct property tax dollars that accrue from new development, within a specifically designated district, to community and economic development activities. TIF funds could be used to make improvements in that portion of the Highway 93 West Corridor that lies within the City limits until the district sunsets.

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Funds may be used for vehicular and pedestrian transportation infrastructure, streetscapes, parks and landscaping, water and sewer lines and for connecting to infrastructure outside the district. While funds are typically used for public infrastructure investments, there are instances where local governments have used TIF funds to partner with private property owners to make improvements to historic buildings and to address life-safety issues. The statutes also provide for the establishment of a TIF revolving loan program that can support private investment in the TIF district. TIF revenue bonds enable a community to pay for expensive infrastructure improvements over time.

The City would like to maintain the current TIF district with the existing boundary. It is one of the healthiest TIF districts in the state with a good increment built up. This increment is a great advantage and incentive for future development on the Idaho Timber site. The City has a priority list of funding for the tax increment funds. A careful review of the priority list should happen as part of the implementation strategy for this corridor plan.

Special Improvement Districts (Property Owner Assessment)

Under 7-12-4101, and 7-12-4102 MCA, cities and towns can create special improvement districts for a number of activities including:

- The acquisition, construction or reconstruction of public streets and roads.
- The acquisition, construction or reconstruction of sidewalks, culverts, bridges, gutters, curbs, steps and parks including the planting of trees.
- The construction or reconstruction of sewers, ditches, drains, conduits, and channels for sanitary or drainage purposes, with outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, connecting sewers, ditches, drains, conduits, channels, and other appurtenances.
- The construction of sewer and water systems including fire hydrants.
- The acquisition and improvement of land to be designated as public park or open-space land.
- The conversion of overhead utilities to underground locations in accordance with 69-4-311 through 69-4-314, MCA
- The purchase, installation, maintenance, and management of alternative energy production facilities.

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Public-Private Partnerships

The Idaho Timber site and historic work force housing provide opportunities for public-private partnerships.

Idaho Timber Site

The Highway 93 West Corridor Plan proposes a mix of uses on the former Idaho Timber site and provides flexibility for the transition of the site to new uses. Given the diversity of uses as well as the unique setting, development will depend on both public and private investment in order to be successful. For example, public investments will be necessary in support of overall infrastructure improvements. The development of road connectivity to the Idaho Timber site and adjoining properties as well as within the site will be key to the development of the site.

The Idaho Timber site presents opportunities to diversify the City's economy. This could potentially occur through the development of business incubators which can benefit the community in a number of ways. These include creating jobs, fostering a community's entrepreneurial climate, technology commercialization, diversifying local economies, building or accelerating growth of local industry clusters, business creation and retention, encouraging women or minority entrepreneurship, identifying potential spin-in or spin-out business opportunities, and community revitalization. For this type of development to occur, the City will need to support and recruit appropriate development.

Historic Work Force Housing

The redevelopment of neighborhoods that historically provided homes for the area's work force is an opportunity for public-private investment. The following standards, for properties eligible for listing on the National Register of Historic Places, can be used to guide in the redevelopment of properties within the corridor.

- A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

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- Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Public-Private Partnership Financing Tools

There are a variety of financing options for public-private partnerships that can help stimulate development in the corridor and spur additional private projects.

USDA Multi-Family Housing Programs

- Rural Rental Housing Loans to provide affordable multi-family rental housing for very low-, low-, and moderate-income families; the elderly; and persons with disabilities. This is primarily a direct mortgage program, but funds may also be used to buy and improve land and to provide necessary facilities such as water and waste disposal systems. In addition, deep subsidy rental assistance is available to eligible families.

Montana Housing Tax Credit Program

- This tax credit is available under Section 42 of the Internal Revenue Code of 1986. The credit is a federal income tax credit for owners of qualifying rental housing that meets certain low income occupancy and rent limitation requirements. The credit is taken as a reduction in participants' tax liability over a 10 year period. The credits can also be sold to investors to generate capital.

Federal Tax Credits

- Federal tax credits provide property owners with significant financial incentives to invest in projects that support urban renewal, the construction of affordable housing and the preservation of historic structures. When combined with public support such as TIF, Federal and State grants and loans, or other public funds, tax credits can help make a project financially feasible.

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Property Owner Organizations

- Using dues and other assessments, these organizations and associations can form partnerships with local government entities to make improvements to neighborhoods. Funds can be used for public improvements, landscaping, maintenance and public relations activities.
- It is recommended that the neighborhood build off of the Steering Committee and create a property owner, merchants, and residents association. This grass roots association can explore and take advantage of public-private partnerships as appropriate to implement the broad array of opportunities that exist in the corridor.

The vision for the corridor is dependent on collaboration between the City of Whitefish and private investment. Additionally, it is important for residents to help preserve and enhance their neighborhood's character and sense of place. This can be accomplished through encouragement of neighborhood revitalization initiatives, such as the formation of neighborhood councils, thoughtful design of the streetscape to "quiet down" neighborhoods, incorporation of "walkability" in neighborhood design, and promotion of new compatible construction.

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Appendix A: Public Input Session #1 Comments

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US Highway 93 West Impacts

- Privacy issues, lights from highway shining into houses an issue after trees are taken down, need to keep houses hidden, keep it rural, lower speed limit.
- Karrow & 93
  - Karrow cannot handle current traffic
  - Peace Park & Idaho Timber + 55 unit MF = traffic increase
  - Speed lack of enforcement
  - People are under estimating traffic there
  - What happens @ Karrow & 93 in the future?
- Concern: The corner of Karrow & Highway 93 is being constructed by MDOT and it will not handle the traffic that currently exists. So how can it possibly handle any further development in the area as the Idaho Timber property, the trails & more condos get developed?
- Medians will divert traffic to 3rd between Parkhill & Karrow with commercial development

Character & Concerns

- Adaptive use of existing buildings, more quaint and gentle than 93 to Kalispell, feeling of quaint, cozy, welcome as you come to town, like to see small scale restaurant down by river
- Fox Hollow resident
  - West 3rd – keep character of the street – kids, rural character, quiet, have animal hospital, 3rd/2nd very close together
  - Want: respect for residence, corridor homes/MF/ professional offices
  - Things that can be compatible – family-"beauty"
  - Standards – landscaping – height – hours of operation
  - Outdoor activity that is loud/music etc. is not the best
  - Got a mailing and word of mouth
- SE Corridor Good & 93 – Highway moved closer, green utility box, ruined ambiance, want commercial
- Imagine future uses: will not be a nice residential area, needs a commercial component, shape and form of development is important
- 3rd St. Owner
  - OK with "mom and pop" shops on Hwy 93 that close at ~6 pm (Not chain stores with lots of activity)
  - Business on Hwy 93 okay, but wants businesses that are quiet and close early 5-6pm
  - Realizes we have to have development – however they need to be carefully planned

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    - This is a really peaceful, pretty part of town. Whitefish needs more affordable housing. This area is still largely residential, there are many people who live here and enjoy that aspect, we not to not take this "off the table", it's a great area for middle-class residential living environment - please don't lose this
    - Please take actions that encourage those of us who own residences to want to keep improving/enjoying our homes
- South of Hwy 93
    - Doesn't mind current zoning – WR3 – which allows some business – doesn't want to see full commercial – doesn't want to lose the residential feel – neighbors and residential feel – a little bit of business is okay – light use – but not full commercial
- Owns undeveloped and developed property on Hwy 93 W. Would not like to see zoned uses become more restrictive than current in that area.
- Alternate uses on own merit (W 2nd St.) – not a lot of permitted uses
- Maintain residential houses along corridor – still should be predominate
- South & North of W 2nd St. are different
- Liked recent proposed project – mostly res. w/ some commercial
- Projections land use:
    - high intensity (urban)
    - moderate (existing?)
    - low (public/parks)
- No change to Fox Farm – wouldn't want to see any commercial uses
- Will develop into its own community – why a park/natural areas are so important, walking trails; residential; commercial – beautiful, aesthetic pleasing area – Balance – not just one use or another
- Keep Fox Farm CT zoned the way it is
- Owner on highway & Good Ave. suggest allowing nightly or weekly rentals
- Allow Hwy 93 to continue to develop low-impact commercial/offices

<u>3rd St. Character & Concerns</u>

- Median a concern for Park Hill neighborhood. Feeling that nobody would drive up to the State Park Road turnaround
- Impact on Park Hill and 3rd due to new median diverting traffic into residential neighborhood
- 3rd St. Owner
    - Wants to see whatever goes in on 93 remain compatible with homes on 3rd – they (homes) will be there for the long term as residences. Need to consider what effects 93 businesses will have, what hours will they be open? What kinds of truck traffic/delivery will be necessary? Parking? Noise? Lighting? Please respect people who have made their homes there (nearby)

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- W. 3rd St. prime location for families/walk to school/kids bike riding/skateboarding/etc.
  - This is why we moved here.
- Impacts of traffic on W 3rd St. – W 3rd St. & Parkhill is quiet – low traffic now without Hwy project – State Park/Hwy 93 S zoning from s.t.r. to m.t.
- 3rd Street – Keep it the way it is, B&B quiet like they say they'll be
- W. 3rd St. owner
  - Has experience with vacation rental in a destination town of similar size (St. Helena/Napa Valley) and they had a very effective process: In order to do anything less than a 30-day rental, you had to have a B & B permitted in town. Only 25 B & B's permitted in town. B & B's required to have 24/7 manager – had to notify neighbors within 300' if 30% + contested application had to go to City Council for hearing instead of automatic approval. Permit for B&B required to be renewed every 2 years and does not go with property if sold.
- Concerned that such rentals will/can change character of neighborhood and wouldn't want to live next to that activity if negative. If it's going to happen, want to insure that city monitors/governs. However, if done right, these can be nice properties.
- W. 3rd St. Owner
  - Not opposed to commercial development on 2nd St/Hwy 93 – not opposed to it – need to be pretty strict limitations on hours of operations and what they sell. Restaurants in particular pose some real problems with noise/parking/house of operation – open to options but concerned/opposed to box stores/retail, etc.
- W 3rd St. will stay residential need to protect this area
- Resident on S. 3rd concerned about impact of business development on property values, quality of life, noise, traffic
- Doesn't want to see parking from Hwy 93 overflowing onto W 3rd St. or west 3rd St. lots
- Does not want noise and increased traffic on W. 3rd St.
- Does not want business impact on W. 3rd St.

<u>Recreation/Parks</u>

- There are not a lot of parks (passive recreation); family-oriented supports the river; wildlife corridor
- Expand Peace Park along River as Corridor Park – Wildlife & Family Benefit
- Trail along south side of WF River connecting to downtown
- Peace Park should not be lists as "public" as the public doesn't have a say in the rules or management of park

<u>Idaho Timber</u>

- Idaho Timber – park along the river/bike trail, complement the river, sustainable development
- Idaho Timber: Along river commercial (restaurants, hotels, etc.)

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WF River

- Commercial uses fronting WF River
- WF River: front the amenity

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Appendix B: Survey Results & Summary

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The Steering Committee responded to a survey to determine appropriate land uses as well as character and concerns within each Sub-District in the corridor. After the results were compiled, there was a Steering Committee discussion that led to the recommendation of certain land uses within the Sub-Districts. The survey provided the Steering Committee with a tool to measure character and concern and rate the suitability of particular land uses within the Sub-Districts of the overall plan.

The survey Sub-Districts correspond to the map below. After further discussion with the Steering Committee and input from the public some of the Sub-District boundaries were adjusted to reflect their comments.

Initial Draft, Corridor Plan

The following table describes the land use options that were included in the survey.

Land Use Qualities - WF Corridor Planning Study - For Survey

Land Use	Use Intensity or Density	Units per Acre	Lot Size Min/Max in SF	Lot Dimensions Example	Employee on-site	Parking Spaces	Other Qualifications
Single-Family	Rural	less than 1	>43,560	>208 x 208'	NA	2 per unit	Outside City Limits Typical
Single-Family	Low	1 to 2	21,000 to 86,000	120x175' up	NA	2 per unit	Inside City Limits
Single-Family	Medium	2 to 5	8,000 to 21,000	80x100' up	NA	2 per unit	Duplexes included
Single-Family	High	5 to 8	>5,400, <8,000	32x120'	NA	2 per unit	Duplexes included
Multi-Family	Medium	4 to 16	varies	32x110 or stacked	NA	8 to 32	4-plex TH/Condos and greater
Multi-Family	High	16 to 32	varies	multi-level	NA	32 to 64	8-plex TH/Condos and greater
Resort Residential	Med	4 to 6	varies	1-2 story		multiple	Overnight/Weekly/Vacation
Resort Residential	High	6 to 32	varies	up to 4 story		multiple	Overnight/Weekly/Vacation
Mixed Use	Low	varies	21,000 plus	varies		multiple	Res/Comm/Light Ind. Combined
Mixed Use	High	varies	21,000 plus	varies		multiple	Res/Comm/Light Ind. Combined
Community Commercial	Medium	varies	varies	varies	5 to 20	multiple	Cluster of small establishments exclusive of uses reserved for the downtown and strip commercial uses
Neighborhood Commercial	Low	varies	varies	varies	2 to 5	multiple	Singular establishment mostly serves the neighborhood
Resort Commercial	Medium/High	varies	varies	varies	multiple	multiple	Restaurant/Bar/Amenities/Lodging
Cottage Scale Manufact.	Low	varies	varies	varies	2 to 5	2 to 4	Home or small bldgs, small scale manufacturing
Light Industrial	Medium	varies	varies	varies	multiple	multiple	Neighborhood appropriate
Parks/Open Space	Low/Medium	NA	varies	varies	varies	varies	Peace Park, Open Space Use/ Events
Recreational Open Space	Medium	NA	varies	varies	varies	varies	Soccer, Tennis, Golf
Passive Open Space	Very Low	NA	varies	varies	varies	varies	Cemetary
Public/Quasi-Public	Occaisional	NA	varies	varies	varies	varies	Church/Institutional
Protection Areas	Very Low	NA	varies	varies	varies	varies	Conservation/Preservation

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The following definitions were used in the Steering Committee survey and in subsequent public involvement sessions to gain input on appropriate land uses for the Sub-Districts.

Neighborhood Commercial - Singular establishment that mostly serves the neighborhood.
Community Commercial – Cluster of small establishments exclusive of uses reserved for the downtown and strip commercial use.

The Steering Committee, in their seventh meeting, recommended abandoning the terms "Neighborhood Commercial" and "Community Commercial" for two stated reasons:

- The use of the word "Commercial" seems to overstate the Steering Committee's intent for the corridor.
- The word "Commercial" and the word "Cluster" seem to imply commercial uses that would compete with the downtown.

The direction of the Steering Committee was to use the permitted and conditional uses in the existing WR-3 zoning for Sub-District 'A' in place of using the words "Neighborhood Commercial." For Sub-District 'B' the Steering Committee recommended specific land uses including the permitted and conditional uses in the existing WR-3 zoning district and to allow, by conditional use permit, the following additional conditional uses with appropriate performance standards:

- Sandwich Shops.
- Coffee Shops.
- Artisan Manufacturing.

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AREA A - SUMMARY

Character and Concerns	Importance: Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Noise	78%	0%	22%	0%		
Votes	7	0	2	0	9	1.44
Hrs of Operation	67%	11%	11%	11%		
Votes	6	1	1	1	9	1.67
Traffic	78%	11%	11%	0%		
Votes	7	1	1	0	9	1.33
Consistent Shape & Form	45%	44%	0%	11%		
Votes	4	4	0	1	9	1.78
Historic Buildings	25%	25%	25%	25%		
Votes	2	2	2	2	8	2.5
Residential Character	22%	56%	11%	11%		
Votes	2	5	1	1	9	2.11

Land Use	Appropriate: Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	APPROVAL
Community Commercial	11%	22%	22%	45%			*Mostly No*
Votes	1	2	2	4	9	3.00	
Neighborhood Commercial	45%	33%	22%	0%			*Approved*
Votes	4	3	2	0	9	1.78	
High Density Mixed Use	11%	11%	45%	33%			*Mostly Yes*
Votes	1	1	4	3	9	3.00	
Low Density Mixed Use	11%	67%	22%	0%			*Approved*
Votes	1	6	2	0	9	2.11	
Sing. Fam. Residential High	26%	13%	13%	50%			*Not Approved*
Votes	2	1	1	4	8	2.88	
Sing. Fam. Residential Medium	45%	22%	22%	11%			*Approved*
Votes	4	2	2	1	9	2.00	
Sing. Fam. Residential Low	22%	22%	22%	34%			*Mostly Yes*
Votes	2	2	2	3	9	2.67	
Med. Density Multi-Family	33%	34%	11%	22%			*Mostly Yes*
Votes	3	3	1	2	9	2.22	
Resort Residential Medium	22%	45%	0%	33%			*Mostly Yes*
Votes	2	4	0	3	9	2.44	
Resort Residential High	11%	11%	11%	67%			*Not Approved*
Votes	1	1	1	6	9	3.33	
View protection Area	44%	0%	28%	28%			Mostly Yes
Votes	3	0	2	2	7	2.43	

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AREA B - SUMMARY

	Importance					
Character and Concerns	Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Noise	45%	44%	22%	0%		
Votes	4	3	2	0	9	1.78
Hrs of Operation	45%	22%	22%	11%		
Votes	4	2	2	1	9	2.00
Traffic	56%	33%	0%	11%		
Votes	5	3	2	1	9	1.67
Consistent Shape & Form	56%	22%	22%	0%		
Votes	5	2	2	0	9	1.67
Historic Buildings	44%	22%	11%	22%		
Votes	4	2	1	2	9	2.11
For-Rent Residential Character	56%	33%	0%	11%		
Votes	5	3	0	1	9	1.67
Professional Office Character	67%	33%	0%	0%		
Votes	9	3	0	0	9	1.33

	Appropriate						
Land Use	Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	**APPROVAL**
Community Commercial	11%	33%	45%	11%			*Approved*
Votes	1	3	4	1	9	2.56	
Neighborhood Commercial	22%	56%	22%	0%			*Mostly Yes*
Votes	2	5	2	0	9	2.00	
High Density Mixed Use	11%	22%	45%	22%			*Mostly Yes*
Votes	1	2	4	2	9	2.78	
Low Density Mixed Use	33%	45%	22%	0%			*Approved*
Votes	3	4	2	0	9	1.89	
Sing. Fam. Residential High	22%	44%	22%	11%			*Approved*
Votes	2	4	2	1	9	2.22	
Med. Density multi-Family	33%	22%	45%	0%			*Approved*
Votes	3	2	4	0	9	2.11	
High Density Multi-Family	0%	56%	22%	22%			*Mostly Yes*
Votes	0	5	2	2	9	2.67	
Resort Residential Medium	56%	33%	0%	11%			*Approved*
Votes	5	3	0	1	9	1.67	
Resort Residential High	0%	45%	22%	33%			*Mostly Yes*
Votes	0	4	2	3	9	2.89	
River/Vegetation Protection	78%	22%	0%	0%			*Approved*
	7	2	0	0	9	1.22	
View protection Area	57%	0%	29%	14%			*Approved*
Votes	4	0	2	1	7	2.00	

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AREA C - SUMMARY

Character and Concerns	Importance: Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Noise	43%	14%	29%	14%		
Votes	3	1	2	1	7	2.14
Hrs of Operation	37%	26%	0%	37%		
Votes	3	2	0	3	8	2.38
Traffic Diversion Due To Medians	50%	50%	0%	0%		
Votes	4	4	0	0	8	1.50
Kid Walking and Biking	88%	12%	0%	0%		
Votes	7	1	0	0	8	1.13
Rural Character	62%	38%	0%	0%		
Votes	5	3	0	0	8	1.38
Narrow Street	76%	12%	12%	0%		
Votes	6	1	1	0	8	1.38

Land Use	Appropriate: Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	APPROVAL
Sing. Fam. Residential High	11%	33%	11%	45%			*Not Approved*
Votes	1	3	1	4	9	2.89	
Sing. Fam. Residential Medium	33%	22%	33%	11%			*Approved*
Votes	3	2	3	1	9	2.22	
Sing. Fam. Residential Low	45%	33%	22%	0%			*Approved*
Votes	4	3	2	0	9	1.78	
Med. Density Multi-Family	22%	45%	11%	22%			*Mostly Yes*
Votes	2	4	1	2	9	2.33	
Community Commercial	0%	22%	11%	67%			*Not Approved*
Votes	0	2	1	6	9	3.44	
Neighborhood Commercial	0%	22%	11%	67%			*Not Approved*
Votes	0	2	1	6	9	3.44	
View protection Area	38%	25%	25%	12%			*Approved*
Votes	3	2	2	1	8	2.13	

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AREA D - SUMMARY

Character and Concerns	Importance: Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Noise	67%	11%	0%	22%		
Votes	6	1	0	2	9	1.78
Hrs of Operation	56%	0%	11%	33%		
Votes	5	0	1	3	9	2.22
Traffic Diversion Due To Medians	33%	67%	0%	0%		
Votes	3	6	0	0	9	1.67
Professional Office Character	67%	11%	0%	22%		
Votes	6	1	0	2	9	1.78
For-Rent Residential Character	72%	14%	0%	14%		
Votes	5	1	0	1	7	1.57

Land Use	Appropriate: Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	APPROVAL
Sing. Fam. Residential High	22%	56%	0%	22%			*Mostly Yes*
Votes	2	5	0	2	9	2.22	
Sing. Fam. Residential Medium	56%	33%	11%	0%			*Approved*
Votes	5	3	1	0	9	1.56	
Sing. Fam. Residential Low	56%	33%	11%	0%			*Approved*
Votes	5	3	1	0	9	1.56	
Med. Density Multi-Family	22%	44%	33%	0%			*Approved*
Votes	2	4	3	0	9	2.11	
Community Commercial	0%	45%	11%	44%			*Mostly No*
Votes	0	4	1	4	9	3.00	
Neighborhood Commercial	11%	56%	11%	22%			*Mostly Yes*
Votes	1	5	1	2	9	2.44	
View protection Area	25%	38%	12%	25%			*Mostly Yes*
Votes	2	3	1	2	8	2.38	

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SUMMARY - RESORT COMMERCIAL AREA

	Importance					
Character and Concerns	Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Recreation	90%	10%	0%	0%		
Votes	9	1	0	0	10	1.10
Resort	70%	30%	0%	0%		
Votes	7	3	0	0	10	1.30

	Appropriate						
Land Use	Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	**APPROVAL**
Resort Commercial	70%	30%	0%	0%			*Approved*
Votes	7	3	0	0	10	1.30	
Resort Residential Medium	40%	60%	0%	0%			*Approved*
Votes	4	6	0	0	10	1.60	
Resort Residential High	22%	33%	12%	33%			*Mostly Yes*
Votes	2	3	1	3	9	2.56	
View protection Area	38%	38%	12%	12%			*Approved*
Votes	3	3	1	1	8	2.00	

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SUMMARY - IDAHO TIMBER AREA

	Importance					
Character and Concerns	Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Industrial Character	10%	0%	10%	80%		
Votes	1	0	1	8	10	3.60
Riverfront	90%	10%	0%	0%		
Votes	9	1	0	0	10	1.10
Wildlife	30%	50%	20%	0%		
Votes	3	5	2	0	10	1.90
Parks/Trails	50%	40%	10%	0%		
Votes	5	4	1	0	10	1.60
Complement & Protect River	80%	20%	0%	0%		
Votes	8	2	0	0	10	1.20
Sustainable Development	56%	33%	11%	0%		
Votes	5	3	1	0	9	1.56
Access	56%	33%	11%	0%		
Votes	5	3	1	0	9	1.56
Connectivity	67%	22%	11%	0%		
Votes	6	2	1	0	9	1.44

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SUMMARY - IDAHO TIMBER AREA

Land Use	Appropriate Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	APPROVAL
High Density Mixed Use	34%	44%	22%	0%			*Approved*
Votes	3	4	2	0	9	1.89	
Low Density Mixed Use	22%	56%	22%	0%			*Approved*
Votes	2	5	2	0	9	2.00	
Sing. Fam. Resdiential High	0%	67%	11%	22%			*Mostly Yes*
Votes	0	6	1	2	9	2.56	
Sing. Fam. Resdiential Medium	22%	45%	11%	22%			*Mostly Yes*
Votes	2	4	1	2	9	2.33	
Sing. Fam. Resdiential Low	11%	44%	0%	45%			*Mostly No*
Votes	1	4	0	4	9	2.78	
Med. Density Multi-Family	11%	89%	0%	0%			*Approved*
	1	8	0	0	9	1.89	
High Density Multi-Family	11%	57%	33%	0%			*Approved*
Votes	1	5	3	0	9	2.22	
Community Commercial	22%	11%	67%	0%			*Approved*
Votes	2	1	6	0	9	2.44	
Neighborhood Commercial	22%	45%	22%	11%			*Approved*
Votes	2	4	2	1	9	2.22	
Resort Residential Medium	45%	33%	11%	11%			*Approved*
Votes	4	3	1	1	9	1.89	
Resort Residential High	11%	67%	11%	11%			*Approved*
Votes	1	6	1	1	9	2.22	
Light Industrial	0%	56%	11%	33%			*Mostly Yes*
Votes	0	5	1	3	9	2.78	
Cottage Scale Manufacturing	26%	50%	12%	12%			*Approved*
Votes	2	4	1	1	8	2.13	
Parks/Open Space	56%	11%	11%	22%			*Mostly Yes*
Votes	5	1	1	2	9	2.00	
Passive Open Space	50%	0%	13%	37%			*Mostly Yes*
Votes	4	0	1	3	8	2.38	
Recreational Open Space	22%	22%	22%	34%			*Mostly Yes*
Votes	2	2	2	3	9	2.67	
Public/Quasi-Public	13%	25%	37%	25%			*Mostly Yes*
Votes	1	2	3	2	8	2.75	
River/Vegetation Protection	78%	11%	11%	0%			*Approved*
Votes	7	1	1	0	9	1.33	
View protection Area	29%	42%	29%	0%			*Approved*
Votes	2	3	2		7		

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SUMMARY - WEST SIDE RESIDENTIAL AREA

	Importance					
Character and Concerns	Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Rural Character	30%	60%	10%	0%		
Votes	3	6	1	0	10	1.80
Trees and Vegetation	70%	30%	0%	0%		
Votes	7	3	0	0	10	1.30
Trails and Recreation	40%	40%	20%	0%		
Votes	4	4	2	0	10	1.80
Privacy	20%	50%	30%	0%		
Votes	2	5	3	0	10	2.10
Access	33%	57%	12%			
Votes	3	5	1	0	9	1.78

	Appropriate						
Land Use	Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	**APPROVAL**
Sing. Fam. Residential High	10%	30%	10%	50%			*Not Approved*
Votes	1	3	1	5	10	3.00	
Sing. Fam. Residential Medium	33%	11%	56%	0%			*Mostly Yes*
Votes	3	1	5	0	9	2.22	
Sing. Fam. Residential Low	33%	11%	45%	11%			*Approved*
Votes	3	1	4	1	9	2.33	
Sing. Fam. Residential Rural	20%	20%	30%	30%			*Mostly Yes*
Votes	2	2	3	3	10	2.70	
Community Commercial	10%	40%	10%	40%			*Not Approved*
Votes	1	4	1	4	10	2.80	
Neighborhood Commercial	20%	40%	10%	30%			*Mostly Yes*
Votes	2	4	1	3	10	2.50	
Public/Quasi-Public	22%	56%	22%	0%			*Approved*
Votes	2	5	2	0	9	2.00	

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SUMMARY - PEACE PARK AREA

	Importance					
Character and Concerns	Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Noise	60%	10%	30%	0%		
Votes	6	1	3	0	10	1.70
Access	70%	20%	10%	0%		
Votes	7	2	1	0	10	1.40
Traffic	70%	20%	10%	0%		
Votes	7	2	1	0	10	1.40
Connectivity	78%	11%	11%	0%		
Votes	7	1	1	1	9	1.33

	Appropriate						
Land Use	Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	**APPROVAL**
Parks/Open Space	80%	20%	0%	0%			Approved
Votes	8	2	0	0	10	1.20	
Passive Open Space	56%	22%	0%	22%			Mostly Yes
Votes	5	2	0	2	9	1.89	
Recreational Open Space	70%	10%	20%	0%			Approved
Votes	7	1	2	0	10	1.50	
Public/Quasi-Public	56%	11%	11%	22%			Mostly Yes
Votes	5	1	1	2	9	2.00	
View Protection Area	22%	44%	22%	12%			Approved
Votes	2	4	2	1	9	2.22	

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SUMMARY - PARKS and RECREATION

	Importance					
Character and Concerns	Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
Recreation/Resort Character	67%	33%	0%	0%		
Votes	6	3	0	0	9	1.33
Connectivity with Rds & Trails	80%	20%	0%	0%		
Votes	8	2	0	0	10	1.200
Access	70%	30%	0%	0%		
Votes	7	3	0	0	10	1.30
Traffic	30%	50%	20%	0%		
Votes	3	5	2	0	10	1.90

	Appropriate						
Land Use	Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	**APPROVAL**
Parks/Open Space	78%	22%	0%	0%			*Approved*
Votes	7	2	0	0	9	1.22	
Passive Open Space	76%	12%	0%	12%			*Approved*
Votes	6	1	0	1	8	1.50	
Recreational Open Space	88%	12%	0%	0%			*Approved*
Votes	7	1	0	0	8	1.13	
Public/Quasi-Public	38%	38%	12%	12%			*Approved*
Votes	3	3	1	1	8	2.00	
View Protection Area	28%	44%	28%	0%			*Approved*
Votes	2	3	2	0	7	2.00	
Resort Commercial	38%	50%	12%	0%			*Approved*
Votes	3	4	1	0	8	1.75	

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SUMMARY - FOX HOLLOW AREA

	Importance					
Character and Concerns	Extremely	Moderate	Slightly	None	TOTAL Votes	Average Rating
N O N E Expressed						

	Appropriate						
Land Use	Extremely	Moderate	Slightly	Not	TOTAL Votes	Average Rating	**APPROVAL**
Sing. Fam. Residential High	0%	38%	38%	24%			*Mostly Yes*
Votes	0	3	3	2	8	2.88	
Sing. Fam. Residential Medium	38%	12%	50%	0%			*Approved*
Votes	3	1	4	0	8	2.13	
Sing. Fam. Residential Low	12%	50%	26%	12%			*Approved*
Votes	1	4	2	1	8	2.38	
Med. Density Multi-Family	12%	76%	12%	0%			*Approved*
Votes	1	6	1	0	8	2.00	
High Density Multi-Family	0%	63%	25%	12%			*Approved*
Votes	0	5	2	1	8	2.5	
Community Commercial	22%	11%	22%	45%			*Mostly No*
Votes	2	1	2	4	9	2.89	
Neighborhood Commercial	22%	11%	22%	45%			*Mostly No*
Votes	2	1	2	4	9	2.89	
Resort Commercial	33%	11%	11%	44%			*Mostly Yes*
Votes	3	1	1	4	9	2.67	

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Appendix C: Charrette Summary

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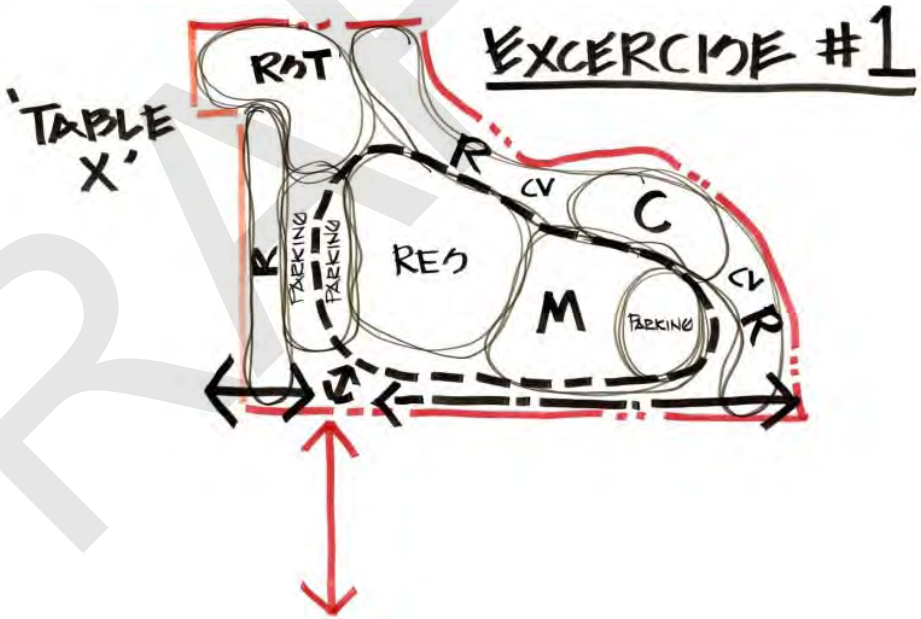
The evening began with a short review of the project including the latest edition of the land use map. Introductions of key individuals were made including representatives from Idaho Timber followed by an introduction of the intent of the charrette, clarification of existing entitlements and instructions for charrette participants.

Participants broke into four groups occupying four tables. Each table had a base drawing of the Idaho Timber site along with trace paper, tape and markers. The planning staff and consultants acted as facilitators at each of the tables. The participants engaged in the following exercise:

1) Categorizing the site into the following general uses using bubbles allocating the approximate area that should be devoted to each.

- Manufacturing (M)
- Recreational (R)
- Commercial (C)
- Residential (RES)
- Resort (RST)
- Conservation (CV)



Exercise One: Categorizing site into general land uses.

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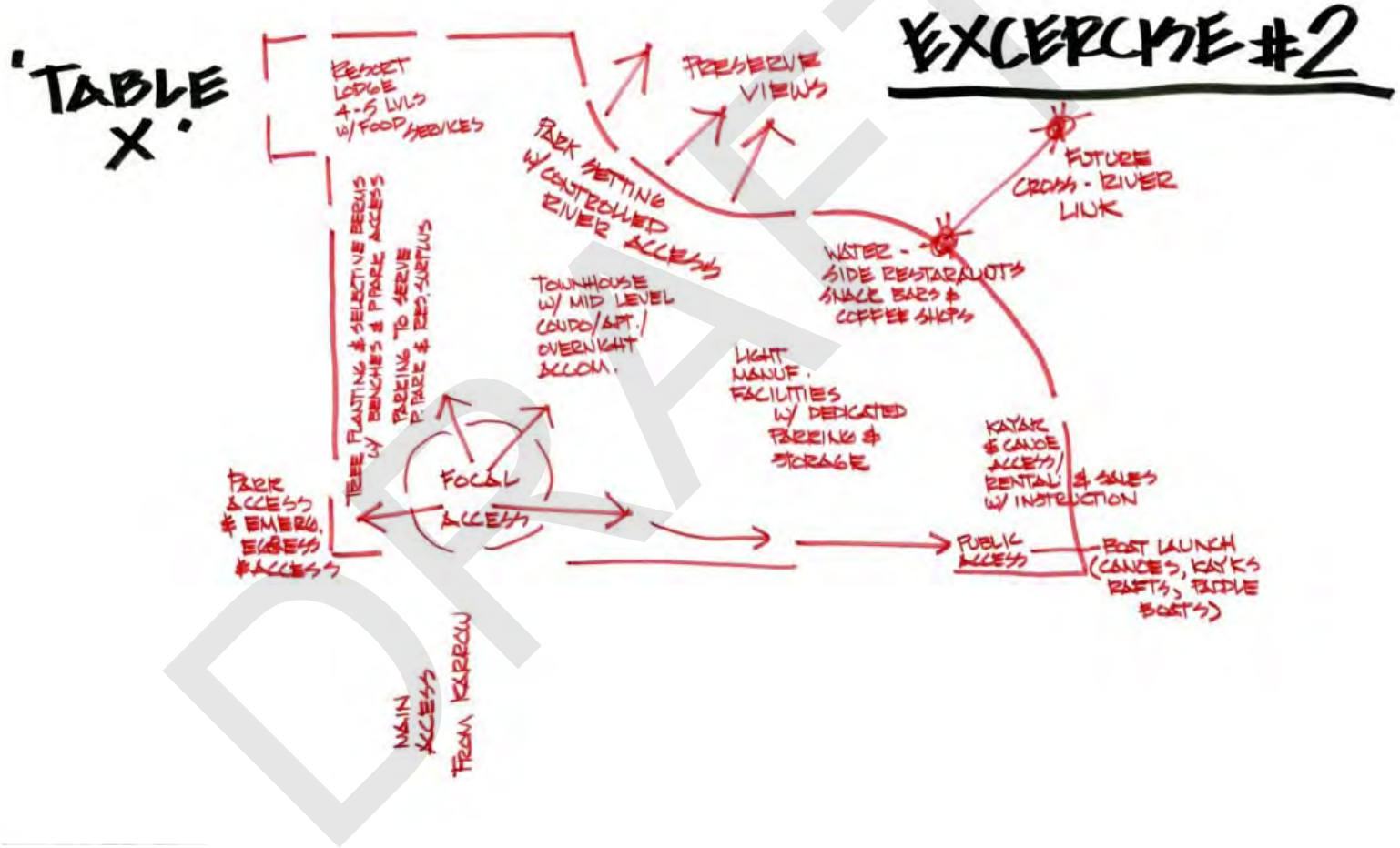
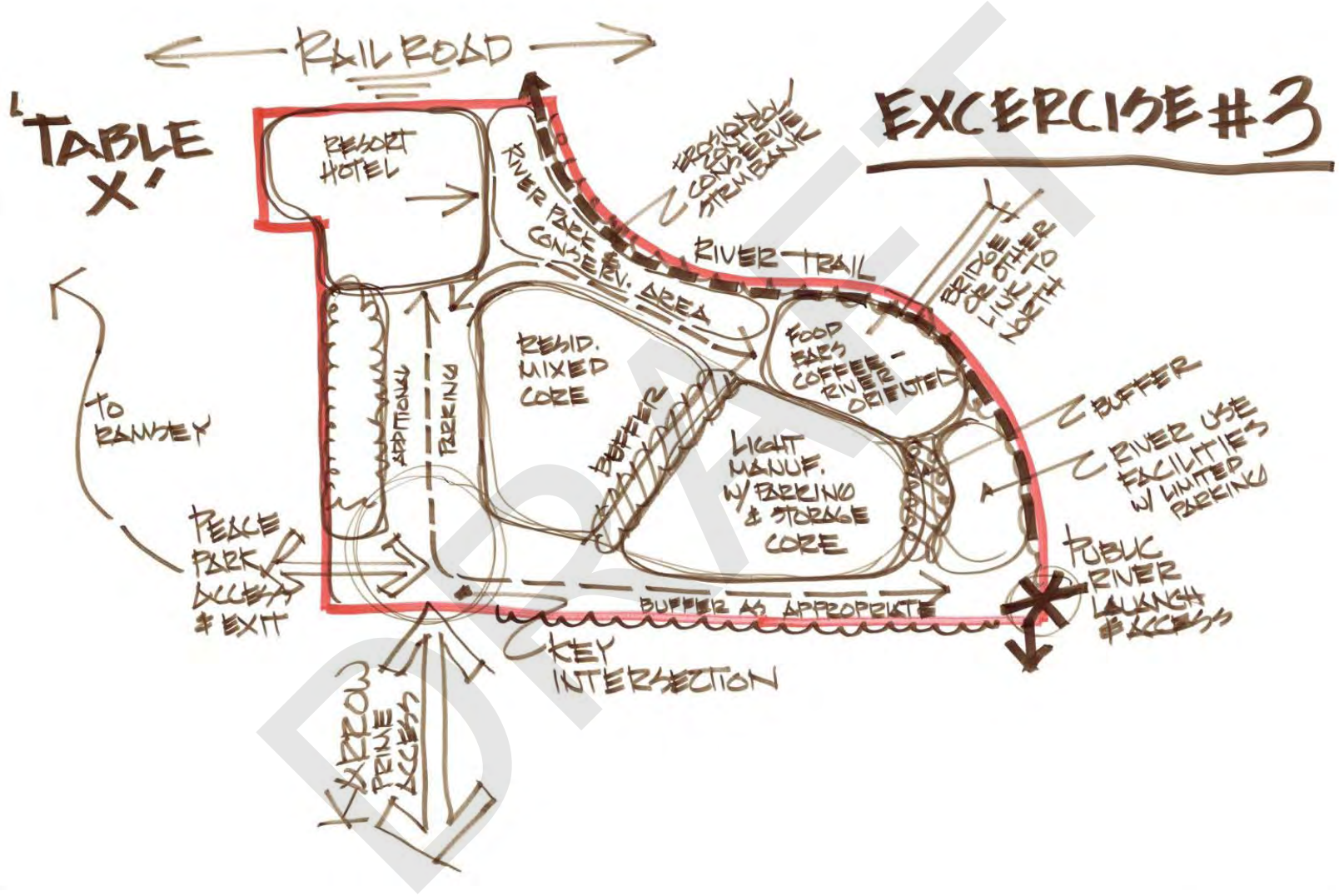
2) Brainstorming specific uses (i.e. trail, hotel, boat rentals, green manufacturing, high density residential, etc.) for each of the bubbled areas.



Exercise Two: Brainstorming specific land uses.

3) Summarizing and refining specific uses and shapes of uses within the site limits, including relationships/links with surrounding



uses.

Exercise Three: Refining and summarizing specific land uses with linkages to adjacent properties.

The following list of possible uses was given to each of the tables:

- Furniture Manufacture
- Kayak/Canoe Rental Sales
- Hotel/Restaurant Complex
- Green Building Component Manufacture
- Seafood/Specialty Restaurant
- River Trail, Residential
- Cottages/Cabins
- Athletic Field
- VoTech School
- Recreational Gear Fabrication/Manufacture
- Trader Joe Style Specialty Food Store
- Museum
- Mid-Rise Apartments or Condominiums Craft/Flea Market Facility
- High-Tech Electronic Manufacturing Business
- Streambank Restoration Interpretive/Conservation Area
- Offices, Sculpture/Art Foundry
- Low Income Housing
- Challenge Athletic Course
- Fairgrounds
- Marina
- Playground
- Memorial
- Transportation Terminal
- Truck Yard
- Municipal
- Pet Kennel and Care
- Equestrian Center
- Tavern, Club
- Casino/Hotel
- Satellite Fire Station
- Music Conservatory
- Townhomes
- Bistro/Coffee/Wine Shop
- Day Care Facility
- Church
- Senior's Housing
- Brewery
- Health Services
- Bakery
- Recording Studio
- Antique Restoration/Repair
- Park
- Arena Sport Complex
- Art Gallery(s)
- Private Grade School
- Youth Organization
- Single-Family Homes
- Parking Lot
- Transit Station
- Delicatessen
- Specialty Metal or Wood Fabrication
- Warehousing or Storage Units
- Laboratory
- Tourist Info Facility
- Farmers Market Site
- Modular Home Park
- Botanical Garden/Arboretum
- Salvage Yard
- Body and Paint Shop
- Boat Storage
- Truck or Equipment Sales
- RV Park
- Building Contractor Office and Storage
- Cottage Industry
- Snack Bar
- Night Club
- Health Food Store
- Research Facility
- Antique Mall
- Novelty Shop
- Discount Outlet
- Boat/Marine Dealership
- Recycling Center
- Swap Meet/Flea Market
- Resort Lodge
- Distribution Plant
- Wholesale Market
- Musical Instrument Manufacture
- Graphic Arts Shop
- Welding Shop
- Nursery

Finally, the charrette closed by giving Idaho Timber representatives a chance to address the entire group followed by a short presentation by Innovative Timber Systems, Inc. regarding their possible purchase and use of the property.

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The following are the final drawings from each group that participated in the charrette.

Group 1 Concept Development Plan

Key Ideas:

- Leave existing industrial building
- Utilize rail spur
- Provide access from Karrow Avenue
- Shared parking to be used for industrial building during the day and park during the evening
- Multi-family workforce housing in the back of single-family lots
- Green belt zone by river

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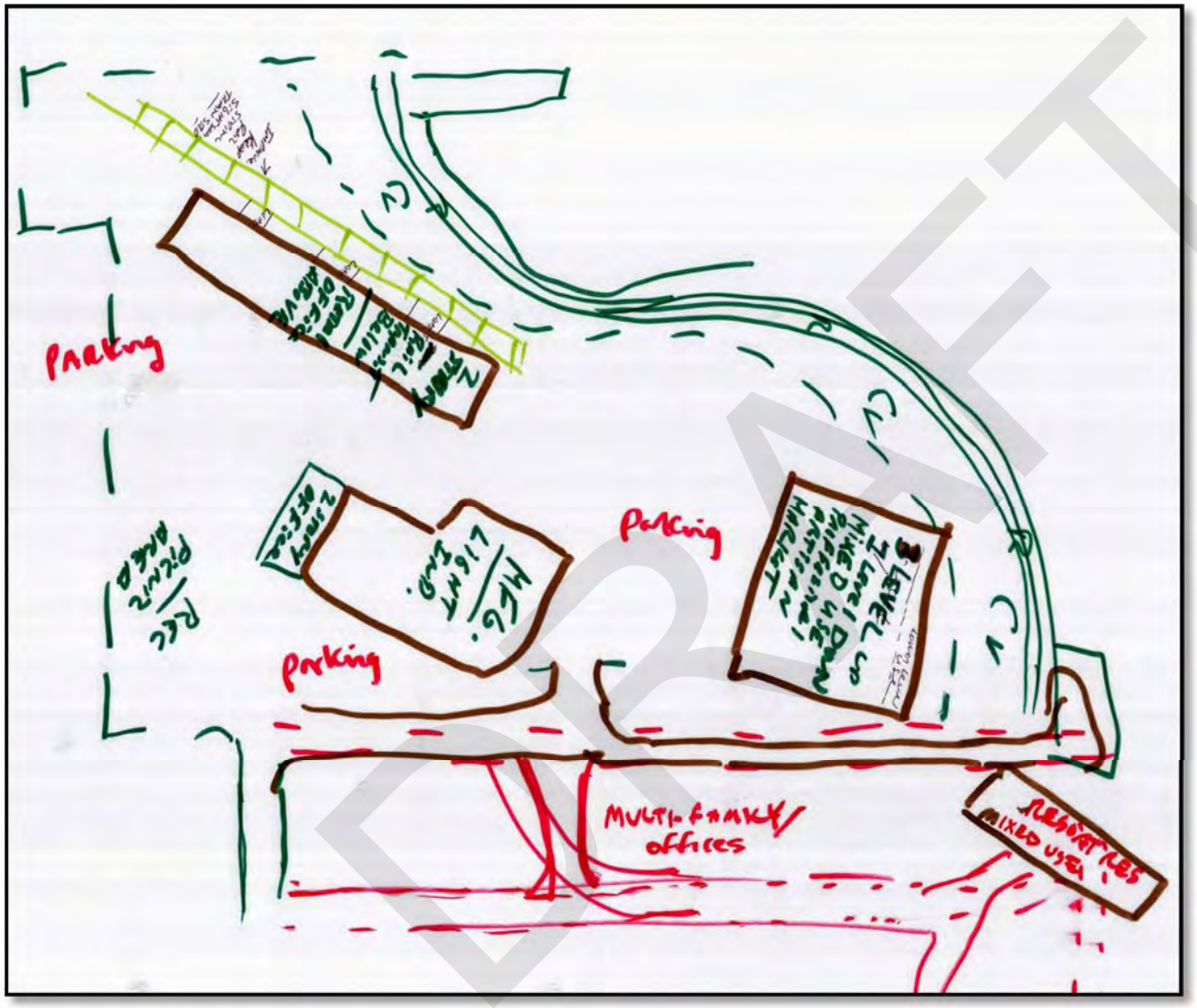
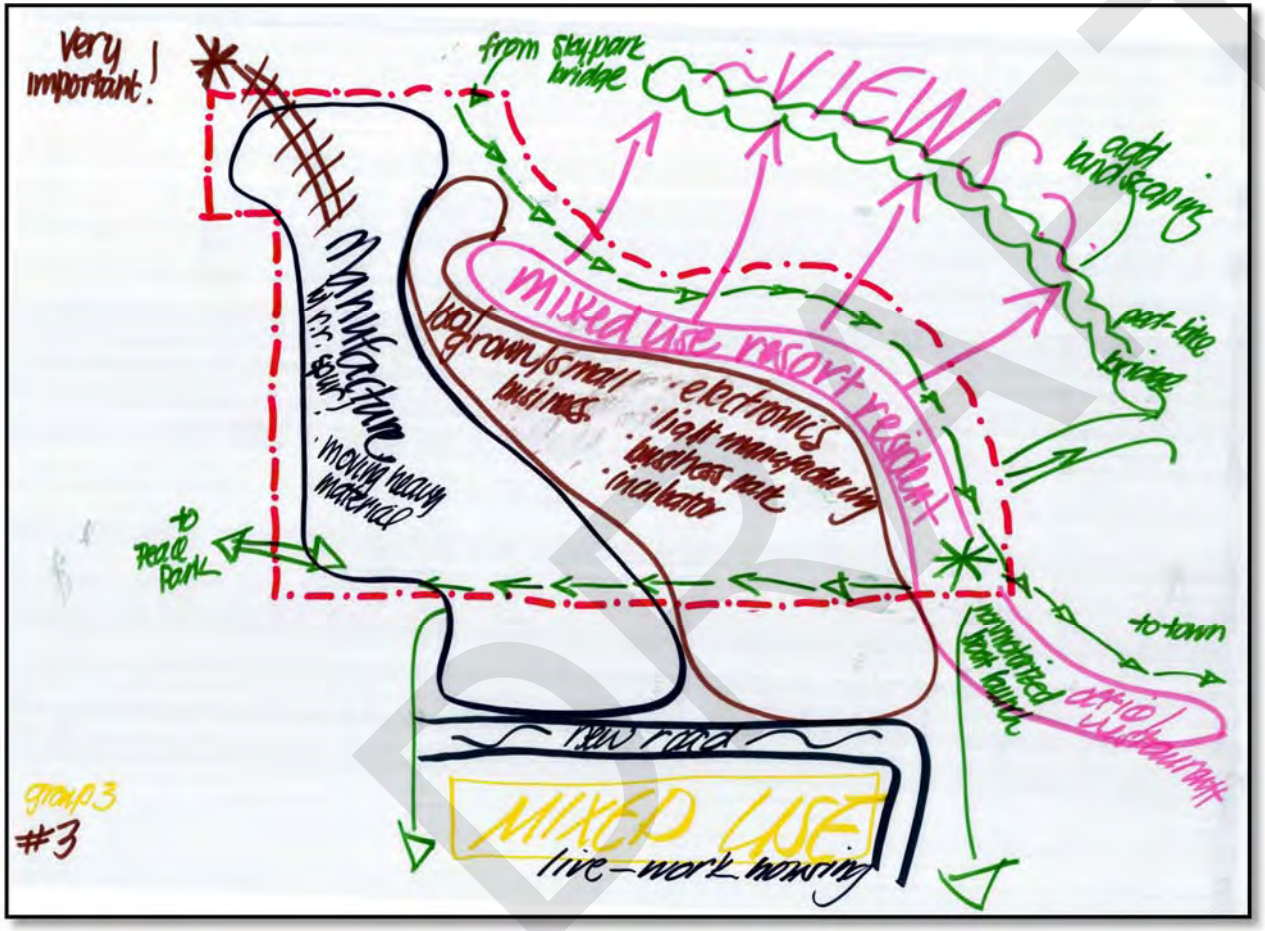


Key Ideas:

- Conservation area along river with a trail
- Provide access off Karrow Avenue
- Keep industrial building
- Offices with docks and view of the river
- Scenic railroad
  - Rail access on first floor
  - Retail/office with view of mountains on second floor
- Skating
- Multi-family housing with spur road
- Resort/mixed use along river

Group 2 Concept Development Plan



Key Ideas:

- Railroad spur with manufacturing
- Mixed-use/resort uses along river maximizing views
- Incubator for emerging businesses
- Non-motorized boat launch
- Mixed-use live-work housing

Group 3 Concept Development Plan

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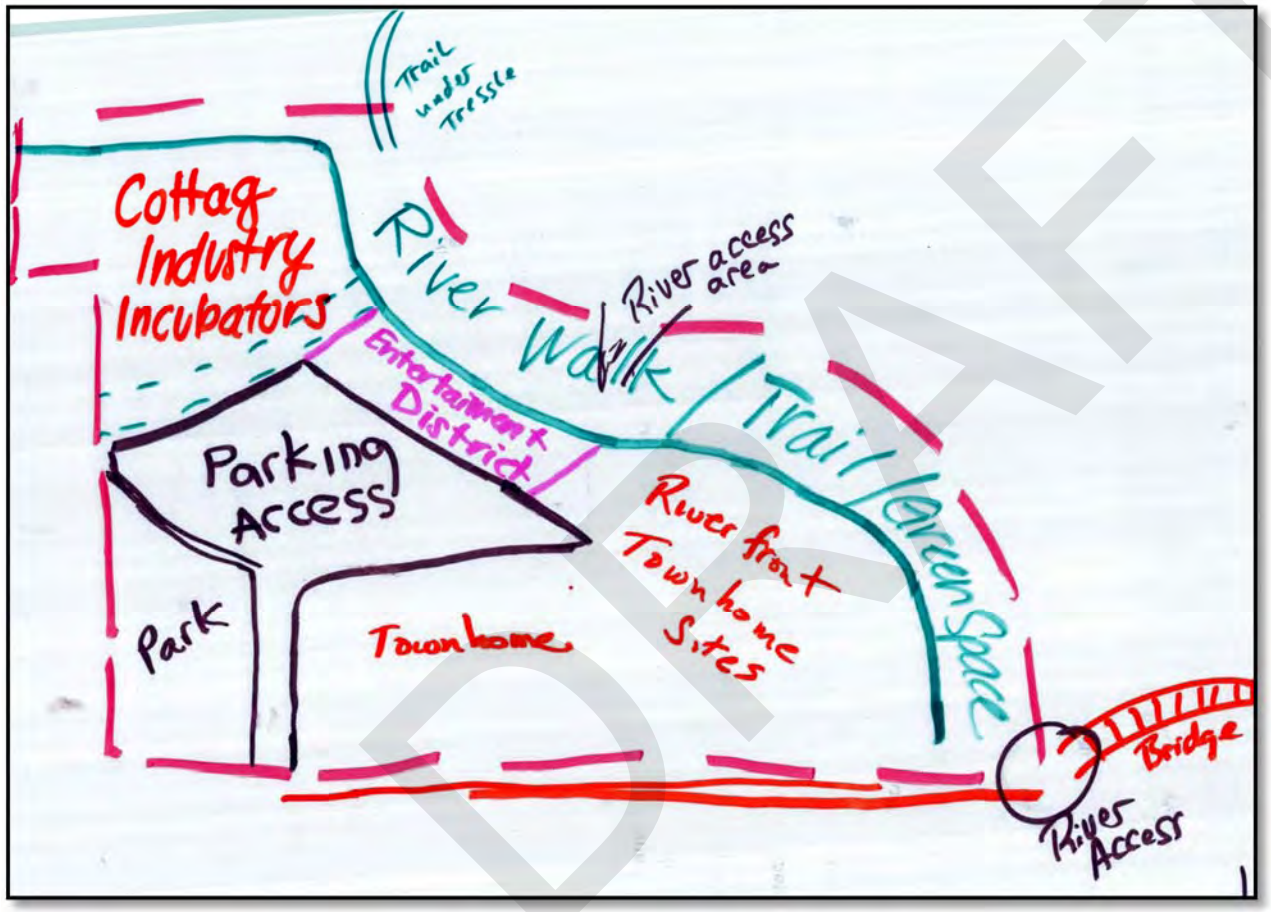

Group 4 Concept Development Plan

Key Ideas:

- River walk/trail system
  - Tie into railroad tracks and access Peace Park
- Light manufacturing by Peace Park
- Entertainment district for people living nearby or coming down the river walk
- Residential component
- Trail that loops under railroad tracks
- Additional river access sites

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Appendix D: Proposed Zoning Districts

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Proposed New Zoning Districts

ARTICLE WT-3 NEIGHBORHOOD MIXED-USE TRANSITIONAL DISTRICT

The WT-3 District is intended for transitional development including high density residential, professional offices, light manufacturing, light assembly and ancillary services to provide a performance-based mixed-use environment with a recreational amenity, such as the Whitefish River, a community gateway, or adaptive use areas which are transitioning from their traditional uses.

PERMITTED USES:

* Bed and breakfast establishments (see special provisions in section 11-3-4 of this title).
* Home occupations (see Special Provisions in section 11-3-13 of this title).
* Public utility buildings and facilities when necessary for serving the surrounding territory, excluding business offices and repair or storage facilities. A minimum of five feet of landscaped area shall surround such a building or structure.
* Publicly owned or operated buildings and uses.
* Open space for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, community gardens.
* Residential
    - Class A manufactured homes.
    - Daycare (registered home, 5 to 12 children).
    - Guest and servant quarters.
    - Single-family through fourplex dwelling units including resort and recreational condominiums, townhouses, time sharing and interval ownership residences, vacation units or other multiple ownership arrangement residential uses, allowing overnight accommodations and ancillary services for the use of occupants and guests.
* Sublots (see Special Provisions in subsection 11-3-14C of this title).

CONDITIONAL USES:

* Accessory apartments.
* Caretaker's unit.
* Churches or similar places of worship, including parish houses, parsonages, rectories, convents and dormitories.
* Clubs, private and semiprivate recreational facilities.
* Coffee shops and sandwich shops (ground level to street level only, no “formula” businesses).
* Daycare centers (more than 12 individuals).
* Dwelling groups or clusters.
* Guesthouses.

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* Manufacturing, Artisan (see Special Provisions in section 11-3-38 of this title).
* Personal Services (ground level to street level only).
* Professional offices (ground level to street level only).
* Public golf courses.
* Residential:
    - Boarding houses.
    - Fiveplex or larger multi-family dwelling units, including resort and recreational condominiums, townhouses, time sharing and interval ownership residences or vacation units or other multiple ownership arrangement residential uses, allowing overnight accommodations and ancillary services for the use of occupants and guests.
* Hotels and motels and uses accessory thereto are permitted within a portion of the Whitefish River frontage area, said frontage area being a strip of land 300 feet wide and lying southwesterly of, and contiguous to, the requisite buffer and setback areas of the Whitefish River north of 1st Street. The width of this area may be modified by the Zoning Administrator if geotechnical analysis reveals the presence of unstable fill material along the bank of the Whitefish River.

PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to land and buildings within this district:

Minimum district size:	n/a
Existing zoning requirements:	Applies only in zoning districts allowing residential density up to 10 dwelling units per acre.
Minimum lot area:	n/a
Minimum lot width:	n/a
Minimum yard spaces:	
Front:	20 feet, except when fronting on a public right of way where there shall be a front yard setback of not less than 25 feet of landscaped green belt area. Sidewalks, vehicle access and parking may be allowed in this area up to a maximum of 40 percent of the green belt area.
Side:	10 feet for single-story, 15 feet for two-story
Rear:	20 feet, (refer to section 11-3-29).

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Maximum height:	35 feet: The maximum building height may be increased up to 42 feet as follows: 1. When the majority of the roof pitch is 7/12 or steeper; or 2. For mixed-use buildings.
Permitted lot coverage:	70% maximum.
Off-street parking:	See Chapter 6 of this title. 1. Shared parking is allowed among different categories of uses or among uses with different hours of operation, but not both. 2. If a non-residential and a residential use share off-street parking, the parking requirement for the residential use may be reduced by up to 50%, provided that the reduction does not exceed the minimum parking requirement for the office use. 3. Applicants must provide a shared parking agreement executed by the parties establishing the shared parking spaces. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If the agreement is no longer in force, then parking must be provided as otherwise required by Chapter 6 of this title. 4. Shared parking may be located within 300 feet of the site. 5. Required accessible parking spaces (for persons with disabilities) may not be shared and must be located on site.
Hours of operation:	7 am to 8 pm for non-residential uses if within 100 feet of a residential use.
Accessory buildings:	Accessory buildings conforming to the definition in section 11-9-2 of this title are allowed subject to the standards set forth in section 11-3-2 of this title. Accessory buildings with footprints not exceeding 600 square feet shall be set back a minimum of 6 feet from side and rear property lines that do not border a street, lake, any intermittent or perennial stream, or the front one-half of any adjoining lot. Setbacks for accessory buildings with footprints exceeding 600 square feet shall be the same as those for the principal structure.
Landscaping:	See Chapter 4 of this title (single-family uses exempted).

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DEFINITIONS:

COFFEE SHOPS/SANDWICH SHOPS – Facilities serving non-alcoholic beverages, pastries, and/or breakfast and lunch with no more than 2,000 square feet of gross floor area.

MANUFACTURING, ARTISAN - Production of goods by the use of hand tools or small-scale, light mechanical equipment occurring solely within an enclosed building where such production requires screened outdoor operations or storage, and where the production, operations, and storage of materials related to production occupy no more than 3,500 square feet of gross floor area. Typical uses have negligible negative impact on surrounding properties and include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.

MIXED-USE ENVIRONMENT (performance based) – Neighborhoods where different types of land uses such as residential, office, or institutional are in close proximity.

MIXED-USE BUILDING - A building that houses residential uses in combination with non-residential uses.

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ARTICLE WI-T INDUSTRIAL TRANSITIONAL DISTRICT

The WI-T District is intended to allow for the gradual transition on vacant or underutilized sites that were traditionally used for heavy manufacturing to adaptive, clean industries and business incubators. These sites are generally proximate to the downtown, have existing high capacity utility services and existing multi-modal transportation opportunities such as rail and highway access.

PERMITTED USES:

* Manufacturing, Artisan (see Special Provisions in section 11-3-38 of this title).
* Light industrial manufacturing, fabricating, processing, repairing, packing or storing facilities.
* Parcel delivery services.
* Janitorial services.
* Wireless transmission facility.
* Public utility buildings and facilities when necessary for serving the surrounding territory, excluding business offices and repair or storage facilities. A minimum of five feet of landscaped area shall surround such a building or structure.
* Building supply outlets.
* Warehousing.
* Publicly owned or operated buildings.
* Open space for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, community gardens.
* Live/Work Units
    - The exterior design of live/work buildings shall be compatible with the exterior design of commercial, industrial, and residential buildings in the area, while remaining consistent with the predominant workspace character of live/work buildings.
* Professional Offices (ground level to street level only).

CONDITIONAL USES:

* Bed and breakfast establishments (see Special Provisions in section 11-3-4 of this title).
* Any use allowed as a permitted use under the WI District.
* Business Incubator
    - Inside a business incubator facility, the following uses are permitted not to exceed 3,600 square feet of floor area:
        - Computer software

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- Services/professional
- Manufacturing
- Internet
- Biosciences/life sciences
- Electronics/microelectronics
- Telecommunications
- Computer hardware
- Medical devices
- Creative industries
- eBusiness and eCommerce
- Wireless technology
- Healthcare technology
- Advanced materials
- Defense/homeland security
- Energy
- Environment/clean technologies
- Media
- Nanotechnology
- Construction
- Arts
- Aerospace
- Kitchen/food
- Wood/forestry
- Tourism

* Research facilities.
* Contractors' yards.
* Petroleum products, wholesale.
* Heavy equipment sales, rental and service.
* Colleges, business and trade schools.

DRAFT

DEFINITIONS:

BUSINESS INCUBATORS – Facilities that are dedicated to start up and early-stage companies. Business incubators integrate into the community in a number of ways and help startup companies:

- Help with business basics.
- Networking activities.
- Marketing assistance.
- High-speed Internet access.
- Help with accounting/financial management.
- Access to bank loans, loan funds and guarantee programs.
- Help with presentation skills.
- Links to higher education resources.
- Links to strategic partners.
- Access to angel investors or venture capital.
- Comprehensive business training programs.
- Advisory boards and mentors.
- Management team identification.
- Help with business etiquette.
- Technology commercialization assistance.
- Help with regulatory compliance.
- Intellectual property management.

LIVE/WORK UNIT - A structure or portion of a structure:

(a) That combines a permitted or conditional use allowed in the zone with a residential living space for the owner of the permitted or conditional use or the owner's employee; and

(b) Where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed.

RESEARCH FACILITIES - A laboratory facility that is primarily used for scientific research. This use can include the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. This use does not involve the fabrication, mass manufacture, or processing of the products.

DRAFT

Special Provisions

11-3-38 ARTISAN MANUFACTURING:

A. Hours of operation for activities or services open to the public shall be limited to 8 am to 8 pm.

B. Uses that create excessive, objectionable byproducts such as dirt, glare, heat, odor, smoke, waste material, dust, gas, atmospheric pollutants, noise or that have the potential for increased danger to life and property by reason of fire, explosion or other physical hazards are prohibited.

C. Shipping and receiving shall be limited to 7 am to 7 pm.

D. All outdoor storage shall be enclosed and screened from adjacent properties and public streets.

E. All outdoor seating and outdoor display shall be screened from adjacent residential uses by fencing or landscaping.

F. All outdoor lighting shall be compliant with 11-3-25: OUTDOOR LIGHTING STANDARDS.

G. No more than 40% of gross floor area shall be used for accessory retail sales, no more than 49% of the gross floor area shall be used for food and beverage consumption (outdoor seating areas not included in calculation).

DRAFT

HIGHWAY 93 WEST CORRIDOR PLAN
GROWTH POLICY AMENDMENT WGPA 15-02
EXHIBIT LIST
JANUARY 15, 2015

1. Staff Report – WGPA 15-02
2. Zoning Comparison Tables
3. Memo – Analysis of Existing Zoning Districts
4. Email from Kellie Danielson, Montana West Economic Development
5. Email from Murray Avenue Residents RE: Peace Park access
6. Highway 93 West Steering Committee meeting minutes

WHITEFISH HIGHWAY 93 WEST CORRIDOR PLAN
PLANNING STAFF REPORT
GROWTH POLICY AMENDMENT WGPA 15-02
JANUARY 15, 2015

A report to the Whitefish City-County Planning Board and the Whitefish City Council regarding an amendment to the Whitefish Growth Policy to adopt a Highway 93 West Corridor Plan. A public hearing is scheduled before the Whitefish City-County Planning Board on January 15, 2015 and a subsequent hearing is set before the City Council on February 2, 2015.

BACKGROUND

The Whitefish Highway 93 West Corridor Plan Final Draft has been forwarded to the Planning Board and City Council for review, comment, and adoption from the Highway 93 West Steering Committee. This plan has been prepared for the City of Whitefish by consultants WGM Group and Sitescape Associates, in conjunction with the Whitefish Planning Department and the Steering Committee.

The plan reviews and steers future development and policy for the Highway 93 West corridor from the Whitefish River Veterans Memorial Bridge out to Mountainside Drive. The Highway 93 West Steering Committee has completed their assistance with and review of the plan, and they approved and forwarded the attached final draft to the Planning Board and City Council at their ninth and final work session on November 7, 2014. Their first meeting was in July of 2013, and they also held two well attended public visioning sessions to allow the public to assist with the development of the plan. Chapter 2 of the plan discusses the public involvement aspects, as well as Appendix A, B, and C. The Whitefish Planning Board has also held two public work sessions on the plan, on June 19, 2014 and December 18, 2014.

The Steering Committee was made up of individuals representing owner occupied residential (Anne Moran/Ryan Zinke), multi-family residential (Jim Laidlaw), corridor businesses (both professional and resort – Cora Christiansen/Doug Reed), Idaho Timber (Hunter Holmes representing the new owner), a WB-3 property owner (Ian Collins), and an at-large community member (Nancy Woodruff), as well as two members each from the Whitefish Planning Board (Ken Meckel/Ken Stein) and the City Council (Andy Feury/Frank Sweeney). Doug Reed of the Whitefish Lake Restaurant was the chair. The Steering Committee minutes from their nine meetings are attached.

The plan establishes updated future land uses for the Growth Policy Future Land Use map for the corridor. Areas to focus on for review are pages 42-64, Visioning (especially for Area B and Idaho Timber), as well as pages 65-75, Implementation, and the proposed draft future zoning districts in Appendix D, pages 106-113.

The majority of the plan calls for no change to the existing land use patterns. The area of the highway corridor from Ramsey Avenue to the Whitefish River Veteran's Memorial Bridge received the most scrutiny, as that area has been under heavy transition the last several years. It was traditionally workforce housing, including for Idaho Timber and the railroad, but the closing of the mill and the proximity to the highway and multi-family zoning has allowed it to transition to a light-commercial area, with a large number of professional offices and personal services replacing residential uses. Old single family homes are being torn down and apartments and condos are replacing them, creating a mixed-use environment. Few of the remaining homes are owner-occupied.

The Steering Committee, after receiving input from the public through visioning sessions, determined that the south side of the corridor, Area A, should remain as is, multi-family residential with some light commercial, as the properties along the highway all abut residential to the rear. However, on the north side of the highway, called Area B, the majority of properties are long narrow lots that abut either existing industrial zoned property or the Whitefish River. With the proximity to the adjacent BNSF rail line and the Idaho Timber site, the Committee felt it provided an ideal protected location for some creative future planning to promote economic development as the area transitions. It was identified as a potential fit for more intensive mixed use. The Committee did not want to see full scale commercial in the area, with retail that might compete with downtown, nor any kind of 'strip' development feel. But small business opportunities such as artisan manufacturing in small buildings as conditional uses were deemed appropriate on a case by case basis, as well as sandwich or coffee shops as conditional uses to serve the local businesses and residents.

During the visioning session for the Idaho Timber property, the majority of teams envisioned a link between the redevelopment of the Idaho Timber site and those highway frontage properties in Area B between Karrow Avenue and the bridge. They discussed the potential for a rail link, business incubators, and mixed use on the Idaho Timber site itself and the portion of Area B that fronts the river. They felt that area could be an ideal compliment to downtown. Ideas such as a river front paddle board manufacturing business with accessory sales or rentals, perhaps with an adjacent micro brewery or small coffee shop with second floor residential uses, were discussed as a way to better link the Whitefish River with our downtown and the trail system. They thought the existing undeveloped First Street right-of-way could be developed as an access road and pedestrian trail link to downtown and the City Beach area through the new Skye Park bridge. They also envisioned that it could be widened with parkland dedication where it intersects the river to a public use beach park and non-motorized boat dock. There was also discussion of a 'riverfront trail loop' where a trail could be facilitated on both sides of the river between the Skye Park Bridge and Veteran's memorial bridge, perhaps with a floating walkway in front of the river front condos on Miles Avenue.

Taking that input, the consultants and staff looked at existing zones in the code to see if the tools to accommodate that vision were in place. Finding it lacking, the consultants and planning staff put together language for 'transitional' zoning districts that would accommodate the new potential uses. The plan provides two draft transitional zones: WT-3, a Neighborhood Mixed-Use Transitional District for Area B that is based on the existing WR-3, but has some additional conditional uses and development requirements added; and WI-T, Industrial Transitional District, to accommodate the transition of the Idaho Timber property to a mixed use and light manufacturing environment in keeping with the proximity to the highway, downtown, the BNSF railroad and the existing industrial zoning. The intent is to create the framework in the plan for these future land uses and putting the tools in the zoning tool box, but delegating the actual zoning map changes to land owners who wish to bring their properties into these expanded uses over time rather than doing a wholesale change. Attached are comparison matrixes of the existing zoning versus the proposed transitional zones. Appendix D does not include draft 'development requirements' (setbacks, lot coverage, building height) for the WI-T zone, but that can be developed when that zone comes to the Planning Board and Council for adoption into the zoning code.

The plan's relationship with the Growth Policy is outlined below for review.

RELATIONSHIP WITH THE GROWTH POLICY

This plan is an addendum to the 2007 Whitefish City-County Growth Policy. The Growth Policy features a section on corridor planning in the Land Use chapter.

The Goals, Policies, and Recommended Actions from the Land Use element of the Growth Policy related to Corridor Plans are listed below, along with a brief synopsis of how the plan addresses these issues.

2007 WHITEFISH CITY-COUNTY GROWTH POLICY, LAND USE ELEMENT, CORRIDOR PLANNING :

Goals:

7. *Plan for healthy, efficient, and visually attractive corridors along major transportation routes through the community*

The corridor plan focuses mainly on land use, as the efficiency and visual attractiveness was recently addressed by the State of Montana's reconstruction of the Highway 93 West corridor. Architectural review standards will make sure new professional, commercial, or multi-family structures are visually appealing.

Finding 1: The Highway 93 West Corridor plan compliments the Highway 93 West reconstruction plan by MDOT, and together they address healthy, efficiency and the aesthetics of the corridor.

Policies:

10. *The city of Whitefish shall facilitate the formulation of corridor plans for all major transportation corridors in the community.*

Finding 2: The Highway 93 West Corridor Plan was facilitated by the City of Whitefish.

Recommended Actions

> *9. The City shall formulate, or shall facilitate the development of, corridor plans for all major transportation corridors to address land use, transportation function and modes, noise, screening, landscaping, and all aspects of urban design. Corridor plans shall address the issues and concerns set forth in this element of the Growth Policy. The Highway 93 South corridor shall be the first priority, and the remaining corridors shall include US 93 North (West), Montana Highway 40, Wisconsin Avenue, US 93/Spokane Avenue*

The City Council moved the US 93 West Corridor Plan to the top of the priority list and staff retained a consultant to manage the project. The plan specifically addresses land use, while the transportation function and landscaping were addressed in the 93 West Reconstruction Plan.

Finding 4: The draft master plan fulfills the intent of the Recommended Action 9 from the 2007 Growth Policy, to facilitate the development of a Corridor Plan.

Recommended Amendments

Staff has some recommended amendments to the text of the future zoning districts and special provisions outlined in Appendix D.

Under Appendix D, Page 106, WT-3 Neighborhood Mixed-Use Transitional, Conditional Uses, staff recommends the following amendment:

- Coffee shops and sandwich shops (ground level to street level only, no "formula" businesses)

Under Appendix D, Page 113, Special provisions, Artisan Manufacturing, add the following:

G. No more than 40% of gross floor area shall be used for accessory retail sales, no more than 49% of the gross floor area shall be used for food and beverage consumption (outdoor seating areas not included in calculation).

Recommendation: Staff recommends the Planning Board review and introduce any appropriate changes needed to the Highway 93 West Corridor Plan document, and that it be forwarded it to the City Council with a recommendation for adoption as an amendment to the 2007 Whitefish City-County Growth Policy.

Land Use Comparison Chart AREA B	CURRENT WR-3 Zoning District (Title 11-2H)	PROPOSED WT-3 District	Notes
P= Permitted Use by Right **C= Conditional Use** **X= Prohibited Use**			1. In existing code, land uses not listed as Permitted or Conditional are Prohibited
LAND USES AS LISTED IN EXISTING CODE			Refer to definitions for description of each land use listed
Uses			
A. Bed and breakfasts	C	P	
B. Home occupations	P	P	
C. Public utility buildings and facilities	P	P	
D. Publically owned or operated buildings, uses, parks	P	P	
E. Open space for active or passive, public or private	C	P	WR-3 permits public open space/parks, private homeowners parks are a CUP
F. Residential class A manufactured homes	P	C	
G. Residential Daycare	P	P	
H. Residential guest or servant quarters	P	P	
I. Residential manufactured home subdivisions	P	X	
J. Residential one family through four-plex dwellings	P	P	
K. Residential short term rentals and fractional ownership	X	P	
L. Accessory Apartments	C	C	
M. Caretaker unit	X	C	
N. Churches	C	C	
O. Clubs, private, semi-private recreational facilities	C	C	WR-3 does not permit private clubs
P. Coffee shops and sandwich shops	X	C	
Q. Daycare centers (12 or more kids)	C	C	
R. Dwelling Groups or clusters	C	C	
S. Guesthouses	C	C	
T. Hostels	C	X	
U. Livestock	C	X	
V. Nursing or retirement homes	C	X	
W. Personal services	C	C	
X. Professional artist studio or gallery	C	X	
Y. Professional offices and clinics;	C	C	
Z. Residential five-plex and larger multifamily	C	C	
AA. Schools	C	X	
BB. Type 1 and II community residential facilities	C	X	
CC. Hotels and motels	X	C	WT-3 only allows hotels along WF River north of First Street (Idaho Timber property)

	TABLE A DIMENSIONAL REQUIREMENTS		
CURRENT WR-3		**PROPOSED WT-3**	
MINIMUM LOT AREA	6000	n/a	MINIMUM LOT AREA
MINIMUM LOT WIDTH	75’	n/a	MINIMUM LOT WIDTH
MAXIMUM BUILDING HEIGHT	35’	35(1)	MAXIMUM BUILDING HEIGHT
MINIMUM FRONT YARD	25’	20’	MINIMUM FRONT YARD
MINIMUM SIDE YARD	10(2)	10(3)	MINIMUM SIDE YARD
MINIMUM REAR YARD	20’	20’	MINIMUM REAR YARD
LOT COVERAGE	40%	70%	LOT COVERAGE
			Notes
			(1) 42’ for mixed use or when roof pitch is 7/12 or steeper
			(2) 10’ for single family and duplex, 15’ for triplex or larger
			(3) 10’ for single story, 15’ for two story

Land Use Comparison Chart IDAHO TIMBER	CURRENT WI Zoning District (Title 11-2H)	PROPOSED WI-T District	Notes
P= Permitted Use by Right **C= Conditional Use** **X= Prohibited Use**			1. In existing code, land uses not listed as Permitted or Conditional are Prohibited
LAND USES AS LISTED IN EXISTING CODE			Refer to definitions for description of each land use listed
Uses			
A. Automobile and Boat Service	P	C	
B. Boat and RV Storage	P	C	
C. Building Supply outlets	P	P	
D. Contractors yards	P	C	
E. Heavy equipment service	P	C	
F. Janitorial service	P	C	
G. Light industrial manufacturing, processing, packing	P	P	
H. Nurseries and landscape materials	P	C	
I. Office space	P	C	WI limits to 10,000 sq ft. WI-T limits to ground level/street level
J. Manufacturing, Artisan	X	P	
K. Parcel delivery	P	P	
L. Petroleum products, retail	P	C	
M. Public utility buildings, publically owned buildings, public parks	P	P	
N. Open space parks, public or private	X	P	Private parks not listed in WI, but Outdoor Amusements are a CUP
O. Railroad yards	P	C	
P. Research labs	P	C	
Q. Tire sales	P	C	
R. Automotive and boat sales	C	X	
S. Automobile wrecking yards	C	X	
T. Bed and breakfast establishments	X	C	
U. Business Incubator	X	C	
V. Petroleum products, wholesale	C	C	
W. Heavy equipment sales, rentals and service	C	C	
X. Colleges business and trade schools	X	C	
Y. Junkyards	C	X	
Z. Outdoor amusements	C	X	
AA. Sexually oriented busiensses	C	X	
BB. Tire retreading and recapping	C	X	

	TABLE B DIMENSIONAL REQUIREMENTS		
CURRENT WI		**PROPOSED WI-T**	
MINIMUM LOT AREA	n/a	n/a(1)	MINIMUM LOT AREA
MINIMUM LOT WIDTH	n/a	n/a	MINIMUM LOT WIDTH
MAXIMUM BUILDING HEIGHT	35’	n/a	MAXIMUM BUILDING HEIGHT
MINIMUM FRONT YARD	30’	n/a	MINIMUM FRONT YARD
MINIMUM SIDE YARD	5	n/a	MINIMUM SIDE YARD
MINIMUM REAR YARD	5/15/20(2)	n/a	MINIMUM REAR YARD
LOT COVERAGE	70%	n/a	LOT COVERAGE
			Notes
			(1) Appendix did not provide WI-T development requirements
			(2) 5’ when abutting alley, 15’ when abutting ROW, 20’ when abutting residential or resort

MEMO

RE: Highway 93 W Corridor Plan staff analysis of the potential for applying existing zoning districts to Idaho Timber and Area B

Comments were made at last Steering Committee meeting wondering if we could just use existing zoning for Idaho Timber and the Area B on the north side of Highway 93 rather than creating two new zoning districts. At the request of the consultants, City planning staff has evaluated the potential of those options. Below is a summary.

Idaho Timber Site

The former Idaho Timber site is one of the few remaining industrial zoned properties in Whitefish not owned by BNSF. It especially important due to the existing rail spur, or siding, which connects to the main BNSF track from Chicago to Seattle . The siding is a critical economic development component for local manufacturing of any sort. The site is ideal as a goods station or for warehousing goods shipped via rail. Because of the amenity of the adjacent river and potential for trails from downtown and city beach as well as river access, it is also deal for a mixed use, with potential commercial and residential elements. The visioning session and workshops with the public identified the Idaho Timber site as a possible future employment center with mixed use, including inviting the public through interaction with the river and public trails. A range of potential uses were contemplated, from maintaining the rail siding with light industry, to having waterfront restaurants, micro brewery, condos or a resort hotel.

Existing Future Land Use: Planned Industrial, appropriate zoning **WI**, **WB-4**

Planned Industrial: *Vital industries need to be provided for in areas where they will not compete against commercial development for land, but also where they will not impact residential neighborhoods with intense industrial activities and truck and rail traffic. Industrial uses tend to centers of employment, generate far less traffic than commercial, and do not generally depend on drive by traffic for clientele. WB-4 and WI are the applicable zoning districts.*

Existing zoning: **WI**, Industrial and Warehousing

WI -Industrial allows the site to continue be used for historic industrial uses, but does not allow for transitional uses away from heavy industry including residential or other possible river front development or land uses recommended by the steering committee and the public.

Based on the existing Growth Policy Future Land Use designation of Planned Resort, the property could also be rezoned to **WB-4**, Business Park zoning, which is for light industrial, wholesale, and ancillary commercial. The following is a sample of permitted uses allowed in the **WB-4**:

- Car and boat repair
- Building supplies
- Convenience stores
- Banks

- Hospitals
- Light manufacturing and assembly
- Machinery and equipment sales
- Offices and hospitals
- Publishing
- Restaurants (no alcohol sales)
- Wholesale and warehousing

Also, convention centers and colleges could be allowed with a CUP.

Residential is not allowed in the **WB-4** except caretaker facilities. Hotels would also not be allowed.

WB-4 would expand the potential uses and some match what was put into the new transitional zoning. However, the range of uses allowed would not be entirely consistent with the visioning for the property received for the plan by the steering committee and the public workshops, including not allowing for residential development.

Another option under existing zoning could be the **WBSD**, Business Service District. It is intended for non-retail limited commercial services and light industrial uses. The Growth Policy would need to be amended to designated the property 'Business Service Center' future land use. Permitted uses in the WBSD include:

- Assembly/manufacturing with ancillary retail show rooms (less than 50% of floor area)
- Building supplies and contractors
- Agricultural supplies and feed stores
- One single family dwelling per lot
- Small equipment sales, rental and repair
- Landscape supplies and nurseries
- Professional offices
- Personal services
- Postal and shipping
- Printing
- Small engine repair
- Wholesale and warehousing

Conditional uses include retail more than 50% of floor area, convention centers, ministorage, and research labs.

Again, the **WBSD**, while it provides for some of the uses considered, does not allow for the broad range of potential uses envisioned by the visioning sessions, including high density residential. I would doubt the new owners would go to the trouble of amending the growth policy and rezoning to it because of its limitations.

Resort Commercial zoning (**WRB-1** or **WRB-2**) could be appropriate, as a resort type hotel was looked at as a potential use for part of the property during the visioning session. However, that zoning would preclude any light manufacturing or other industrial transitional uses. Also the Future Land Use map would have to be amended to Resort Commercial, which currently doesn't exist in the Growth Policy but would be introduced in the corridor plan to address Grouse Mountain Lodge.

WPUD overlay zones allow flexibility, reduction of development standards, and a blending of uses when they span several types of zoning districts. A PUD over the Idaho Timber site would allow industrial and some commercial uses, but not residential as PUDs cannot add uses from different classifications of uses, ie residential in an industrial zone. PUD's are flexible but not necessarily predictable, but they can provide the city benefit (affordable housing, parks, trails, etc). However some PUD's, such as the previous application for the micro brewery in that district, have been accused of being spot zoning in the past by critics. A PUD with the existing industrial zoning would not provide the range of uses identified through the visioning process by the public and steering committee unless some adjacent residential property was included and blending occurred.

The draft plan proposes a mix of new WI-T and WT-3 zoning for the Idaho Timber site, with the WT-3 mixed use along the river and the light industrial uses along the rail line. The proposed WI-T is customized to the area to reflect the list of allowed uses vetted through the steering committee and public workshops. Proposed business incubator and artisan manufacturing has strict limits on retail space area in order to be consistent with neighborhood scale. It can be further refined, but provides some unique benefits and predictability. In all, the proposed Transitional future land use and zoning seems more appropriate than any zoning districts currently available in the code for future development while limiting the proposed uses to ones vetted through the Steering Committee as appropriate. It should be further discussed by the committee whether a hotel is appropriate on the site.

Area B

Area B is currently sandwiched between a state highway and the BNSF railroad/Whitefish River corridor and a heavy industrial former mill site. It is easily accessible from downtown by pedestrians, bikers, and boaters. Single family homes are not the highest and best use. High density residential and light commercial (offices) are currently allowed. Because of the location on the river with deep lots that could be consolidated, as well as it being sandwiched between a highway, an industrial site, and the river, it is uniquely suited as an area for mixed use. There is also a unique opportunity to activate the Whitefish River as a wonderful waterfront amenity integrated into the downtown much like downtown Missoula did with the Clark Fork. Visioning sessions looked at keeping it generally the same, but integrating some mixed use by adding a few uses conditionally such as artisan manufacturing and delis. Those uses were voted on and approved by the steering committee as they envisioned a waterfront mixed-use environment along the river with some sales of products custom made on site and the need to potentially add services for a light industrial workforce and the public.

Currently Area B is zoned **WR-3** and the Future Land Use is High Density Residential. **WR-4** is the only other option the zoning could be changed to under the existing Future Land Use. The zones are very similar. The main differences between **WR-3** and **WR-4** is that **WR-4** doesn't require a CUP for larger than 4-plex units. There are a couple of additional conditional uses allowed in the **WR-4**, including boarding houses, catering services, and music and dance studios. **WR-4** does not provide the flexibility for artisan manufacturing which was identified through the visioning process.

The proposed Neighborhood Mixed-use Transitional zone provides greater flexibility for utilizing the waterfront area than the existing zoning, conditionally allowing light manufacturing for job stimulus. Using existing zoning such as WR-3 or WR-4 would essentially keep the area the same as it is now. Recent redevelopment has been predominantly professional offices and condos. Proposed zoning language provides strict limits on retail floor area for artisan manufacturing as well as sandwich/coffee shops to keep them consistent with neighborhood scale.

Conclusion

One option is to leave the future land use and zoning for Idaho Timber and Area B the way it is now, although then this Highway 93 West Corridor Plan wouldn't be much of a plan for future growth. The draft plan responds to the vision set forth by the public and the steering committee on how our city can expand and provide areas for manufacturing and jobs, and the new zoning districts proposed are the mechanism wherein this vision can be implemented in the one area of downtown Whitefish that is uniquely suited for such uses. The new custom zones provide more neighborhood predictability and specifically address what came out of the visioning sessions for these areas, which was some limited mixed use for job creation and more viable small businesses. That included professional offices and residential with some artisan manufacturing as a conditional use, with the Idaho Timber property allowing for more light industrial type uses and possibly a river front hotel. Any uses that have potential impacts were placed under conditional uses for public vetting before approval. Fears that the WT-3 and WI-T zones could be applied in other areas can easily be remedied by more specific language in the Intent section of each zone to make them absolutely specific to this area only. At the next Steering Committee meeting, it is our hope that the committee can further discuss and fine tune how the plan addresses these two areas.

David Taylor, AICP

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MEETING RECORD

MEETING DATE:	07/08/13
PROJECT NAME:	Whitefish Highway 93 West Corridor Plan
PROJECT NO.:	13-03-03
SUBJECT:	Steering Committee Meeting #1
BY:	Kate Dinsmore
ATTENDEES:	Steering Committee: Cora Christensen, Frank Sweeney, Anne Shaw Moran, Jim Laidlaw, Doug Reed, Ryan Zinke, Nancy Woodruff, Ken Meckel, Ian Collins, Phil Mitchell, Chad Phillips, Dave Taugher City of Whitefish Planning Staff: Dave Taylor, Wendy Compton-Ring Planning Consultants: Nick Kaufman, Bruce Lutz, Kate Dinsmore Others: Mayre Flower (Citizens for a Better Flathead), Dave & Sue Wollner

The following items were discussed during the meeting:

1) Introductions
   - Dave Taylor
2) Planning Process
   - Nick Kaufman explained the planning process for the project:
     - Inventory of Existing Conditions
     - Develop a Public Involvement Strategy
     - Visioning for the Future
     - Establish a Development Policy
     - Identify Implementation Activities
3) Corridor Boundary Review
   - The corridor boundary was presented and discussed. The boundary will be changed to include less of the golf course since it is unlikely the use of the golf course will change. The boundary will align with the 1st fairway because this is the area most likely to change.
4) Collected Data Overview

- A series of data inventory maps for the corridor have been created. These will be posted on the City of Whitefish website.

5) Highway Design Overview
   - The MDT design plans for US Highway 93 were presented. These plans show changes to the corridor that will need to be considered during the corridor planning process. These maps will be posted on the City of Whitefish website.
   - There were concerns over a planned raised median that limits left turns and creates a barricade on 3rd St. that will negatively affect two neighborhoods.
6) Committee Input/Expectations
   - Each member of the committee talked about their role on the committee and expectations:
     - Frank Sweeney would like the plan to have the neighbors' and property owners' vision. It's an important corridor for residents and visitors that should be consistent with the character and structure of existing neighborhoods.
     - Anne Shaw Moran represents the residential neighborhood and would like there to be predictability because that works for projects. She would also like to see harmony between neighboring zones.
     - Ryan Zinke would like to preserve the bones of the corridor and noted the poor quality of existing houses. He would like to see a connection from the golf course to the city and railroad district and better bike connections. The northern and southern portions of the corridor are different. He would like to see the Veterans Peace Park integrated and aggressive setbacks from the river. The corridor is an entrance to Whitefish that should be appropriate and reflect Whitefish. The highway will be a barrier. There should be reasonable uses and a reasonable process for potential builders so that people want to invest. There should be a seamless connection between the city and golf and the corridors need to make sense.
     - Doug Reed talked about how the corridor changed when the trees were removed and the importance of what outdated properties become. He doesn't want to see a Walgreens. There are 2,000 members at the golf course so connectivity is important.
     - Jim Laidlaw stated that the USFS homes need to come down and is open to converting houses to offices. He would like to see more residential on the river and more commercial along the highway but not Walgreens.
     - Ian Collins – Acknowledged the significant impact of the new highway improvements and looks forward to forming opinion on uses as we move along with the planning effort.
     - Ken Meckell would like to balance the benefits between the neighborhood and the overall community.
     - Dave Taugher The mill began operating in 1979 and shut down in 2010. It is owned by a holding company that does developments. There are currently no plans for the site but could do housing or possible lumber again if there is demand.
     - Phil Mitchell wants a balance between residential and light commercial business. He does not want it to be like Highway 93 South.

- Nancy Woodruff thinks there are some great opportunities and would like amenities for public use. She said the neighborhood is in transition but doesn't want to push people out. She would like to see a balance of small-scale commercial and existing residential. She likes the residential and commercial on Spokane Ave. She would like to emphasize bike and pedestrian access.
- Cora Christensen said that the majority of Whitefish wants to see Nancy's vision with equal access to all. She talked about the negative impact of diverted traffic and construction impacts saying there is no guarantee that owners will fix up their property after construction. She mentioned foreclosures on the corridor. She is concerned about the cost for property owners to connect to upgraded utilities.
    - The property owner must pay for the connection from the easement to their property which may lead to unattractive temporary utility poles in the corridor. Is there a financial way to encourage (financially) underground utilities?
- Chad Phillips would like to encourage pedestrian movement and thereby naturally minimize vehicular movement. He would like to see mixed use zoning in the corridor.

7) Future Mileposts
    - There were several suggestions for the upcoming public meetings including a design charette, a booth at the farmer's market, keeping the planning office open during the farmer's market, and opportunities for written comment submission. Potential locations for the public meeting are city council and the deck at Grouse Mountain. The meeting should be held after 5 to maximize public involvement.
    - The first public meeting will be to listen to comments and the second meeting with be creating a vision for the future.
    - Suggestions for getting information to the public included individual mailings, website, grass roots, posters, and publishing an article in the "Pilot".
    - A tour of the corridor was suggested that would take about 4 hours and will occur during the weekend.
    - Doug Reed was appointed as Chair of the Steering Committee
8) Public Comment
    - Sue & Dave Wollner live on Murray and are concerned about the proposed median that will not allow traffic to turn right. Most people want to turn left to go towards downtown. The proposed turn around doesn't work. There is the potential for the mill to generate substantial traffic. They are also concerned about N/S pedestrian crossings.
    - Mayre Flowers with the Citizens for a Better Flathead is concerned with noise issues form the highway, lot coverage, and would like to see the character of the neighborhood retained.

END OF NOTES

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MEETING RECORD

MEETING DATE:	07/22/13, 12-1:30 PM, City Hall Conference Room
PROJECT NAME:	Whitefish Highway 93 West Corridor Plan
PROJECT NO.:	13-03-03
SUBJECT:	Steering Committee Meeting #2
BY:	Bruce Lutz
ATTENDEES:	Steering Committee: Anne Shaw Moran, Jim Laidlaw, Doug Reed, Ryan Zinke, Ken Meckel, Ian Collins, Chad Phillips, Todd Featherly City of Whitefish Planning Staff: Dave Taylor, Wendy Compton-Ring, John Wilson Planning Consultants: Nick Kaufman, Bruce Lutz Others: Gail LinneMayre Flower (Citizens for a Better Flathead), Rik Smistad

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Chairman Doug Reed called the meeting to order at approximately 12:05 PM

The minutes for meeting #1 were approved with clarifications regarding vehicular and pedestrian traffic offered by Chad Phillips. The motion to approve was made by Jim Laidlaw and seconded by Ken Meckel. The motioned passed unanimously.

Committee Work:

Doug deferred to Bruce Lutz who reviewed the consultant's compilation of the input/expectations offered by the steering committee during the first meeting including but not limited to the following:

- Listen to what the people/neighborhood want
- Heed the existing character of the neighborhood
- Take the guess work out of future development proposals in the area
- The area needs improvement
- Strive for a long term plan for connectivity with walk/bike paths
- Acknowledge that the highway corridor will look and function differently after re-build
- The golf course serves 2000 members that recreate in the corridor

- Some existing housing may have reached the end of its useful life
- Importance of long term benefits of the plan to the City
- Idaho Timber may consider re-developing site if timber market will not support re-opening
    - Todd clarified that Idaho Timber is now owned by Leucadia National Corporation
- The neighborhood is in transition
- Important not to push residential out in preference for inappropriate commercial uses
- A mixture of residential and commercial can work.....mixed use encouraged
- Undergrounding utilities, timelines and cost of utilities important considerations
- Consider the impact of foreclosures on the residential component
- Consideration of mixed use zoning highlighted.
- (Ken asked Dave when the growth policy would be reviewed by the planning board)

Doug handed over the reins to Nick who began the discussion about scheduling and reviewing project progress. Bruce reviewed the data collection phase which has been completed and additional input was offered by the committee:

- Ryan offered comment that most homes along the highway are not owner occupied and that many owners are waiting for the City to give direction and set policy for the neighborhood.
- Anne suggested that we not reference any housing as "tear down" (semantics) but instead that they may not be long-term housing resources and that we should stress "harmony" between surrounding zones.
- Jim concerned about utility poles inside the property lines and that the undergrounding of utilities is not being properly promoted or communicated. "No point person"
- Ryan expanded on currently available means and contractors available to do undergrounding. Also discussed the apparent taboo of dealing with residential electrical "boxes".
- Ian discussed the positives of the highway work including the undergrounding of utility lines running parallel to the alignment as well as the advent of new boulevard trees in the new parkways.
- Doug discussed concern for the size of future projects....the fit.
- Ryan mentioned the pronounced difference between the lots north of the highway and south of the highway.....long to the north versus short to the south. This also has implications on the type of uses that can be accommodated in the future.
- Doug revisited the concern about the median in Phase Two 93 discouraging left hand turns. This is not the case for Ramsey Av but it will effect Cora's business to the west.
- John Wilson emphasized the fact that the highway plan had received extensive public comment and review.
- Anne discussed the notion of balancing land uses.

Nick began discussion of future scheduling including the first public input session and beyond. He discussed ideal scenario of having a steering committee meeting prior to the public input session and one after the session to review the findings. Nick proposed the use of the council chambers reinforced by Bruce. John Wilson mentioned the availability of the multi-purposed space at Middle School.

Nick proposed an open house format for the public involvement meeting to avoid incidents of any one participant over-powering the proceedings.

Ian discussed the advisability of calling the public input sessions something other than a "neighborhood" meeting. Ian suggested that we call the sessions "public involvement meetings" to reach a wider audience. Anne concurred.

Anne suggested also adverting in the paper, mailings to corridor residences and website notification. Dave discussed the new postings of corridor date on the City website.

Nick expanded his discussion of future meetings into November.

Anne requested consideration of committee meetings starting at 3PM instead of noon. This proposal was accepted by the group.

There was future discussion of meeting logistics by Nick and a confirmation that a revised schedule would be sent ot to the group.

Public Comment:

Both Mayre and Gail requested enlarging the e-mail list to cover public attendees and Murray Av residences (list serve).

Mayre discussed the differentiation between owner-occupied residential and rented residential. Mayre discussed the positives of owner-occupied residential areas. Mayre also stressed that types of rentals should be differentiated. Nick voiced a cautionary note regarding the legislation or regulation of types of ownership. In other words, "we can't regulate whether residences are rented, leased or owner-occupied".

Mayre discussed the use and value of City council committee reports to spread the word.

Mayre stressed the need for strong public outreach insuring that the public is educated and understands current plans and regulations and proposed alternatives.

Gail requested that the attendees wear name tags.

Gail voiced her concern about the nuisance of an existing caragana hedge and apple tree causing sight line issues at the convergence of Murray Avenue and US93. John Wilson noted the issue.

Rik brought up the larger question of "what is Whitefish" and "what identity does it want" especially in relation to the corridor and the west entry into Whitefish.

Additional Comment and Concern by Committee:

Ian commented on and discussed his concern that another steering committee meeting is needed prior to the public involvement meeting especially to educate the group about the existing zoning districts present in the corridor and the growth policy as it relates to the corridor.

Chad suggested that images be contemplated that would illustrate the varied development/growth scenarios that could occur in the corridor. Chad suggested visual representations of where we can go in the form of a visionary board(s).

The group generally agreed to convene another steering committee meeting prior to the August 20th public involvement open house (PIOH).

Anne re-emphasized the value of a field trip for the group and also the importance of educating the group about current policy and regulations.

Ryan summarized the community assets of the area including Whitefish River and the Peace Park.

Ken reinforced the idea that the first PIOH should be a scoping meeting to hear comments, concerns and input rather than to make premature planning proposals. Ken agreed that a field trip would have significant value.

Nick summarized and emphasized that we do not want to dictate as a committee what this plan will be. Public input will be essential to the formulation of the plan.

Ken stated meeting should be scoping effort to help identify the vision.

Chad discussed the value of images as being worth a 1000 words in relation to a presentation.

Ryan discussed enforcement of regulations citing various examples.

Field trip itinerary was discussed in general and it was suggested that a map be brought along by the consultants to help clarify locational information on the tour.

It was agreed to hold another steering committee meeting on Monday the 12th of August at 3PM proceeded by a field trip at 12:30 -3PM starting at City Hall.

Chairman Reed called for the adjournment of the meeting at 1:37 PM.

END OF NOTES

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MEETING RECORD

DEAFT VERSION (8-19-2013)

MEETING DATE:	August 12, 2013, 3:30 – 5:30PM (Field Trip 12:30 – 3:00PM)
PROJECT NAME:	WHITEFISH HWY 93 W CORRIDOR PLAN
PROJECT NO.:	13-03-03
SUBJECT:	Planning for first public input session, Tuesday, August 20. #3
BY:	Bruce Lutz
ATTENDEES:	Steering Committee: Anne Shaw Moran, Cora Christianson, Nancy Woodruff, Jim Laidlaw, Doug Reed, Frank Sweeney, Ken Meckel, Ian Collins, Todd Featherly, Ryan Zinke (via phone) City of Whitefish: Planning Staff: Wendy Compton-Ring, Public Works: John Wilson Planning Consultants: Nick Kaufman, Bruce Lutz Others: Mayre Flower (Citizens for a Better Flathead), Dave Weber, Janey Conet.

☒ Meeting ☐ Telephone ☐ Conference Call

This is a transcription/consolidation of the notes from the third steering committee that was held in Whitefish City Council conference room for the WHITEFISH HWY 93 W CORRIDOR PLAN.

MINUTES FOR SECOND STEERING COMMITTEE MEETING, A COUPLE CHANGES

- First sentence; change Ramsey to Murray and on the 6th sentence down, same change (Murray replace Ramsey)
  - Moved amended and approved.

(00:01:19 Time)
Overview of Corridor Field Trip (Bruce)

- Reordered the trip; started at tennis courts and talked about the parking lot.
- First stop was Idaho Timber; lengthy discussion all things planning
- Third Street; Dan gave a synopsis of the neighborhood there

- End of Murray Avenue; discussion about the characteristics of that neighborhood and some discussion of future planning of park at end of Murray and how both pedestrian and vehicular movement would be carried out there. Question in regards to parking came up.
- Ramsey; parking along the curb, has a nice vantage point of the whole park. Looked that over and discussed some of the attributes of that park and future planning. Acknowledged by all it would be nice to insert some kind of a site plan of the Peace Park in the corridor plan base map
- Doug: Golf course; discussion fifty year lease had just been renewed.

(00:04:13) Nick, Summary of progress.....
Last meeting we reviewed our inventory of existing conditions; corridor boundaries, existing land use, circulation system of bike and pedestrian, land ownership, development of potential population, building space, topography and drainage.
Flathead County provided us with a mailing list. A mailing was sent out to notify corridor owners about the meeting coming up next Tuesday (August 20).

Four public involvement meetings are scheduled:
1st meeting – project introduction
2nd meeting – adopted general scheme
3rd meeting (today's meeting) – field trip
4th meeting – kickoff meeting (next Tuesday) 4:30 – 6:30+

FOR TUESDAY'S MEETING

- Bruce will lay out a schematic of how our stations and graphics will be set up on the walls so we have a map of how everything will be laid out.
- Appointed special interests; golf course, planning board, commercial, etc.
- Initial plan that 4:30 – 5:30 people can wander around and look at the graphics and start formulating questions.
- 5:30 good idea for the presentation to start, as many people work until 5:00 and they would have enough time to make it for the presentation.
- Expect to stay past 6:30 for anyone with questions/concerns.

(phone ringing ~00:09:37 – 00:09:52) attempts to call Ryan

Discussion about possible displays.

(00:10:58)
GOAL DISCUSSION
Overall goal is to look at the growth policy in the corridor and work with the past, plan for the future, Imagine the future

Nick and Bruce review handout booklet illustrating Corridor zoning scenarios.

- Zoning districts are color-coded (legend at lower right).
- Corridor boundary my not follow existing neighborhoods.
- What we're concerned about is develop the Highway 93 corridor, and how that area integrates with the community.

(00:15:51) Missoula neighborhood growth example discussed by Nick:
Teaching graphic (a neighborhood on the west side of Missoula, just east of Reserve St.)

- Development pattern between the church and 5-acre tract; those are two-story- you have to be able to differentiate between the first tier and current/denser development patterns.
- There is definite land use pattern/evolution.
    - A pattern of 16 dwelling units per acre
    - 2-story, 4 units per building
- (North) Mobile homes
    - 20 year-old mobile homes
    - Development designed for the elderly (55+)
    - Close to 7 dwelling units per acre
    - You can't tell by looking at the land use pattern whether that is lease or owner occupied
        - It is lease, long-term lease
    - Primary function was to create quality indoor living area, not as much focus on outdoor area
        - Not very many yards there
- North of mobile homes, commercial end of Reserve Street
- Right of Ridge Court Ln are single family detached cottages
    - All very small lots
    - Primarily occupied by single mothers
    - They all have single detached garages, and they all load from the rear, and they all face each other
    - Walkway down front porches, hanging baskets with flowers
- Looking at different densities and see certain patterns
    - Higher density reduces land cost
    - Reduces infrastructure costs
- Mount Avenue
    - Curvy street
    - 60x90 Lots
    - Single family, no alleys
    - There's a church, some multifamily homes, some mini warehouses, some commercial
        - Problem – how does one visit another from different neighborhoods?
            - No connectivity there.

Q: Is the Clark and Margaret Street area west of Montana Ave. older?
A: Yes, older. Very much what you see in Whitefish in our corridor

(00:23:45)
Phone dialing… Ryan waiting on the phone

(00:25:15)
WSR Zoning District Discussed

- Minimum of 1 acre (43,560 square feet, min lot width of 130 feet)
- Intended for single family homes.

- Designed to maintain, protect, and preserve the character development characterized by use for residential purpose with no more than one dwelling unit on one lot
- That is a general pattern of the WSR

Brief review of:

WLR District
One family limited residential
Minimum size of 2 acres
WRR1
Density of 10 dwelling units per acre
WRB1
Allows one family dwelling on a sub-lot
WI
Industrial warehousing
WR-3
Predominate district east end of corridor. Prime for density transition.

(00:29:10)
At this stage, we are not doing zoning. We are looking at amending the **growth policy.**

"Learning from the past, helps us plan for the future"

(00:30:13) Bruce

- Amending the growth policy

"…growth policy is required by Montana law for any local government to manage growth and development through zoning subdivision regulation…"

  - Growth policy is the keystone particle that guides how things are done and what things come after
    - Growth policy was adopted by City of Whitefish in 2007
    - Calls for a corridor plan
    - Need to establish an amendment to the growth policy
  - PUD
    - Allows a certain amount of flexibility in development
    - Allows density focuses in every category
    - You get a very detailed plan, not just prelim plat showing lots. It's a detail plan showing structures, material roads, amenities, landscaping, etc.

(00:32:45)
Public Involvement Process….tips for August 20 Meeting - Nick

- Our job is not to answer every question. If you disagree, do not start an argument. Our job is to listen to the question/comments, understand, and to record.
- This needs to be a welcoming opportunity to learn what the important issues are so we can address them in our subsequent steering committee meetings.
- Consider using comment handout sheets, email, web address could be a helpful tool to put to use.

Q: Could we get a map for the corridor area?
A: It's posted on the web page

Peace Park - Ryan

- Recommend next meeting 5-minute overview by Ryan
- It's on county property. Working on how to move forward with that because of the donut issue.
- The scope and what it is won't change.
- Is this something that could have its own station at the first scoping meeting that gives a general idea of what it is and Ryan Zinke man the station? Yes.
- Significant piece of property for the future in the west side. The park is relevant in the corridor due tits size and geographic position (linkage etc.)

Tentative Stations for next Tuesday's Meeting:

- Wendy and Dave – *Growth policy/Zoning*
- Public Works for City of Whitefish – *Highway design*
- Parks & Recreation – *Trials/Parks & Rec*
- Nick – *Process*
- Ryan Zinke – *Peace Park*
- Everyone else – *Special Interest you represent on the Steering Committee*

Access from Karrow - Ryan

Q: Is that going to be an existing road in to the Peace Park?
A: That's the intent; we're in negotiation with Idaho Timber at the moment.
Boundry line adjustment; some of the fence line is currently in Idaho Timber's parking lot.
We will restore the pond and create an ice rink.
Redoing the entrance; as you go down Birch Hill, you can start to see the beginning of the shaping is being done. There will be an entrance there for winter use only.
If we have larger venue you want two entrances.

(00:41:31)

Tax income and financing districts in Whitefish - Bruce

- Extends into the corridor and involves a lot of the existing housing.

How Tax Income Financing Works, Nick and Ian

- As soon as someone upgrades or builds a new home, the property tax in that area goes up.
- When you create a tax income district, you freeze the property tax at the level it was the date you created the district.
- Any new building, any new increment, of property tax that comes from the new building stays in the district.
    - That money is used for demolition and construction of infrastructure so that seed money to get new development into the district, which creates life and vibrancy, which results in more life and vibrancy which in overall results in more tax base to justify that offset in a said number of years.
    - If you have a project that comes along and does bonding, approximate for these bonds to have a life of probably 15 to 20 years. If the lives of those bonds overlap the life of the district, the district's automatically extended.

- The legislature this year tried to change that, but failed.

(00:47:00) Nick

- Need to bring/prepare graphics for the stations
- These people have invested in land, they live out there, and they have strong feelings about it. We are there to be respectful and to listen to them.

(00:49:16) Ryan Zinke

TIF

Long-term tax raises. Moving forward the City would have more funds to maintain the infrastructure or make improvements in the future. Increase the tax base and that way you can have more funds for the future.

PUBLIC COMMENT:

Dave Weber (homeowner in the yellow house just west and south of Bridge)

- When using technical terminology, explain what you mean. Not everyone knows what "growth policy" and "corridor" means.
- Addressing the growth policy; a straightforward definition of what "growth policy" means would be helpful to residents and public attending.
  - Dave and Wendy will man a station and they can answer any questions in regards to the growth policy.
- What is the corridor? Is it just 93rd Street or is it the blue bounded area?
  - 2nd page in the pamphlet referenced.
- **Growth Policy**: Defines the community's goals and objectives relative to land use. Then it has recommendations; recommendations for land use. And this one will have recommendations for implementation strategies.

NICK Reiterates -

This process will not be doing rezoning or anything else. It will be looking at recommendations for land use, or a corridor land use plan, and then recommend an implementation strategy.

(01:01:33) Janey Conet

Brings up several issues related to the 2nd Phase of Highway Improvements. She is located at the west end of Phase 2 across from Mountainside. Main concern is demolition of landscaping and compromising of water line by right-of-way work. John Wilson gave her a MDT contact. Bruce talked to her after the meeting

Doug called for adjournment shortly after 5PM.

END OF NOTES

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MEETING RECORD

MEETING DATE:	08/26/13, 3-4:30 PM, City Hall Conference Room
PROJECT NAME:	Whitefish Highway 93 West Corridor Plan
PROJECT NO.:	13-03-03
SUBJECT:	Steering Committee Meeting #4
BY:	Bruce Lutz
ATTENDEES:	Steering Committee: Anne Shaw Moran, Cora Christianson Arnold, Jim Laidlaw, Phil Mitchell, Ken Meckel, Ian Collins, Nancy Woodruff, Todd Featherly City of Whitefish Planning Staff: Dave Taylor Planning Consultants: Nick Kaufman, Bruce Lutz Others: Mayre Flower (Citizens for a Better Flathead)

The fourth steering committee meeting was brought to order at 3 PM on Monday afternoon Ian Collins substituted for Doug Reed as acting chairman.

A motion and second was offered to approve the meeting summary for the third steering committee meeting (Bruce mentioned Anne's concern that the WR2 tutorial had not been verbalized at the last meeting. More discussion if time allowed……).

Committee Work:

- Bruce briefly summarized the public input meeting and the fact that about 50 people showed up to attend the meeting and participate in the input.
- Popular topics were the preservation of residential neighborhood character along 3rd Avenue, traffic at the Karrow/93 intersection, the Peace Park, current highway construction and the future of the Idaho Timber site.

Nick handed the meeting over to David Taylor who provided the group with a summary of the existing growth policy that was adopted in 2007 and has been reviewed every two-

years.

- David cited and made emphasis of the sections regarding corridor planning on pages 56 through 58. The section is included below for you information:

"ISSUE: Whitefish has several highway corridors that are characterized by a variety of land uses, transportation functions, and design and development issues.

Land use planning along major transportation corridors is always a complex matter, with many varied and often conflicting issues to resolve. As pointed out at the beginning of the Transportation Element, there exists a reciprocal relationship between transportation and land use. Vehicle trips attract commercial land uses, which generate more vehicle trips, which attract more commercial development. Besides that, planning in transportation corridors usually involves multiple agencies and jurisdictions. A city may be in control of zoning and site plan reviews, but the county or state may have responsibility for maintenance and access permitting. Also, highways and arterial streets tend to be major routes for large water mains, sewer interceptors, and other utilities, and well as pedestrian and bike routes. The two major community gateways are Montana Hwy 40 (from the east) and US Hwy 93 (from the south), and they are both very different in terms of appearance, character, and land use. Hwy 40 has a collection of business service type uses near the intersection of Dillon Road/Conn Road, but then is mostly agricultural land and large-lot residential to the intersection with Hwy 93. Average daily traffic (ADT) for the year 2005 was around 8,700, and the speed limit was recently lowered to 60 mph. Corridor planning emphasis here should be on keeping a rural character, while controlling screening, signage, and access standards for those few businesses that exist. By contrast, Hwy 93 South is characterized by a number of commercial establishments of various kinds. Many are legal non-conforming uses, but most are legal permitted and conditional uses under the SAG-5 Flathead County zoning district (administered by the City of Whitefish within the jurisdictional area). Most of this corridor is heavily timbered, and many of the commercial buildings are of high quality. These two factors make the corridor far less visually distracting than many commercial strips in unincorporated Flathead County. Still, the corridor suffers from a lack of screening and landscaping, and from multiple uncontrolled highway approaches. Widening of the highway and growth in traffic have made the residential environment increasingly hostile. Because of this factor, there has been disinvestment in residential property resulting in some of those properties taking on a rundown appearance. ADT is approximately 15,000.

While the issues facing the Hwy 93 South corridor are complex and will be difficult to solve, the Whitefish community has long history of discouraging this area from becoming a "commercial strip". Policy 6.3 of the 1996 Master Plan states, *Avoid the spread of strip commercial activity south of the Highways 93 and 40 intersection.* In 2004 when the North Valley Hospital Neighborhood Plan was adopted, it included the following goal:
[The North Valley Hospital Neighborhood Plan] *In no way promotes or encourages commercial development south of the Highway 40 intersection.* As concluded earlier in this element of the Growth Policy, visioning session participants expressed very little support for extending additional commercial development in either the Hwy 93 South or Hwy 40 corridors. Finally, it is important to remember that the existing zoning in the corridor was put in place in 1993 by the Blanchard Lake Area Zoning District, and one of the reasons for the SAG-5 zoning along the highway itself was that additional commercial development was

not supported by the master plan in effect at that time. Therefore, any corridor plan for Hwy 93 South must successfully address at least the following issues:

- Commercial growth- Commercial growth will continue to be discouraged by the City of Whitefish.
- Scale- The existing modest scale of commercial and residential structures should be maintained. No "big box" retail or office buildings should be proposed.
- Architectural standards- Any successful plan must include high standards of architectural design that is compatible with the wooded environs of the corridor.
- Landscaping/screening- The corridor plan must include standards for replacement of existing forest stands, on-site landscaping, and screening of parking and service areas.
- Utilities- Water and sewer service must be provided, or, the corridor plan should support no more development than can be served by well and septic systems without adversely affecting water quality or wells on neighboring properties.
- Trip generation- With growing traffic volumes on Hwy 93 already, additional non-residential uses should not be of a nature that attracts large numbers of additional vehicle trips. The corridor plan must include a traffic impact and access analysis.
- Traffic safety, circulation, and access- Traffic safety will be a major concern with any new growth in this corridor. The proliferation of access points can cause both safety and traffic access problems. An access and circulation component must be a product of the over-all corridor plan.
- Bike/pedestrian facilities- Bicycle and pedestrian ways must be provided within the corridor itself, and should link to the existing commercial areas north of Hwy 40.

The Wisconsin Ave. corridor on the north side of Whitefish has its own unique set of issues. This corridor has multiple land uses, heavy seasonal traffic, is an active pedestrian area, and will soon have a major bike route as well. Land uses include commercial, offices, restaurants, lodging, a major resort facility (The Lodge at Whitefish Lake), multi-family residential, public, and semi-public uses. Zoning is a mixture of WB-1 (Neighborhood Commercial), and high-density residential (WR-3 and WR-4). Average daily traffic for 2005 was around 9,000 vehicles just north of Edgewood Drive. In this corridor the plan must address the mix of uses and the transition to residential both east and west of the roadway. It must also address connections to the adjacent residential neighborhoods, orientation and connections to the new bike route, scale issues, landscaping/screening, and circulation/access. Most of the existing commercial is located in the WB-1 (Limited Business) zoning district, and that scale and intensity of commercial activity should be preserved. When US Hwy 93 North leaves downtown Whitefish and crosses the Whitefish River, it is actually proceeding west. This segment of the corridor, locally referred to as West 2nd Street, is characterized by single-family and multi-family residences, offices, and limited commercial land uses. The existing WR-3 zoning would tend to allow residential densities to increase over time. Most uses take direct access to 2nd Street, and there are multiple driveways along this route. Even though it is frequently used by pedestrians, there are no sidewalks anywhere in the 93 North corridor. ADT for 2005 is around 8,200 just east of Karrow Ave., 7,200 approaching State Park Road. Beyond State Park Road, ADT drops off to less than 5,000, and the corridor becomes decidedly more rural. Any plan for this corridor must mesh with plans to reconstruct Hwy 93 North, which should include new bike and pedestrian facilities. It too must deal successfully with scale issues, as well as the current and projected mix of residential, office, and commercial uses. Another critical issue for this

corridor is the visual quality of the streetscape as an entryway both to the downtown area and the Whitefish community in general. Whitefish has never undertaken a "corridor plan"; a plan that takes into account the different transportation modes, land uses, and community functions. Corridor plans can be developed as neighborhood plans, which are provided for under Montana law. While corridor plans can be initiated by the City, they can also be conducted by the property owners, residents, and business persons in the corridor. Regardless of who conducts the corridor plans, they should have an extensive stakeholder involvement program, and should take a comprehensive approach to the critical issues such as transportation modes, land use, screening, noise, access, and aesthetics.

The Wisconsin Ave. corridor is characterized by multiple land uses and driveway approaches, seasonally heavy traffic, and (at the present time) no pedestrian or bikeway facilities. City of Whitefish has its own unique set of issues. This corridor has multiple land uses, heavy seasonal traffic, is an active pedestrian area, and will soon have a major bike route as well. Land uses include commercial, offices, restaurants, lodging, a major resort facility (The Lodge at Whitefish Lake), multi-family residential, public, and semi-public uses. Zoning is a mixture of WB-1 (Neighborhood Commercial), and high-density residential (WR-3 and WR-4). Average daily traffic for 2005 was around 9,000 vehicles just north of Edgewood Drive. In this corridor the plan must address the mix of uses and the transition to residential both east and west of the roadway. It must also address connections to the adjacent residential neighborhoods, orientation and connections to the new bike route, scale issues, landscaping/screening, and circulation/access. Most of the existing commercial is located in the WB-1 (Limited Business) zoning district, and that scale and intensity of commercial activity should be preserved. When US Hwy 93 North leaves downtown Whitefish and crosses the Whitefish River, it is actually proceeding west. This segment of the corridor, locally referred to as West 2nd Street, is characterized by single-family and multi-family residences, offices, and limited commercial land uses. The existing WR-3 zoning would tend to allow residential densities to increase over time. Most uses take direct access to 2nd Street, and there are multiple driveways along this route. Even though it is frequently used by pedestrians, there are no sidewalks anywhere in the 93 North corridor. ADT for 2005 is around 8,200 just east of Karrow Ave., 7,200 approaching State Park Road. Beyond State Park Road, ADT drops off to less than 5,000, and the corridor becomes decidedly more rural. Any plan for this corridor must mesh with plans to reconstruct Hwy 93 North, which should include new bike and pedestrian facilities. It too must deal successfully with scale issues, as well as the current and projected mix of residential, office, and commercial uses. Another critical issue for this corridor is the visual quality of the streetscape as an entryway both to the downtown area and the Whitefish community in general. Whitefish has never undertaken a "corridor plan"; a plan that takes into account the different transportation modes, land uses, and community functions. Corridor plans can be developed as neighborhood plans, which are provided for under Montana law. While corridor plans can be initiated by the City, they can also be conducted by the property owners, residents, and business persons in the corridor. Regardless of who conducts the corridor plans, they should have an extensive stakeholder involvement program, and should take a comprehensive approach to the critical issues such as transportation modes, land use, screening, noise, access, and aesthetics."

- David also summarized the format used in the growth policy including the documentation of

issues, goals and action.

- Both David and Bruce reiterated that establishment of a growth policy by a city is a prerequisite for implementation tools such as zoning.
- David mentioned that the growth policy is typically redone on a 10 year increment.
- Corridor plans are specifically cited as work to be done by the community.
- The 93 W. corridor is the first is the first of its kind conducted in Whitefish.
- Dave discussed the relevancy of the current growth policy and the fact that our task is to develop a growth policy amendment in the form of a corridor or plan that will supersede that portion of the current growth policy that references the corridor planning area.
- The committee with Nick, discussed the land use designations on the current growth policy and examined areas where the land use has changed since 2007. The former BN property west of Idaho Timber is now proposed for the Veteran's Peace Park and Idaho Timber is no longer an operating saw mill.
- Comments followed by Ian and others that we should familiarize ourselves with the current growth policy as we move forward to formulate an amendment with the corridor planning.
- The committee, with Nick, discussed the planning process and the importance and timing when looking at the current growth policy relative to imagining what the corridor would look like in the future.

The next new business conducted by the group was a review of the corridor organization bubble diagrams and comments provided by WGM group summarizing the input from the Steering committee, and public comment from the meeting held on August 20, 2013. The group discussed the bubble diagram designations from west to east. Nick continuously reminded the group to focus on the view of the corridor from a broad perspective and not to get stuck on small scale details.

- Nick gathered the group around one of the bubble diagrams and beginning on the West end of the corridor. The group poured over the maps and compilation of comments making notations with magic markers.
- Comment was made regarding the locations of the church and auto repair shop on the west side of the corridor along with the more rural residential character in that particular part of the corridor.
- Should there be a category churches/schools at the west end of the corridor?
- Phil Mitchell mentioned his concern about the character of the intersection at State Park Road and how the intersection would be unsuitable for residential uses in the future.
- The group agreed that the Fox Hollow area would most likely continue to accommodate both residential overnight and office uses. However, there was discussion regarding the Border Patrol use of a portion of the Fox Hollow area- what if they abandon the lease and move? In the broader perspective, what should the land use designation be? Resort Residential?
- The committee discussed the recreational uses occurring in the area of the golf course and public park.
- They talked about Grouse Mountain Lodge as a commercial resort designation (hotel and restaurant).
- It was noted that both the golf course and Grouse Mtn lodge has a restaurant facility that attracts a larger audience than golfers.
- Both Anne and Ken remarked about the impact of crowds attending soccer matches and the

resultant traffic impact on street passing between Grouse Mountain and the park. The route to the south through Grouse Mtn.s residential neighborhood is often used to return east and connect with Seventh Avenue. This item was noted on the sketch drawing.

- The committee discussed the difference between recreational/park uses and the fact that the soccer fields and tennis courts were publicly owned in contrast to a park like the Peace Park which may be privately owned and managed. (check with Ryan on accuracy)
- The cemetery holds an important position along the corridor but is a more static green space.
- Moving eastward it was noted that Fox Farm would most likely remain as is and as a strictly low density residential neighborhood.
- Discussion was conducted regarding Idaho Timber and Phil was introduced to Todd who has been attending the meetings and representing Idaho Timber.
- Mention was made by Phil that the city is currently involved in the design and eventual bidding of the Skyview Bridge which will connect the corridor side of the river with the north side of the river with pedestrian and bike traffic.
- Todd confirmed that Idaho timber had provided an easement for the pedestrian and bike trail.
- Further discussion was conducted about the neighborhoods on the east side of the corridor and their relationship to traffic and pressure for transition of land use.
- The group concurred that the north side of the east corridor should probably be differentiated from the back side of the long lots in that vicinity (realizing that the highway frontage will probably transition to mixed or commercial/residential use whereas the backside of lots will remain in either medium or high density residential)

It was agreed by all that another steering committee meeting was called for where upon we would study the use categories and planning parameters along the corridor before conducting another public input session.

The group agreed to have another steering committee meeting on Thursday, September 5 at 3 PM

The consultant team will circulate a revised copy of the working/planning drawing prior to the September 5 meeting for committee member review.

Chairman Ian called for the adjournment of the meeting at 4:30 PM.

END OF NOTES

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MEETING RECORD

MEETING DATE:	09/05/13, 3-4:30 PM, City Hall Conference Room
PROJECT NAME:	Whitefish Highway 93 West Corridor Plan
PROJECT NO.:	13-03-03
SUBJECT:	Steering Committee Meeting #5
BY:	Bruce Lutz
ATTENDEES:	Steering Committee: Anne Shaw Moran, Cora Christianson, Jim Laidlaw, Doug Reed, Ken Meckel, Ian Collins, Nancy Woodruff, Todd Featherly, Ryan Zinke (via phone). City of Whitefish Planning Staff: Dave Taylor, Wendy Compton-Ring Planning Consultants: Nick Kaufman, Bruce Lutz Others: Mayre Flower (Citizens for a Better Flathead), Dave Weber, Mike Jenson, Martin Schwartz, Rob Pero, Dave Wollner

Doug opened the meeting at approximately 3:07PM, September 5, 2013

OLD BUSINESS

Bruce acknowledged sending out meeting #4 summary notes which included discussion by David of the 2007 Growth Policy and the initial bubble diagram land use category exercise which was information distilled from public input session #1.

Doug entertained motion to approve meeting summary, motioned and seconded. It was acknowledged to Anne that Bruce e-mailed Dave the past meeting minutes which have since been posted on the City's website.

Bruce reviewed in more detail meeting #4 including:

- Reviewed legislative mandate requiring the growth policy before municipality can exercise ordinances such as zoning.
- Reviewed the corridor plan component and how it will be adopted as an amendment to the growth policy.
- Acknowledged continued use of a more refined version of the bubble diagram. (Ryan expressed that he had particular concerns.)

NEW BUSINESS – REVIEW REFINED LAND USE REGION BUBBLE DIAGRAM

Nick took over the discussion and exercise involving refined land use category bubble diagram.

- Nick reviewed the process of land use planning and the initial pre-occupation with highway construction.
- Now time to figure out land use categories and how areas are similar and(or) dissimilar.
- Importance of info being shared at the steering committee meeting level and not privately.
- Reviewed the "starting document" from last meeting (initial bubble diagram) (Explanations also delivered to Ryan (via conference call) and committee attendees)
- Nick started with a review of west end of corridor included anomalies such as automotive repair and church sites.
- Nick then reviewed Fox Hollow area with Border Patrol and overnight resort residential uses as unique qualities.
- The discussion moved into open space zones including soccer/tennis public areas, golf course and finally the Peace Park.
- Maybe keep Grouse Mtn Lodge as a resort designation.
- Acknowledged the street that goes through Grouse Mtn and out to Karrow and 7th.

Peace Park Area:
Posted the Peace Park Plan....Ryan conducted overview.

- Mission: Children's Sledding Park and Community Open Space recognizing contribution of the railroad workers and military veterans from Whitefish.
- 501C3 Non-Profit: Main Board, member of railroad and veterans plus and an advisory board (Ramsey, Birch Point, Murray, Chamber of Commerce, parks&Rec) that will look at proposed venues applied for and "carve a path" etc..
- Area just short of 20 acres.
- Improving entrance by RR tracks and negotiating with Idaho Timber to have main access on Karrow Avenue which is currently used by LHC for construction access and equipment.
- Murray neighborhood wants to maintain an entrance to Peace Park.
- Path goes from cemetery over to First Street and intended to be multiple use (including golf carts).
- Buffer area where Frisbee golf etc. will happen.
- The field....vision as parking area (RVs included) to support venues that will be in the bowl. Far north boundary.
- The bowl/amphitheater has been modified with 27,000 tons from Rt93 project lessening the final slope. Glacier Symphony as example. Summer begin and end festival (as examples).
- Property in County jurisdiction allows for consumption of liquor.
- Tied into parks and trails master planning efforts.

- Wood chipper on-site used to create trails etc.
- Ryan clarified that the park is in County jurisdiction but privately owned ground (deeded to the Great Northern Veteran's Peace Park Foundation).
- Jim L. asked about BLA with Idaho timber..Ryan...land swap of pond for fenced area to the north.

Nick continues with discussion about whether we should differentiate green space as multiple or one designation.

- Anne brings up concern about city owned vs. privately owned open space.
- Ryan notes that there is no reversion clause....RR gave land for purpose stated (open space/park).
- Committee votes on preference....Bruce notes that we are not stuck with the categories shown in the current GP.....(we can differentiate more and be broader).
- Nick talks about imagining more distinctions (ie, GC, cemetery, etc.)....one, two pieces or more....."we can be as broad or specific as needed"
- Nancy...we may need different guidelines for public vs. private ownership open spaces.
- Ryan is comfortable with lumping them all together.....
- Ryan said that Non-profit has advantage of tax deductible status for donations.
- Ken Mechel....sees similarities between Grouse Mtn and Peace Park functions.
- Nick....reminds us that the GP is a guide.
- Cora...keep separate because the Peace Park is currently an industrial site and is not currently open space.
- Ryan discusses CUP for Peace Park and waiting for the Donut issue to be resolved.
- So....Nick resolves to keep general open space and Peace Park as separate categories for now.

Idaho Timber Area:

- One region unto itself.....

Mid-region:

- Brief discussion of mid-region (practice range to Karrow on south side of 93)....stable and primarily residential.
- Anne...process question.....when will criteria be added? Nick....determine similarity of regions and then attach criteria....
- Another region unto itself....'

Nick segways into north and south side of east corridor region.....

1st Street to 3rd Street:
Currently delineated "Transition" area north of 93 and then crosses highway near bridge south to River

- Ryan....big difference between 2nd St and 3rd St. Discusses 70 decibel noise along highway and the beneficial effects of strategic vegetation to modify sound.
- Ryan "respects" difference between 3rd and 2nd.
- Ryan cites 11,000 vehicles and 40 trains/day effecting the frontages (particularly north side)
- Ryan does not want to use the north side of his north lots because of sound impacts and reverence for River.
- Area more like resort designation going up Wisconsin Av.
- Cora agrees that north and south sides of north lots should not be differentiated.
- Cora reminds us that ID Timber will remain industrial until GP re-directs guidelines (land use framework)
- Dave reminds us that zone will remain the same even after designation in GP changes unless a zone change follows later.
- Nick discusses merit of different use intensities on north and south extents of north lots.
- Nick cites Ian's comments about development proposal that did differentiate intensity from north to south.
- Nick discusses Cora's concern with "intensity creep".....
- Nick discusses 1st Street as path connection between 2nd St/highway region and Idaho Timber....is this one cohesive region
- Anne concerned that there are existing residences that do not want their uses jeopardized by corridor plan....
- Nick..example.....huge considerations for individual residence owners and then..... "two days after the GP amendment is passed they sell their property"
- Nick...Criteria will help define and qualify areas.
- Anne does not want the corridor plan to be jeopardized by going too far with this region and not getting adequate "buy-in".
- Todd...."stuck on 1st Street", is it only a trail? Nick is it a road or trail?.....Ryan, what is ID Timber going to do (most likely use is access to the River....a one lane road at most)
- Nick....important point is that 1st Street is the divider/transition zone between Idaho Timber and area to south....
- Nancy, most could transition into mixed use.....are we OK with commercial all the way back on north lots.
- Jim L. cites 150 foot setback from the river that dramatically changes
- functionality/usage of back of lots (Dave clarifies setback at 75')
- Ian....this is the "Gateway Region'...doesn't like the term "transition". Gateway area has the most sensitivity to impact to the image of the Community.
- Ian...equally important are the north and south side of the gateway.
- Anne....worried that combining north and south side of highway may further diminish the intensity potential of the north side....
- Bruce reviews initial determination of the north highway area extended south of the highway (including Weber residence)....highway construction influenced.
- Todd talks about the influence of the ultimate use of 1st Street on where the boundary is determined for regions north of the highway.

- Ryan and Jim L. discuss former proposal in the north side of region.

Nick attempts to define north highway zone on bubble diagram....

- Discussion by Ryan about differentiation between north and south side of highway...
- Overlay gateway suggested by Nick
- Anne...depends on what underlying uses are suggested....
- Bruce suggests gateway sub 1 and gateway sub 2.....
- Ian suggests different criteria based on location.....

- Nick draws line north of 3rd St lots and south of 2nd St (South) lots.....
- Anne debates.....
- Nick discusses noise and hours of operation
- Jim L reminds group of location of C-store and vet etc. on south side of highway.
- Doug suggests extension of 3rd/2nd line through to River across Good Av.
- Ryan reminds that south 2nd lots butt up to quieter 3rd Av neighborhood.
- Dave Weber enjoined in conversation and discusses his take on region definition...."back of house quiet, front is noisy' Gateway should probably be on both sides of highway.
- DW not sure how to delineate between north and south (Anne mentions that line between back of 3rd St lots also follows a zoning boundary).
- Ryan....there are duplexes and four-plexes on 3rd St too.

- Nick...."the function of gateway is on both sides of street and that south side needs more sensitivity than north side"....is this correct...?
- Ian...doesn't feel that it is a foregone conclusion that there is more sensitivity on the south side than north side due to past and current use and development planning.
- Nick...what we need is to know whether we have one area with differing criteria or whether we have two areas(regions).....may not be so much difference between the two sides.
- Anne can see Ian's logic about the sameness of the two sides.
- Ken.....has a tendency to see the gateway and land use extending all the way to Baker...especially after the new bridge is complete.
- Nick...we all agree that the north line above third is solid....group agrees.
- Ian suggests considering dashed lines as an alternative to solid lines....
- Bruce....is there any reason not to have smaller areas....nothing wrong with more detailed and smaller use regions/categories.

Steering Committee Homework Wrap-Up:

- Nick suggests circulating maps to group in order for each to delineate region boundaries ("mark your boundary").

- Nick also suggests sending out criteria summary as discussed along with a prioritization of criteria survey.

- Bruce, one more effort with the steering committee and on to public input session 2.

- Nick stresses that the group contemporize our current regions (homework). Updating future land use map

- Nick suggests looking at the current zoning and note the incongruences.

- Nick....the overlaying of the various levels of info will point out the direction that we should make with policy recommendations....

- Nick suggests using different formats for surveying the group. ULTIMATELY, WGM WILL CIRCULATE A SURVEY MONKEY TO GATHER INFO.
  SURVEY MONKEY WILL AUTOMATICALLY COMPILE RESULTS.

Doug opens the meeting to public input.....

- Wendy summarizes concerns expressed by Mike Jenson (who had to leave). What will 1st become....road, alley, what? Agrees w/ Jim on constraint that the river poses on adjacent lots.
- Wendy suggests that they may be an east and west boundary within the gateway area.
- Bruce, don't be shy about suggesting new and different use areas.
- Rob Pero....discusses length of lots and uses that can be accommodated due to lot depth.
- Ken...good point (Rob). Cites CUP with lot depth influence.
- Dave Weber asks about timing of corridor planning project....
- Nick discusses info turnaround.
- Next meeting is visioning and then eventually to planning board
- The product will be a "growth policy for the WF West Corridor"
- Will have the force/influence on (for example) re-zoning of property....a significant guide for the community"
- Mayre....is the final product a neighborhood plan?....she likes that possibility and understood that was the community's goal.
  Dave clarifies that it will be a "corridor plan".
- Rob Pero....brings up resort spin on planning....a new type of zoning/emphasis.
- Dave mentions that zoning has resort classification but GP does not have a resort business category

Discussion of next meeting.....decided to have next meeting on Monday, September 23 at 3PM.

Doug adjourns meeting at 4:41PM

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MEETING RECORD

MEETING DATE: 09/23/2013 3:00-4:30, City Hall Conference Room

PROJECT NAME: Whitefish Highway 93 West Corridor Plan

PROJECT NO.: 13-03-03

SUBJECT: Steering Committee Meeting #6

BY: NPK- Approved BL

ATTENDEES: Steering Committee: Anne Shaw Moran, Cora Christianson, Jim Laidlaw, Doug Reed, Ian Collins, Nancy Woodruff, Todd Featherly, Ryan Zinke (via phone), Frank Sweeney

City of Whitefish: Dave Taylor, Wendy Compton-Ring

Planning Consultants: Nick Kaufman, Bruce Lutz
Others: Lee Marin, Bruce E. Getter, Ed McCauley

Graphics: Photo with area bubbles – Steering Committee survey results; area characteristics and land use matrix

OLD BUSINESS

Incoming letters, Bruce Lutz read the letters:

- Letter from a resident on 105 Murray Avenue – Rick Smistad & Valerie Kinnear.
    - RE: Murray Avenue access to Veteran Peace Park: they do not want Murray Avenue used as an access to the Peace Park.
- Letter from Ryan Zinke to Kate Dinsmore (WGM Group, Inc.)
- Letter from Ryan Zinke to Bruce Lutz
- Nick commented on Murray Avenue Access to the Peace Park- The Steering Committee is not in the business of designing the Peace Park, or anything like that.
    - We'll take this under advisement. This needs to be passed on to Ryan, and this is a discussion between Ryan and the neighborhood.
    - Ryan Zinke: commented that Murray was a legal access for BN and that he had spoken to Gail from Murray Avenue.

- Nancy requested to receive copies of attachments referenced in meeting(s).

NEW BUSINESS

Survey- Bruce introduced the Steering Committee to the Survey Results

- Results from the surveys filled out via SurveyMonkey (east moving west)
- Looking at the charts, percentages tabulated about how the group was prioritizing the questions and answers
- Rectangle = 50% and above
- Ellipse = 40% - 50%
- Arrow = 30% - 40%
- It is important to know the survey results are not etched in stone; we can entertain comments going forward. We need to condense down to a defining set tor each of the areas; A, B, C, D, Idaho Timber, Peace Park, Parks & Recreation, Resort Commercial, Fox Hollow, and Residential Westside.
    - Those areas are what the survey was directed towards.
    - From input that comes back, we'll create a list of acceptable land uses and character and qualitative information that we've attached to each of these areas.

Bruce went through the survey results for each of the area:

- Area A (strip along the highway; south of 93 that extends from the beginning of corridor area at the bridge all the way to Park Hill Drive):
    - If you see an 'X', it's a land use that is NOT supported by the group.
    - If you see a 'check', it is supported by the group.
    - If you see an 'asterisk', important factor in character and concern.
    - If you see a 'check-mark' with an 'X', mostly YES
    - If you see an 'X' with a 'check-mark', mostly NO

  Important Considerations: density

  1. Noise
  2. Hours of operation
  3. Traffic
  4. Consistent shape and form

  Land Use categories:

  Community commercial: "No"
  Neighborhood commercial: "Yes"
  Mixed density use area: "No"
  Low- density mixed use area: "Yes"
  Single-family residential high-density: "No"
  Single-family residential medium-density: "Yes"
  Single-family residential low-density: "Yes"
  Medium density, multi-family residential: "Yes"
  Resort-residential, medium-density: "mostly Yes"
  Resort-residential, high-density: "No"
  View protection areas: "mostly No"

- Area B (north of 93 between Idaho Timber and the river)

  Character & Concern:
  1. Traffic
  2. Consistent shape and form
  3. For rent residential character
  4. Professional office character

  Land Use categories:
  Community commercial: "mostly No"
  Neighborhood commercial: "Yes"
  High-density, mixed use area: "mostly No"
  Low- density mixed use area: "Yes"
  Single-family residential high-density: "Yes"
  Medium density, multi-family residential: "Yes"
  High-density, multi-family residential: "mostly Yes"
  Resort-residential, medium-density: "Yes"
  Resort-residential, high-density: "mostly No"
  River vegetation protection areas: "Yes"
  View protection area: "mostly Yes"

- Area C (area that includes West 3rd Street and the area from Park Hill over to Carroll south of the first line of lots, south of the highway)

  Character & Concern:
  1. Traffic diversion due to medians
  2. Kids walking and biking (two **)
  3. Rural character
  4. Narrow street

  Land Use categories:
  Single-family residential high-density: "No"
  Single-family residential medium-density: "Yes"
  Single-family residential low-density: "Yes"
  Medium density, multi-family residential: "mostly Yes"
  Community commercial: "No"
  Neighborhood commercial: "No"
  View protection area: "Yes"

- Area D (either side of Murray Avenue, small area. Shown as a dead-end, due to input from the neighborhood there.)

Ryan Zinke – I would not show it as a dead-end. I talked with Gail and that path has to remain.

Character & Concern:

1. Noise
2. Traffic diversions due to medians
3. Professional office character
4. Rent residential character

Land Use categories:

Single-family residential high-density: "mostly Yes"
Single-family residential medium-density: "Yes"
Single-family residential low-density: "Yes"
Medium density, multi-family residential: "Yes"
Community commercial: "mostly No"
Neighborhood commercial: "mostly Yes"
View protection area: "mostly Yes"

- Idaho Timber area:

Character & Concern:

1. Riverfront
2. Wildlife
3. Parks and trails
4. Complement and protect river
5. Sustainable development
    a. Sustainable in terms of broader community life, not talking about energy efficient sustainability. We're talking about land uses that don't compete with the downtown. Land uses that aren't similar to what we see on Hwy 93 south to Kalispell. We're talking about land uses that would fit tourism, light manufacturing, professional office type uses that uses labor force, hopefully year-round.
6. Access
7. Conductivity

Land Use categories:

High-density, mixed-use area: "Yes"
Low- density mixed use area: "Yes"
Single-family residential high-density: "mostly Yes"
Single-family residential medium-density: "mostly Yes"
Single-family residential low-density: "mostly No"
Medium density, multi-family residential: "Yes" (100%)
High-density, multi-family residential: "Yes"
Community commercial: "mostly Yes"
Neighborhood commercial: "Yes"
Resort-residential, medium-density: "Yes"
Resort-residential, high-density: "Yes"
Light industrial: "mostly No"
Cottage scale manufacturing: "mostly Yes"

Parks and open space: "mostly Yes"
Passive open space: "mostly No"
Recreation open space: "mostly Yes"
Public quasi-public: "Yes"
View protection area: "Yes"

- Remember on the Idaho Timber side you've got the river, which creates that open space, and you've got that interspace with the Peace Park and the land trade. So when the people answered the question, they answered with geographic diversity.

- Peace Park area

Character & Concern:
1. Access
2. Traffic
3. Connectivity
4. Noise (less, not an *)

Land Use categories:
Parks and open space: "Yes"
Passive open space: "Yes"
Recreation open space: "Yes"
Public quasi-public: "Yes"
View protection area: "Yes"

Nick defined "Public quasi-public" as institutional, churches, cemeteries and the like

- We need to discuss public quasi-public in the Peace Park after the meeting.

- Parks and Recreation area (fairly large area; includes golf course, practice range, soccer fields, and the tennis courts)

Character & Concern:
1. Connectivity with trails and roads
2. Access

Land Use categories:
Parks and open space: "Yes"
Passive open space: "Yes"
Recreation open space: "Yes"
Public quasi-public: "Yes"
View protection area: "Yes"
Resort commercial: "Yes"

- Cemetery in that area.

- Resort Commercial area (smallest of areas in our corridor)

  Character & Concern:
  1. Recreation
  2. Resort

  Land Use categories:
  Resort commercial: "Yes"
  Resort residential medium-density: "Yes"
  Resort-residential, high-density: "mostly Yes"
  View protection area: "Yes"

- Fox Hollow area

  No area character concerns

  Land Use categories:
  Single-family residential high-density: "mostly Yes"
  Single-family residential medium-density: "Yes"
  Single-family residential low-density: "mostly Yes"
  Medium density, multi-family residential: "Yes"
  High-density, multi-family residential: "Yes"
  Community commercial: "No"
  Neighborhood commercial: "No"
  Resort commercial: "No"

Dave and Nick spoke to the issue of the Border Patrol office. If we decide that it would be better without professional or public office, like the current use as Border Patrol, then we would make that statement to legislate that land use out of it. I think we have something we need to decide. Right now they have legal use; they have initial use permit, which allows quasi-public in most zones for commercial use.

- Residential West District area (that extends all the way to the west boundary of the corridor)

Character & Concern:
1. Rural character
2. Trees and vegetation
3. Access

Land Use categories:
Single-family residential high-density: "mostly No"
Single-family residential medium-density: "Yes"
Single-family residential low-density: "mostly Yes"
Single-family residential rural: "mostly Yes"
Community commercial: "mostly Yes"

Neighborhood commercial: "Yes"
Public quasi-public: "Yes"

Nick discussed Residential West: We have concern about where the State Park Road comes in, talking about traffic, potential future signal; wondering if this is like Idaho Timber where we get the mix of commercial at the intersection but the rest is mostly residential.

Phil asked when State Park Road goes through, what do I do with the property west of the intersection? I'd like to be able to put up a couple duplexes up there. They don't want a gas station there either. There's got to be some land use in the middle between a single home on one hand and a gas station on the other.

Maybe neighborhood commercial is a lower intensity commercial possibility.

Nick – "Neighborhood Commercial" – is a commercial that is designed to mostly serve the neighborhood. A gas station convenience store does exactly that, but is higher intensity use.

"Community Commercial" – is for the entire community (i.e. Walgreens)

Not everyone on the Steering Committee responded to the surveys; we can re-tabulate the responses with the new surveys received from the Steering Committee.

Need comments on items strongly-agree with or strongly-disagree with, so that we can factor that in. We do not want to redo all the surveys.

Anne – West Residential: if we're planning here for the future, I'm concerned that we are not just pushing the same issue we're doing with on the straightaway out to that 10-15 years from now. We may want to be thoughtful when stating it's purely residential. I certainly don't support the Community Commercial either. It's easy to look and say "...that's further out, we don't need to worry much about it..."

Bruce – Now that we have two or more surveys in, we will re-tabulate the surveys as a whole and not go off of what we have today.

Nick – We reached a good consensus last time when we went through the area map in terms of the areas, and came up with the idea of figuring out character and land uses. We need to be able to take something to the public that is a consensus. We've given you the tabulation, we understand the constraints of a few folks not filling out the surveys, but we'll have to go with strong-agreement or strong-disagreement to let us know. Today is the time to let us know. I don't see another steering committee meeting before the neighborhood meeting.

Bruce talked about the "View protection area" – More in terms of legislation than it is a land use, but it's the idea that there may be some stipulations on development in a certain area that would prevent a view from being annihilated from development

It would be helpful to all of us if we had an example of each of the properties up top for public illustration.

Ian commented that in Area A – people were strongly against the single-family residential high density, but they were strongly for low-density mixed-use. In which on the scale of intensity, that would be above the high. The density wouldn't be as high on the residential side, but the addition of the commercial side in terms of use intensity would be at a higher level.

Anne – I'm wondering if a lot of people weren't trying to request the existing usage in their comments there. It varies quite a bit as the mixed use with the accounting office and a few things like that that are already there.

Ian– My thought was that the mixed use in that area would be a new intensity. Perhaps there's a misunderstanding of a mixed-use versus multi-use. I think of mixed-use as stocking uses within individual buildings. And multi-use where you have specific uses isolated to different buildings.

Nick – The existing lots are quite small in Area A, so to suggest that you create high-density single-family residential with what you've got to work with there is now ad feasible, on a single-lot basis (single ownership).

Ryan Zinke – Not all of those lots are the same; some of those lots have the river, some are flat… As far as the lot layout, there's a lot of diversity along that side.

Area B has historic buildings, there's a lot of disparity and voting there. That's single-family residential high-density.

Nick – Visioning is part of this: Where we're at now is trying to look to the future; we looked at the past and learned from it. now we are, planning for the future and imagining. We need to see if we have any of those extreme disagreements at this point. Let's find out if there's major disagreement, and let's talk about when we're going to have our next neighborhood meeting.

Are we talking about putting closure on Areas A & C?

Anne – My comment was in reference to Areas A, B, C, and D altogether. That's what brought us here in the first place. I want our work to succeed, and I know the community wants us to succeed. I've participated in countless planning projects during my day job and I have seen where you get a whole lot of really good work done, but if it doesn't address the root of what brought us here in the first place, then the same people will come out and create the same concerns and make our work for not, and I don't want us to get there.

Anne – I don't think anyone is far off on their ideas in regards to what's suitable for Area A, I think there is some disagreement on Areas B and D in terms of how commercial or whether that should have manufacturing or not. Those will be issues for us. I hope we can give some thought to the West Residential Area for the future.

Jim – In Area A, our biggest concern was the little part just before/after the bridge (depending on which way you're going; where the arrow is).
Then in the continuation part of Area C, that's where the repair power sports facility is located.

What we're concerned about is everything east of Good and how that should be related…

Bruce Perhaps we were not wrong in the first place to come across B and C, certainly at Good and maybe end A at Good.

Anne – Character-wise, why would that not fit in the A versus the B?

The discussion continued:
This is the side that has the C-store, the gas station, the veterinarian. It is more commercial.

I would rather see B go down to the bridge.

B is more of a mixed-use area in the classic sense.

Anne – If that becomes a restaurant-type component, then that resident that came and spoke to us will have concerns. He liked having an urban front-side and a rural back-side.

North of the Hwy doesn't go into residential, yet.

PUBLIC COMMENT

Lee Marin
Ed (from San Francisco) property owner on the river

I'd like to know how they got that First Street opened up as a haul road to the Peace Park without getting any permits, or public notice?

Ryan: Are you talking about First Street?
Ryan: Do you want me answer that?
Ryan: That's a Burlington Northern Railroad access, that's granted in. They have access off of Murray as they've always have. That gate has to stay open.
First Street that divides area D and Idaho Timber, is that correct Bruce?
Lee: Garbled . . . Going to absolutely ruin the value of the property with 500 dump trucks going through there . . .
That's Private property, that's entirely on Idaho Timber's property.
Bruce, Lee is concerned about the amount of dump trucks going past his property on the corner.
Ryan-That's a city issue with the city engineer, they've got permits, I don't have anything to do with that.
Anytime you get access to the street, you're supposed to get a permit—so it opens up the street at both ends of it?
Nick- Sounds like that might be out of our scope.

Nick-Normally, that's a concern for the city engineer, we'll refer your concern to the city engineer. But I can understand the dust and the noise that you brought up; legal access of the Burlington Northern property, and the haul road for highway construction and the waste material coming off; but this all sounds like a question for the city engineer and we'll pose it to him.

Lee-I went down and tried to talk to the City Manager,
Nick We'll talk to the Public Works Director about you.

End of Public Comment.

Moving back to the agenda:
Bruce - When can we have the next Public Input Meeting?
Bruce - Need to hear comments from you all, in the near future, comments: agreeing, strongly disagreeing with parts of this, reinforcing parts of this; we'll re-tabulate with the full order of steering committee members.
Will you include your check marks?
Yes.
I've been out of town for ten days, sorry.
Question: (from Frank and Phil) Do we turn in our surveys now or not? I wonder if you're still getting enough information now? Do you really want our information? Is it going to change it? It's not a big deal.
Nick It is a big deal, you're appointed by the City Council to be steering committee members, so we need to get your opinions so everyone can see them. For two reasons, because your opinions are important to us, they're important to you. And if we don't get them up there, we're going to get it later, and I don't want to deal with later, I want to deal with it now. So we need your surveys.

Nick-The Public comment meeting that we'll have, we it be something like we had before with this data on the wall, or will it be more conversational?

Bruce--it's going to have this data, but we're going to digest this data; and these areas will now come alive with land uses and characters that are assigned to them with a 'yes.' The other stuff will drop out. We will do a straight forward presentation. We don't want to hit the public with this type of data. We want it fairly simple, illustrated. We show the areas, what the land uses are that got the nod, what characteristics that we want to see in those areas. Keep this stuff in the background. I don't want to make this the main presentation.

The mostly 'No's' do go away. What will help is additional surveys so that those numbers can change, so that they are clear, and I think that'll be the case. I don't think we have enough dissension in this group that we're not going to see reinforcement of existing 'yes's' and 'no's'.

I think one concern was the result of the Whitefish West area, with the Community Commercial. And we're going to come out of this public meeting telling the public that we want to do all of that stuff out there.

Bruce- Correct me if I'm wrong, but maybe we need another vote on this again, just like we did with the 'B' Area. I think I heard that Commercial was not an option that you wanted to explore out there. Didn't think that commercial was in favor. If I'm wrong about that . . .
Bruce -Maybe due to highway development, highway improvements, I think we heard from Phil that Multi-Family would be an option, but I didn't hear from anybody that commercial was factored in for that area. Am I wrong?

Ian - Are results mostly 'yes', for Community Commercial in that neighborhood. And I agree with you.

Bruce- From the start of this Steering Committee meeting, now we're on number six; I think I heard that you want to see residential character on that entry of the town. We know that we have some churches, and some institutional stuff out there... but beyond that, I don't think that I've ever heard commercial out there.

Ryan Zinke – Where is the boundary line for Fox Hollow?

Bruce The boundary starts at the edge of Fox Hollow and goes a little past Mountainside.

Ryan Zinke – As far as the county goes, that line goes where?

Dave Taylor- Some properties have annexed in and some have not. The extent of the city limits is about where the boundary is, but there are some lots in there that are not in the city limits because they are not on city services.

Bruce – We **do** have that auto mechanic shop out there, but that's a stand-alone, one-of-a-kind and I don't think we need to direct our plans to accommodating that use if it's in the best interest of that area.

Ryan Zinke – We were going to allow grandfathering-in, right?

- "Yes"

Anne question for Doug – On other locations there, particularly Area A, we need to support existing uses when we did the survey. Looking at Area A and B, are we perceiving Area B is going to be a lighter use than Area A? And I'm questioning that a little bit; I think they should be the same. Before we go to the public, we need to know exactly what we are, or are not, recommending here.

In Area A, we have stand-alone commercial uses. In Area B, we have a more mixed-use foundation there. We have real estate that lends itself more to mixed-use. We can assemble real estate in B that we cannot assemble in A; Area A is linear.

Anne – Can you define what you mean for more commercial versus mixed-use?

Anne-I'm not talking about existing uses necessarily. I'm talking about future land use, which is what we're trying to legislate or enable. By virtue of how real estate is configured in Area B we have more opportunity for mixed use than we do in Area A.

Anne – So we would be saying that Area A is more favorable for a heavier commercial use than Area B?

- "No, I don't believe that is what we will suggest and this survey does not suggest that. This survey will support what we put out to the public."

VOTING FOR THE WEST CORRIDOR

Community Commercial (i.e. strip mall)

Inappropriate by committee	

Neighborhood Commercial (i.e. professional office)

Inappropriate	4
Slightly appropriate	6

Single-family residential high-density

Inappropriate	10

Single-family residential medium-density

Moderately appropriate	5
Slightly appropriate	6

Single-family residential low-density

Extremely appropriate	6
Moderately appropriate	2
Slightly appropriate	1
Inappropriate	1

Single-family residential rural

Extremely appropriate	3
Moderately appropriate	4
Slightly appropriate	3
Inappropriate	1

Set the meeting date:
Need to publish two weeks ahead of time (ad in paper)

October 15, 2013: 4:30 – 6:30

Adjourn

END OF NOTES

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MEETING RECORD

MEETING DATE:	06/11/14
PROJECT NAME:	Whitefish Highway 93 West Corridor Plan
PROJECT NO.:	13-03-03
SUBJECT:	Steering Committee Meeting #7
BY:	Kate Dinsmore
ATTENDEES:	Steering Committee: Cora Christensen, Anne Shaw Moran, Jim Laidlaw, Doug Reed, Nancy Woodruff, Ian Collins, Todd Featherly, Ken Stein City of Whitefish Planning Staff: Dave Taylor, Wendy Compton-Ring Planning Consultants: Nick Kaufman, Kate Dinsmore Others: Mayre Flowers (Citizens for a Better Flathead), Patrick Malone (Citizens for a Better Flathead), Erica Wirtala (NW MT Association of Realtors)

The following items were discussed during the meeting:

1) Introductions
   - Doug Reed

2) Review of Draft Corridor Plan
   - The plan was reviewed with steering committee members making recommendations for changes and clarifications to the plan.
     - Discussed the boundary of the Downtown Master Plan
       - Western boundary of plan is the river
     - Revise Goal #2 to add objective regarding the implementation of the plan.
     - The golf course operates as a break-even venue. "Not-for-profit" should be removed from the Whitefish Lake Golf Course description.
     - The TIF district should be discussed with the City.
       - Is there any reason to extend district?
       - Will this affect the city's general fund?

- Change the date of the updated Whitefish Downtown Business District Master Plan to 2014 since it is not finished.
- Add more detail to Public Input Sessions #1 to better capture the public comments and to match the specificity of the other session's recaps.

3) Discussion of Area 'A'
   - Add "no alleys" to character and concerns
   - Change "Approved" land uses to "Recommended" land uses for all sub-areas.
   - Boundary of Area 'A'
     - Ian - Why is Fox Farm in Area 'C'?
       - Different zoning than Area 'A'
       - Cul-de-sac with back of houses on 2nd St.
       - Nancy - Can this be flagged for the city council?
     - Ian - Karrow intersection weakens connectivity and now that the road has been finished the road feels different west of Karrow.
     - Should the west portion of Area 'A' change to be included in Area 'B'?
     - The boundaries for the sub-areas should be split in the middle of the road.
     - Cora – Both portions of Area 'A' are similar and Fox Farm is different.
   - Discussion of appropriate commercial uses that should be allowed in this area and the definition of neighborhood commercial
     - Allow for professional offices and services that are allowed with a conditional permit. Some performance standards such as hours of operation should be beefed up.
     - Large lots go back some depth
     - More high density residential
     - Historically a residential area that may transition to more commercial
     - Would like to see the percentage of owner occupied and renter occupied buildings
     - Many of the residential buildings haven't redeveloped yet because of the market
     - Projects the steering committees sees are taking advantage of existing buildings
     - Anne – change definitions to be more specific
       - Should be character based
     - Ian – gas station is least desirable existing use in area
       - Anne – has the most impact on the neighbors
   - Steering Committee Recommended Land Uses
     - Current zoning reflects appropriate uses
       - High Density Residential
       - Professional Offices
       - Professional Services
       - Personal Services
   - Zoning
     - Need more information to create a zoning district
     - Anne – current zoning allows for enough commercial
       - What is a good balance?

4) Discussion of Area 'B'

- Boundary of Area 'B'
  - Ian - Boundary of Area 'B' now extends to highway in front of Area 'D'.
  - Area 'B' is different east and west of Karrow.
- Discussion of appropriate commercial uses that should be allowed in this area and the definition of community commercial
  - Ian - Too much commercial is recommended in Areas 'A' & 'B'.
    - People never said they wanted to see strip development.
    - Committee likes the existing animal hospital, Jensen's, and the uses allowed through the conditional use permit process.
  - Ian - The plan reads as pro-commercial.
    - No retail or branch banks
  - Adding too much commercial to Area 'B' may limit Idaho Timber redevelopment.
    - Want to encourage Idaho Timber redevelopment
    - Appropriate uses could include value-added retail restaurant, micro-brewery
  - Nancy – Professional offices out front with residential in rear
  - Use character based criteria to avoid strip mall pattern
  - Cora – No strip malls
- Want to see WR-3 uses with appropriate design standards
  - Adaptive re-use of buildings
    - Conditional uses in front
      a. Professional Services
      b. Professional Offices
      c. Personal Services
    - Residential in back
  - 2 story residential
  - Resort Residential - Short-term rentals – approved by the committee except Anne and Ian
    - Improves property quality
    - Cause the number of owner-occupied residences and long-term rentals to decrease – hollowed out the owner-occupied residences in the Railroad District
    - Cora would like to see an example of how short-term rentals work
- Small, quaint uses
  - Coffee shops
  - Sandwich shop
  - Boutique businesses
  - Nancy – art gallery – value-added retail in existing building
- Micro-brewery
  - Cora, Doug, Jim, & Ken support a micro-brewery within Area 'B'
  - Ian & Anne do not support micro-brewery
- Ian - The plan is thin having a qualitative gradient
- Zoning
  - Concern with re-zoning
    - Anne doesn't want a zoning change.
    - Ian doesn't want a zoning change.

a. Concerned with potential piecemeal commercial development along the river

- Uses should be compliant with zoning – need to be specific
  - Anne – neighborhood not supportive of micro-brewery – doesn't match existing zoning
  - Utilize conditional uses and PUD's that must fulfill city criteria
  - Anne & Ian support language in PUD
- Area 'A' and Area 'B' have the same zoning
- Anne - no one is opposed to existing zoning and conditional use
- Cora suggested adding sandwich shops and something like Coffee Traders to the conditional uses.

5) Potential Additional Standards for Area 'B'
   - Respond to topography – original grade is below the highway
   - Max building height 35 feet
     - Don't include pitched roof as part of building height
     - Want to encourage creativity in architectural design and adaptation
   - Should include lot coverage and floor area ratio
     - This includes the building area but could include impervious surfaces

6) Area 'C'
   - Add "no alleys" to character and concerns
   - Are Areas 'C' and 'D' the same?

7) Idaho Timber
   - Mixed used along river.
   - Anne was concerned with having a micro-brewery within 150' of a residential use.

8) Fox Hollow
   - Should stay in current condition
   - 70% owner occupied

9) West Residential Area
   - State Park Road Intersection
     - Road improvements created small lots
       - Should multi-family lots be allowed?

10) Peace Park
    - Should clarify that it is not owned by a city or public agency
    - RV's need to be addressed perhaps with current regulations
      - Conditional uses can be used as a tool to address some of the proposed uses
      - Define thresholds for review

11) Next Steps
    - Make discussed revisions to plan with emphasis on the commercial definitions.

- Revise narratives for each sub-area to better capture what the group likes about each area.
- Revise implementation section to a step-by-step process that could include a flow chart.
- Planning board working session June 19th at 6 pm after the regular meeting agenda.

12) Public Comment
- Mayre Flowers with the Citizens for a Better Flathead doesn't want to rush the process and would like to see another steering committee meeting because it's a good setting for discussion.
    - Concerned with commercial uses
    - Needs to see more information on existing zoning and what's allowed with conditional uses and PUD's
    - Potentially have commercial nodes to limit commercial uses within the corridor
    - Would like more detail on the Peace Park
        - Commercial uses
        - Better Parks & Rec definition
    - Found section on frontages and disposition confusing

END OF NOTES

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MEETING SUMMARY

MEETING DATE:	08/20/13
PROJECT NAME:	Whitefish Highway 93 West Corridor Plan
PROJECT NO.:	13-03-03
SUBJECT:	Public Involvement Meeting #1
BY:	Kate Dinsmore

The following comments were recorded during the meeting:

Highway 93 Construction Issues

- Extend gas service
- Wayne Torkelson – Parcel 30 – 1515 Hwy 93 0 LT Access to driveway is still an issue
- Concern for final grades and drainage adjacent to highway
- DNRC Segment 3 Access Coordination - Send Plans to Anne Moran
- Hoagy Carmichael
    - 250-8721 or 862-4149
    - Concern for impact to house 2190 Hwy 93 W
    - choagy@centurytel.net
- Speed limit to 25 mph in city limits
- Trail at end of segment 2 needs to connect to Lion Mountain Road
- Mike Jensen: Concern about utility boxes in ROW in front of his building
- 224/230 Hwy 93 Concerned about the drainage after the highway is raised
- Golf course entry – are stone monuments in conflict with new drive?

Highway 93 Impacts

- Privacy issues, lights from highway shining into house issue after trees are taken down, I need to keep my house hidden, keep it rural, lower speed limit, 2100 Hwy 93 W – Janey Conat

- Karrow & 93
    - Karrow cannot handle current traffic
    - Peace Park & Idaho Timber + 55 unit MF = traffic increase
    - Speed lack of enforcement
    - People are under estimating traffic there
    - What happens @ Karrow & 93 in the future?
- Concern: The corner of Karrow & Highway 93 is being constructed by MDOT and it will not handle the traffic that currently exists. So how can it possibly handle any further development in the area as the Idaho Timber property, the trails & more condos get developed? (Future warrant of signal at intersection)
- Medians will divert traffic to 3rd between Parkhill & Karrow with commercial development

Character & Concerns

- Adaptive use of existing buildings, more quaint and gentle than 93 to Kalispell, feeling of quaint, cozy, welcome as you come to town, like to see small scale restaurant down by river
- Susan Prilliman
    - West Third – keep character of the street – kids, rural character, quiet, have animal hospital, 3rd/2nd very close together
    - Want: respect for residence, corridor homes/MF/ professional offices,
    - Things that can be compatible – family-"beauty"
    - Standards – landscaping – height – hours of operation
    - Outdoor activity that is loud/music etc. is not the best
    - Got a mailing and word of mouth
- SE Corridor Good & 93 – Highway moved closer, green utility box, ruined ambiance, want commercial
- Imagine future uses: will not be a nice residential area, needs a commercial component, shape and form of development is important
- 3rd St. Owner
    - OK with "mom and pop" shops on Hwy 93 that close at ~6 pm (Not chain stores with lots of activity)
    - Business on Hwy 93 okay, but wants businesses that are quiet and close early 5-6pm
    - Realizes we have to have development – however they need to be carefully planned
    - This is a really peaceful, pretty part of town. WF needs more affordable housing. This area is still largely residential, there are many people who live here and enjoy that aspect, we don't want to take this "off the table", it's a great area for middle-class residential living environment - please don't lose this
    - Please take actions that encourage those of us who own residences to want to keep improving/enjoying our homes
- S. Of Hwy 93
    - Doesn't mind current zoning – WR3 – which allows some business – doesn't want to see full commercial – doesn't want to lose the residential feel – neighbors and residential feel – a little bit of business is okay – light use – but not full commercial
- Owns undeveloped and developed property on Hwy 93 W. Would not like to see zoned uses become more restrictive than current in that area.
- Alternate uses on own merit (W 2nd St.) – not a lot of permitted uses
- Maintain residential houses along corridor – still should be predominate
- South & North of W 2nd St. are different
- Liked Bradlin's(?) project – mostly res. w/ some commercial

- Projections land use:
    - -high intensity (urban)
    - -moderate (existing?)
    - -low (public/parks)
- No change to Fox Farm – wouldn't want to see any commercial uses
- Will develop into its own community – why a park/natural areas are so important, walking trails; residential; commercial – beautiful, aesthetic pleasing area – Balance – not just one use or another
- Keep Fox Farm CT zoned the way it is
- Owner on highway & Good Ave. suggest allowing nightly or weekly rentals
- John Constenus – Allow Hwy 93 to continue to develop low-impact commercial/offices
- Alternative access to Ramsey for commercial interests

3rd St. Character & Concerns

- Median a concern for Park Hill neighborhood. Feeling that nobody would drive up to the State Park Road turnaround
- Marty: impact on Park Hill and 3rd do to new median diverting traffic into residential neighborhood
- 3rd St. Owner
    - Wants to see whatever goes in on 93 remain compatible with homes on 3rd – they (homes) will be there for the long term as residences. Need to consider what effects 93 businesses will have what hours will they be open? What kinds of truck traffic/delivery will be necessary? Parking? Noise? Lighting? Please respect people who have made their homes there (nearby)
- W. 3rd St. prime location for families/walk to school/kids bike riding/skateboarding/etc.
    - This is why we moved here.
- Impacts of traffic on W 3rd St. – W 3rd St. & Parkhill is quiet – low traffic now without Hwy project – State Park/Hwy 93 S zoning from s.t.r. to m.t.
- 3rd Street – Keep it the way it is, B&B quiet like they say they'll be
- W. 3rd St. owner
    - Has experience with vacation rental in a destination town of similar size (St. Helena/Napa Valley) and they had a very effective process: In order to do anything less than a 30-day rental, you had to have a B & B permitted in town. Only 25 B & B's permitted in town. B & B's required to have 24/7 manager – had to notify neighbors within 300' if 30% + contested application had to go to City Council for hearing instead of automatic approval. Permit for B&B required to be renewed every 2 years and does not go with property if sold.
- Concerned that such rentals will/can change character of neighborhood and wouldn't want to live next to that activity if negative. If it's going to happen, want to insure that city monitors/governs. However, if done right, these can be nice properties.
- W. 3rd St. Owner
    - Not opposed to commercial development on 2nd St/Hwy 93 – not opposed to it – need to be pretty strict limitations on hours of operations and what they sell. Restaurants in particular pose some real problems with noise/parking/house of operation – open to options but concerned/opposed to box stores/retail, etc.
- W 3rd St. will stay residential need to protect this area –

- Resident on S. 3rd concerned about impact of business development on property values, quality of life, noise, traffic
- Doesn't want to see parking from Hwy 93 overflowing onto W 3rd St. or west 3rd St. lots
- Does not want noise and increased traffic on W. 3rd St.
- Does not want business impact on W. 3rd St.

Recreation/Parks

- There are not a lot of parks (passive recreation); family-oriented supports the river; wildlife corridor
- Expand Peace Park along River as Corridor Park – Wildlife & Family Benefit
- Trail along south side of WF River connecting to downtown
- Peace Park should not be lists as "public" as the public doesn't have a say in the rules or management of park

Idaho Timber

- Idaho Timber – park along the river/bike trail, complement the river, sustainable development
- Idaho Timber: Along river commercial (restaurants, hotels, etc.)
- Likely transition to mixed use – unlikely to return to industrial

WF River

- Commercial uses fronting WF River
- WF River: front the amenity
- Linear park/trails

Vehicular Circulation

- Alternative route North across River to Wisconsin, Lake, WF Mountain Resort

END OF NOTES

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MEETING RECORD

MEETING DATE:	10/20/14
PROJECT NAME:	Whitefish Highway 93 West Corridor Plan
PROJECT NO.:	13-03-03
SUBJECT:	Steering Committee Meeting #8
BY:	Kate Dinsmore
ATTENDEES:	Steering Committee: Ian Collins, Jim Laidlaw, Anne Shaw Moran, Nancy Woodruff, Ryan Zinke, Hunter Homes City of Whitefish Planning Staff: Dave Taylor, Wendy Compton-Ring Planning Consultants: Nick Kaufman, Kate Dinsmore Public: Bruce Boody, Mare Flowers, Rhonda Fitzgerald, Brian Woods, Gail Linne,

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The following items were discussed during the meeting:

1) Introductions
   - Hunter Homes is new to the steering committee and representing the new owner of the Idaho Timber site. He works for Clearwater Montana Properties.
2) Agenda
   - Public comment was added to the agenda and was placed on the agenda after Item No 5.
   -
3) Review of changes to the plan
   - Steering Committee comments were limited during the review of the plan to allow for public comment.
   - Project Description, I. Corridor Context: Analysis of Existing Conditions, and II. Public Involvement
     - There were minimal changes to these chapters. The changes to these chapters reflected the need to reduce the content of the plan to increase readability.
   - III. Visioning for the Future & Development Policy
     - Area A
       - Ryan – wanted it noted in the plan that B & B's are a conditional use like professional offices in the existing zoning
       - Ian – doesn't want specific uses noted including professional offices or personal services
       - Anne – Is existing zoning in the appendix? It was explained to her that zoning is fluid, therefore the plan should reference the current codes but not include them

She stated that It needs to be clear that references to zoning regulations reflect the current zoning. Zoning could change in the future and could affect the understanding of the plan.

- Area B
  - Nancy – What happens if someone buys several lots and consolidates into large apartments or something? (Note: multi-family over four units requires a CUP)
  - There was a discussion about the accuracy of the statement, "Generally no alleys exist."
    a. It was clarified that there is an alley behind Murray and 1st Street is not an alley but a street right-of-way.
  - Several committee members wanted to discuss Area B in more detail after reviewing the plan and hearing public comment.
- Peace Park
  - Single-story height restrictions were questioned by Ryan.
  - The park is located in the county and not the city.
    a. How does the doughnut issues impact this? (Note: outside of city limits, but could annex in if utilities are required on site)
  - Anne - RV camping should be a conditional use.
    a. Ryan - There is no intention of having a permanent RV park, but want to be able to accommodate RV's for special events.
- Idaho Timber
  - Anne, Ryan, and Ian - Want flexibility and no limitations.
  - Ian would like to see the PUD process used.
    a. Dave – Uses have to be allowed in current zoning to be included in PUD, ie residential would not be allowed on the site with existing zoning even with a PUD
  - Ian - There are consequences of creating new zones as they could be applied elsewhere in the city someday (Note: with a growth policy map amendment)

- Implementation
  - WI-T
    - Should research facilities be limited to labs without biohazards?
  - Artisan Manufacturing Special Provisions
    - There were concerns by Ryan with having gross floor area limitations and the wording of 'B' which prohibits uses that create any objectionable byproducts such as dust or odor.

4) Public Comment
   - Mayre Flowers, Citizens for a Better Flathead
     - The plan needs more discussion.
     - The plan needs predictability versus an open-ended transition.
     - The plan has flexibility.
     - Conditional uses should not be the norm used to drive transition.
     - Plan timeframe needs to be stated.
     - A plan guided by landowner changes has limitations and opens the door to problems and unanticipated changes.
     - Wants the plan to work with existing zoning districts.
     - New districts open doors for application to other areas.
     - Multiple lot consolidation needs to be addressed.
     - Plan needs model noise regulations.
     - Recreational facility needs a definition.
     - Does not support an increased height limit for mixed-use buildings.
     - Needs guidelines for park zone.

- Needs clarification on the how the resort commercial extends beyond the corridor boundary.
- Future sessions should allow for more public comment.

- Bruce Boody
  - If hotels/motels allowed in the 300' along the river, there should be something for Resort Commercial reflected in area along the river.
- Gail Linne
  - Residents on Murray live in Canada and Washington – there are 5 local residents.
  - Existing zoning is appropriate and changing zoning is difficult.
  - Would like at least a week's notice of upcoming meetings.
  - Need to look at Peace Park carefully.
  - There is an existing alley behind Murray Avenue that is used 5 months of the year. It will be paved due to a tri-plex that is going in.
  - Need a microphone so audience can hear discussion.
- Rhonda Fitzgerald
  - Plan is complex and appreciates the solutions that use existing zoning.
  - Community is concerned about the corridor becoming a commercial strip.
  - Zoning for Area B may be too much like highway strip development.
  - Would like a nice, calm entrance.
  - WR-4 works well on Spokane between 6th and 3rd maintains traditional residential feel.
  - WRB-2 may be better.
  - Transitional zone is a get out of jail.
  - Artisan manufacturing is a broad category that needs to be re-worked.
  - Concerned about how sandwich shops are called out.
  - Possibly add a conditional use for recreational uses to WR-4.
  - New zoning district for Idaho Timber not necessary.
  - Similar developments were anticipated in the Whitefish Landing project from the Downtown Master Plan on the other side of the river
  - B-4 is the zoning for Baker Commons and could be applied on Idaho Timber for business incubators.
  - Whitefish Landing – set aside land for similar uses
  - No height increase for mixed-use buildings.
  - Don't call out each conditional use.

5) Comments from Steering Committee
   - Ryan
     - Artisan Manufacturing Special Provisions comments
       - G – Off street parking in rear. Depends of the layout of property – doesn't think it's an issue.
       - H – % of retail. Depends on size of building and use, too limiting.
       - B – "Any objectionable byproducts" – too strong of wording.
   - Ian
     - Doesn't see need for Idaho Timber zoning.
     - Look at Whitefish Landing.
   - Hunter
     - Have a blank slate and need as much opportunity for highest and best use of property.
     - Doesn't want to be constrained by zoning.
     - Wants flexibility.
     - Will create employment.
     - No direction set yet, but need to preserve options.
     - Quick access to golf and Whitefish trail system.
     - Client has vision for developing the site that will be an enhancement to the community.

- Anne
  - Zoning classifications and districts – doesn't support them and wants to discuss further.
- Ian
  - Doesn't want new zoning districts.
    - New zoning districts are confusing and open up unknowns community-wide.
- Ryan
  - Northside – size of lots and railroad make it different.
  - That neighborhood is in transition.
  - It's important to allow some innovation, have some flexibility and rely on public process.
  - Residents want resort rentals.
- Jim
  - Major parcels of land could come together.
  - Wants to get plan finalized.
- Nancy
  - Good points about not applying new zones.
  - Vision is like Spokane Avenue for Area B.
- Anne
  - Neighborhood is still 70-80% residential.
    - Wants predictability for people who have made an investment in the area.
    - Conditional uses allow flexibility.
  - Concerned with Neighborhood Mixed-Use Transitional land use district potentially being applied to areas zoned WR-2 later on.
  - Manufacturing is a concern.

6) Next Steps
- Further discuss implementation.
  - Steering Committee would like to see flexibility and predictability with zoning districts.
    - The next meeting will be scheduled for the week of November 3rd.

END OF NOTES

WGM GROUP
PLANNING SURVEYING ENGINEERING DESIGN

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MEETING RECORD

MEETING DATE:	11/7/14
PROJECT NAME:	Whitefish Highway 93 West Corridor Plan
PROJECT NO.:	13-03-03
SUBJECT:	Steering Committee Meeting #9
BY:	Kate Dinsmore
ATTENDEES:	Steering Committee: Anne Shaw Moran, Nancy Woodruff, Ryan Zinke (phone), Hunter Homes, Cora Christiansen, Doug Reed, Ken Stein City of Whitefish Planning Staff: Dave Taylor, Wendy Compton-Ring Planning Consultants: Nick Kaufman, Kate Dinsmore, Bruce Lutz Public: Bruce Boody, Rhonda Fitzgerald, Brian Wood, Kellie Danielson

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The following items were discussed during the meeting:

1) Approve Meeting Notes from 10/20 Meeting
   - Anne clarified her comments on the Peace Park. She was questioning whether a rental subdivision was needed for an RV park. A rental subdivision should not be a conditional use in the Peace Park. She is also supportive of flexibility on the Idaho Timber site but not without limitations.
   - A motion to approve the minutes with Anne corrections was passed.
2) Implementation Options
   - Options for implementation were discussed at the last meeting including the proposed WI-T and WT-3 zoning districts, PUD's, and existing zoning districts.
   - Comments from Kellie Danielson, President/CEO of Montana West & Flathead County Economic Development Authority, were shared. She supports the transitional zoning.
3) Review of Dave Taylor's Memo
   - Dave reviewed his memo that was in response to comments from the last meeting. The memo addresses a recommendation that existing zoning districts and PUD's be used instead of the proposed WI-T and WT-3 districts.
   - Hunter supports the new zoning. His client wants the highest and best use for the property and the new zoning models enable his client to move forward. His client would like development that is beneficial city-wide, county-wide, and state-wide and the new zoning would allow for his vision. He has soft commitments for light manufacturing and wants the option for residential, potentially above the manufacturing.
4) Revise Model Zoning Districts

- Bruce Boody, who is working for the owner of the Idaho Timber site, is in favor of the two proposed zoning districts, but recommends some changes in the language. Currently, hotels and motels are a conditional use in the WT-3 district within the strip of land that extends 300' from the low water mark of the Whitefish River. This does not allow enough developable space. The 300' could potentially extend from the top of bank rather than the low water mark.
- A Phase I was completed for the Idaho Timber site and there was no reason to complete a Phase II.
- Ryan - Area B is different than Area A. The artisan manufacturing special provisions were too restrictive, specifically 'B', 'G', 'H', and 'I'. There is a public process with a Conditional Use Permit (CUP). With the PUD process, it can be called spot zoning. The CUP process allows for mitigation of public concern.
- Hunter – 'I' is too restrictive. His client is interested in rooftop dining/seating to take advantage of the river and views. Restricting dining to the ground floor does not fit that vision.
- Ryan – He would like to strike 'G', 'B', 'H', and 'I' and use the CUP process.
- Dave - The limit on retail was to make sure that the retail is ancillary to the manufacturing.
- Ryan - If a large product is manufactured, such as sinks or tubs, the floor space needs to be larger because the product takes up more floor space so it should be reviewed as part of the CUP.
- Anne – There's a conflict between residential and artisan manufacturing. It's primarily (80%) a residential neighborhood so the City Council put two neighborhood representatives on the steering committee. She has a problem with taking out the performance standards. Adding additional zoning districts allows the districts to be applied all over the city. The WR-3 zoning is adequate and the WR-4 zoning is an interesting option. The residential land owners are concerned about change.
- Ryan – The neighborhood is 80% residential but is changing to rental from owner occupied.
- Ken – Many owners on the north side of the highway see change. It's residential but moving away from residential.
- Cora – If we don't change zoning, then the Idaho Timber is stuck with industrial zoning which is more likely to affect the neighborhood. There can't be improved uses unless the special provisions are there.
- Anne – The special provisions are in artisan manufacturing only.
- Ken – Special provision 'I' is too restrictive by only allowing food and drinks on the ground floor.
- Doug – Only allowing parking in the back of buildings is too restrictive and doesn't match the existing uses.
- Hunter – The plan needs to be as welcoming as possible to potential uses.
- Nancy – There's a difference between Area B and Idaho Timber. With tweaks the special provisions work. The provisions could be more relaxed along the river.
- Ken – Area B needs some flexibility. There needs to be a CUP process or other avenue for businesses in Idaho Timber.
- Ryan – Parking in rear of buildings will not work. The parking in front should be mitigated with landscaping.
- Cora - We decided on a CUP for sandwich shops. Does this require a new zoning district? Could we add sandwich shops to WB-3 as a conditional use?
- Dave – A CUP is required for artisan manufacturing.
- Anne – Ian and I did not support sandwich shops.
- Ryan – The process should be a conditional use permit and not a PUD because of issues with spot zoning. There needs to be a process for a CUP and there needs to be some degree of certainty for developers investing money.
- Cora – She prefers a PUD for short-term rentals in Area B.
- Ken – Some people have more vision than others so you can't put restrictions on zoning and limit their visions for the future.

- Nick – A PUD limits the uses that can be included. Only uses from the base zoning may be included in a PUD.
- Ryan – Motioned to strike 'G', 'H', and 'I' from the special provisions and amend 'B' from "Uses that create any objectionable byproducts…" to "Uses that create excessive, objectionable byproducts…"
- Ken seconded the motion.
- Motion passed. 5 ayes and 2 nays. Nancy and Anne were opposed.
- Hunter – Asked Rhonda about the Whitefish Landing from the Downtown Master Plan which she mentioned at the previous meeting.
- Rhonda – It's an extensive idea across the river from the Idaho Timber site. It could be mirrored on the other side of the river.
- Hunter – Idaho Timber is an opportunity for short-term and long-term income for the city.
- Nancy – How does the WRB-2 differ from the WT-3?
- Dave – No artisan manufacturing.
- Rhonda – The city council does not need new districts/classifications. The WRB-2 is preferred to WI-T because it's not open-ended. Area B could be changed from WR-3 to WR-4 with added conditional uses. Idaho Timber could be WRB-2 with an interior zoned WI. Use zones you already have and understand. Area B should be similar to Spokane between 4th and 6th.
- Anne –Existing zoning classifications provide predictability. The new zoning is wide open and the residents don't want to be a guinea pig for the new districts.
- Doug – How does that impact the business incubators?
- Hunter – Need zoning that would allow business incubators that provide jobs and businesses that aren't in this neighborhood such as a hotel/restaurant, brewery, and microdistillery. Site needs flexibility and is close to downtown and the golf course. WI-T and WT-3 would work for the property with some tweaks.
- Anne – Is there a site layout for Idaho Timber?
- Hunter – No, the owner wants confidence that the uses can be permitted.
- Brian - Potential uses on the Idaho Timber site all match uses in the corridor plan and existing districts won't accommodate the new Idaho Timber owner.
- Dave – WR-3 and WR-4 are almost identical. WT-3 is based on the ~~WT~~WR-~~4~~ 3 with a few conditional uses added.
- Nancy – She is in favor of transitional districts. With WR-4 zoning, someone could buy multiple lots and build a large apartment complex with no public process. She wants flexibility for the Idaho Timber site and doesn't want it all to be housing.
- Hunter – His client wants it to have some residential and be community oriented with a river walk.
- Ken – He likes the transitional zones but is not opposed to WR-4 on north side of the highway.
- Rhonda – The WR-4 zone along Spokane that has a residential look and feel could potentially be due to the architectural review standards, Old Town South District.
- Dave – There was input from the Architectural Review Standards Committee and they did not recommend any changes.
- Cora – She has problems with WR-4. None of the existing zones allow us to change. She is concerned about density and doesn't want a large apartment building with short-term rentals, but supports short-term rentals in general.
- Dave – At steering committee's request, short-term rentals are included.
- Cora – She wants short-term rentals but not hundreds of units
- Anne – She is more comfortable with WI-T zoning than WT-3 zoning but wants to use existing zoning districts for Area B. Doesn't want to include WR-2 on page 68 in the Neighborhood Mixed-Use Transitional land use designation as an applicable zoning district. It causes issues with predictability.
- Anne moved to strike WR-2 from the Neighborhood Mixed-Use Transitional designation.

- Ryan seconded the motion.
- Motion passed unanimously. 6 ayes 0 nays.
- Ryan moved to adopt the WT-3 zoning district in Area B.
- Cora seconded the motion.
- Rhonda – Sandwich shops and coffee shops are more commercial. They are downtown uses and not what she thinks the neighborhood expects.
- Cora – A CUP is required.
- Bruce – It was decided at a previous meeting to have these types of uses.
- Dave – Those uses are included in response to the steering committee.
- Nancy – Why are sandwich shops specifically called out?
- Dave – Reviewed the definition which is included in the plan.
- Hunter – Would this restrict restaurants?
- Brian – He wants to change language in WT-3 regarding hotels and motels to include accessory uses to hotels and motels. The Idaho Timber client would like to have a restaurant without any size restrictions.
- Motion passed. 5 ayes 1 nay. Anne voted against.
- Nancy – What about WI-T along the river?
- Brian – You don't want to have industrial uses next to the river so want the WI-T and WT-3.
- Nancy – She wants to tweak the 300' zone along the river.
- Rhonda – Doesn't think that WR-4 and WT-3 are that similar.
- Motion to amend language on page 107 for hotels and motels from "Whitefish River north of Highway 93" to "Whitefish River north of First Street"
- Motion passed unanimously. 6 ayes and 0 nays.
- Hunter moved to add accessory uses and allow development 300' from the Whitefish River buffer. The language would be changed from "Hotels and motels are permitted within a portion of the Whitefish River frontage area, said frontage area being a strip of land 300 feet wide and lying southwesterly of, and contiguous to the low water mark of the Whitefish River north of First Street" to "Hotels and motels, including their accessory uses, are permitted within a portion of the Whitefish River frontage area, said frontage area being a strip of land 300 feet wide and lying southwesterly of the requisite buffer area along the Whitefish River north of First Street."
- Ryan seconded the motion.
- The motion passed. 5 ayes and 1 nay. Nancy voted against the motion.
- Bruce and Brian need to come back with a definition for the appropriate development area for hotels and motels.

5) Determine Recommendation for Planning Board
   - Nancy – She wants the Planning Board to look at special provisions that were removed.
   - Cora moved to recommend the plan to the Planning Board.
   - Hunter seconded the motion.
   - The motion passed. 5 ayes 1 nay.
   - Anne voted against the motion but stated there was lots of good work in the plan. She can't support WT-3 in Area B. She has less of a concern with WT-3 in Idaho Timber.

END OF NOTES

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MANAGER REPORT

January 28, 2015

KARIN HILDING APPOINTED AS INTERIM PUBLIC WORKS DIRECTOR

I have appointed Karin Hilding as the interim Public Works Director beginning February 9th. Karin is a PE (also has a master's degree in Engineering), she has previously served as an interim Public Works Director, and she is well positioned to take over some of the projects that John has worked on. However, there will likely be some projects that we have to delay or defer for a while in the water and wastewater area.

HR DIRECTOR

We are down to nine remaining applicants and will schedule interviews soon.

UPCOMING WORK SESSIONS

The tentative schedule for upcoming work sessions is shown below:

February 17th – Interviews for board and committee vacancies and Downtown Master Plan update
March 2nd – Lakeshore regulations and processes and Parking Structure SID
March 16th – currently open – possibly Manager and City Attorney annual evaluations?
April 6th – currently open – possibly annual goals setting session?
April 20th – currently open – I keep a list of possible topics
May 4th – interviews for boards and committees – possible 2nd topic?
May 18th – interview for boards and committees
June 1st – open
June 15th – open

MONTANA DEQ UPCOMING PUBLIC MEETING ON BNSF DIESEL PLUME UNDER THEIR RAILYARD

The DEQ public meeting on the BNSF diesel plume under their rail yard will be Thursday, March 12th in the City Council Chambers beginning at 5:30 p.m.

Documents related to the clean-up project are at the DEQ website at http://deq.mt.gov/StateSuperfund/Whitefish.mcpx#Documents.

MEETINGS

Whitefish Face Working Group (1/22) – This group of diverse people with many interests in the Flathead National Forest area of the Whitefish Face (south face of the Whitefish Range north of Whitefish) met with various U.S. Forest Service (USFS) staff members to review the proposal that the Working Group will make to the USFS regarding vegetation management (prescribed burns, thinning etc.) and recreation (trails) in the Whitefish Face area. This meeting was to gain insight in areas of our proposal that need some more explanation or that might not be feasible. The Working Group will meet again soon to finish the proposal for submittal to the USFS.

MWED Annual Economic Forecast (1/28) – I was asked to speak at the annual Montana West Economic Development forecast breakfast on upcoming development projects in Whitefish.

UPCOMING SPECIAL EVENTS

Whitefish Winter Carnival – February 6, 7, 8

REMINDERS

Monday, February 16, 2015 – City Hall and city offices closed for President's Day state holiday
Tuesday, February 17th – City Council meeting on Tuesday because of Monday holiday.

Respectfully submitted,

Chuck Stearns, City Manager

RESOLUTION NO. _____

RESOLUTION RELATING TO FINANCING OF CERTAIN PROPOSED PROJECTS; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

BE IT RESOLVED by the City Council of the City of Whitefish, Montana (the "City"), as follows:

1. Recitals.

(a) The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the "Regulations") require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the "small issuer" exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the "small issuer" exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

(b) The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

2. Official Intent Declaration.

(a) The City proposes to undertake certain projects generally described on Exhibit A hereto, which is hereby incorporated herein and made a part hereof (the "Projects").

(b) Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds (as hereinafter defined), (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a "de minimus" amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Projects have heretofore been paid by the City and no expenditures will be paid by the City until after the date of this Resolution.

(c) The City reasonably expects to reimburse the expenditures made for costs of the Projects out of the proceeds of debt in an estimated maximum aggregate principal amount of $14,000,000 (the "Bonds") after the date of payment of all or a portion of the costs of the Projects. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

3. Budgetary Matters. As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Projects, other than pursuant to the issuance of the Bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

4. Reimbursement Allocations. The City's Finance Director shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Projects. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds or the Projects and shall specifically identify the actual original expenditure being reimbursed.

Passed by the City Council of the City of Whitefish, Montana, this 2nd day of February, 2015.

_____
Mayor

Attest: _____
City Clerk

EXHIBIT A

Description of Projects	Estimated Cost of Projects
Demolition of existing City Hall structure; design, engineering, construction and equipping a new City Hall structure and downtown parking structure, to include approximately 230 parking spaces and approximately 3,100 square feet of retail space; and related improvements	$16,500,000

Staff Report

To: Mayor John Muhlfeld and City Councilors

From: Dana Smith, Finance Director Dana Smith

Date: January 23, 2015

Re: Reimbursement Resolution for City Hall and Parking Structure Project

Introduction/History

The City has started to incur costs for the City Hall and Parking Structure Project. We have long anticipated that Tax Increment Financing District (TIF) revenues are the anticipated source of funding for this project. We have set aside TIF funds since 2004 for this purpose. Due to the timing of future TIF revenues, a tax-exempt bond issue will likely be the proposed financing mechanism for the project.

Current Report

There are many federal tax-exempt bond regulations which would apply to this type of bond issue. The City's Bond Counsel has prepared the Reimbursement Resolution to address one of those regulations that allows the City to spend funds prior to the bond issue and then be reimbursed for those expenditures. There are federal "safe harbor" and "de minimus" regulations which allow spending before bond issuance for most engineering fees. However, the way most bond issuers (state or cities) address using bond proceeds to "reimburse for prior expenditures" is to pass what is typically called a Reimbursement Resolution.

An estimated cost of the project and amount expected to be financed was required for the Reimbursement Resolution. Staff and Bond Counsel discussed the estimated costs including estimates for demolition, design, engineering, construction, bond issuance costs, and bond reserves. These figures are only estimates at this time and will become more accurate as the project continues to move forward.

Financial Requirement

There is no financial requirement at this time.

Recommendation

We respectfully recommend that the City Council approve the Reimbursement Resolution that establishes compliance with reimbursement bond regulations under the Internal Revenue Code.

Staff Report

To: Mayor John Muhlfeld and City Councilors

From: Dana Smith, Finance Director

Date: January 22, 2015

Re: Second Quarter Financial Report for Fiscal Year 2015

This quarterly financial report provides a summary version of the financial results of the City for the first half of fiscal year 2015. The first section is an overview of the City's financial condition specifically related to property tax supported funds. Subsequent sections further describe analysis and details of the second quarter ended December 31, 2014.

Financial Condition – Property Tax Supported Funds

An analysis of available cash in property tax supported funds provides an effective insight into the City's financial condition. The following table lists the FY13 second quarter cash balance in column (a), the FY14 second quarter cash balance in column (b) and the FY15 second quarter cash balance in column (c) for comparison purposes.

Cash Balance in Property Tax Supported Funds

	a	*b*	*c*	*d (c-b)*
	Dec 31, 2012 Cash Balance	Dec 31, 2013 Cash Balance	Dec 31, 2014 Cash Balance	One Year Change
General	$1,019,892	$1,158,818	$1,142,108	($16,710)
Parks & Recreation	($188,871)	($104,639)	($24,691)	$79,948
Law Enforcement	$72,153	$29,614	($2,890)	($32,504)
Library	$2,475	$23,138	$74,633	$51,495
Fire & Ambulance	$501,168	$292,149	$217,949	($74,200)
Building	$41,549	$170,213	$136,142	($34,071)
	$1,448,366	$1,569,293	$1,543,251	($26,042)

Total cash in property tax supported funds as of December 31, 2014 decreased by $26,042 or 1.66% compared to the balance on December 31, 2013. This decrease is primarily due to an advance payment on the new water tender fire apparatus, which will be partially financed through an INTERCAP Loan in January of 2015. The City continues to be in good financial condition and revenues and expenditures are tracking as expected with some minor deviations discussed within this report. The significant changes per fund in cash balances from the prior year-to-date are discussed in detail below.

General Fund – The General Fund cash balance compared to the prior year decreased by $16,710 or 1.44%. Despite the slight decrease in the cash balance, revenues continued to exceed expenditures by $233,251.

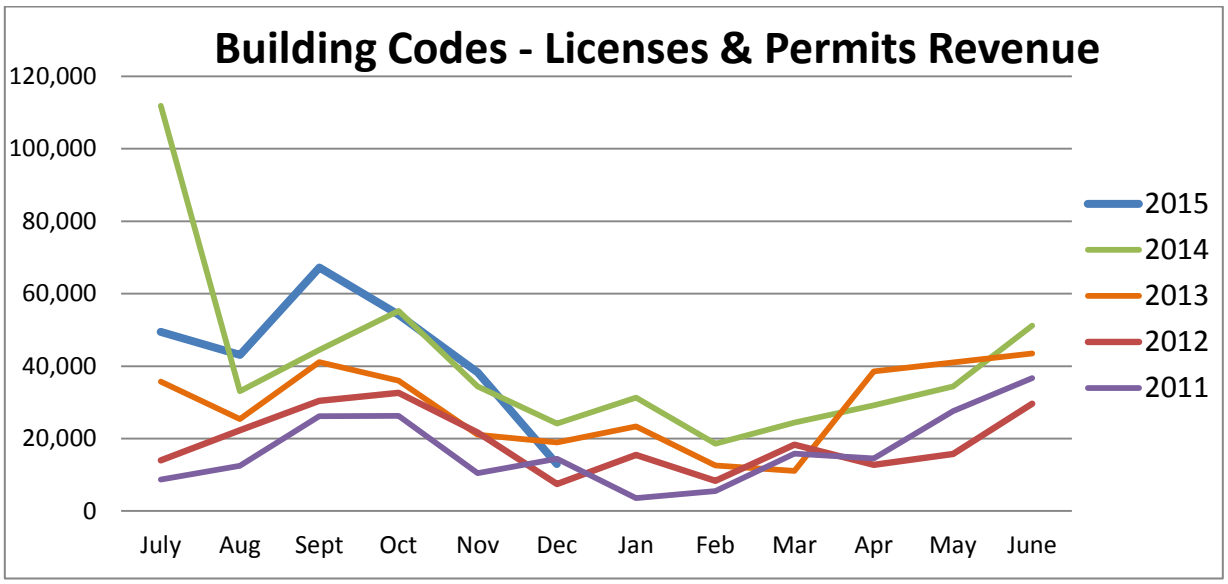
Parks & Recreation Fund – Although Parks & Recreation had negative cash as of December 31, 2014, the balance compared to the prior year has improved by $79,948 or 76.4%. Approximately $12,300 of the negative cash balance is expected to be collected for the Whitefish Trail operating costs incurred to date. The Department continues to strive to make each recreation program self-supporting and has demonstrated this through the change in the ice rink's net revenues at the end of the second quarter. At December 31, 2013, expenditures exceeded revenues by about $73,400, but as of December 31, 2014, expenditures exceeded revenues by only $9,321. This change is a $64,164 improvement in net revenues compared to the prior year.

Law Enforcement Fund – As expected the Fund had an overall decrease in the cash balance. This change is due to the FY14 and FY15 budgets both permitting the spending of cash on hand. In addition, the expenditures exceeded revenues at the end of the second quarter. However, additional grant monies are expected to be received in the coming months for expenditures that were made in the second quarter. This timing difference is typical for reimbursement grants.

Fire & Ambulance Fund – Similar to the Law Enforcement Fund, the Fire and Ambulance Fund started the year off with a lower cash balance than prior years due to the use of cash on hand in FY14. In addition, with the purchase of the new water tender apparatus, the Fire & Ambulance Fund had a partial pre-payment of $126,879 in the first quarter. The second payment is expected to be made by the end of January in the amount of $157,915 with total loan proceeds of $211,000. Therefore, cash will be increased by $53,085 when the loan proceeds are distributed to the City.

Building Fund – Although not directly supported by property tax revenues, in prior years the Building Fund received loans from the General Fund to support operations during the recession. The loans were essentially comprised of property tax revenue. Monitoring the financial condition of the Building Fund is important as it looks to repay the loan from the General Fund. With the continued higher revenue amounts (see below), the Building Fund is expected to pay-off a portion, if not all, of the remaining loan from the General Fund of $171,669 at the end of FY15.

In July of FY14, the license and permit revenue in the Building Fund received an unusually large amount of revenue. This dramatic increase was the result of one significant project (high school) in the City that brought in approximately $52,186 in licenses and permit revenue. When comparing the prior second quarter balances with this year's second quarter, a notable decrease in revenue occurred. Licenses and permit revenue, however, was at 67% of the budgeted revenue at the end of the second quarter in FY15. In addition, the cash balance in the Building Fund for the second quarter of FY15 is up 228% compared to FY13.



Financial Highlights

- The Columbia Falls Building Code Contract revenues are 28% higher than the prior year and are already at 104% of the FY15 Budget.

- Ambulance Service Charges are approximately 6% higher than the previous year's second quarter and are tracking as expected at 51% of the budgeted revenue.

- Zoning Plan Review Fees are at 76% of the budgeted revenue to be received in FY15.

- The Resort Tax collections are up by $65,704 or 5.23% compared to the prior year's second quarter.

Expenditure Review

The total expenditures in each fund at the end of the second quarter were at or below the expected percentage of budget authority to be used by mid-year (50%), with the exception of the Resort Tax Fund (see detail below). The following line-items will be monitored as the expenditures incurred through the second quarter of FY15 were higher than expected:

- *Street Fund*
  - Stand By/Call Back Time was 146% of the budget at the end of the second quarter. However, the total spent to-date during FY15 was only $709 more than the prior year. The budget from FY14 to FY15 reduced the available appropriations for this line-item by $6,324.

  - Overtime for Ice and Snow Removal was 75% of the budget at December 31, 2014, which was prior to the significant snow storm during the first part of January. Compared to the prior year-to-date, the overtime for this line-item is $2,928 more at the end of the second quarter 2015. However, overtime required for ice and snow removal is expected to vary based on the snow fall each year. After the snow fall in the first part of January, overtime jumped to 116% of the budget. This increase in costs will be somewhat offset by the falling fuel prices.

- *Parks & Recreation Fund*
  - The City Beach Repairs and Maintenance Supplies account was 135% of the budget at the end of the first quarter. City Beach experienced some unexpected deck repairs that were made during the beginning of FY15. This account has remained the same since the first quarter, but it will likely increase when City Beach operations startup again for the summer of 2015. The overall program is at 61% of budgeted revenues, which is expected since the larger part of the season has already been completed in the beginning of FY15.

- *Law Enforcement Fund*
  - Professional Services at mid-year total $14,721 and is 210% of appropriations for this line-item. This is primarily due to the unanticipated legal costs associated with employment matters for the Police Department.

- *Fire and Ambulance Fund*
  - Overtime expenditures at the end of the second quarter were 63% of the budget and have only slightly increased from the prior year-to-date totals.

- Repair & Maintenance Services for the Fire Protection and Rescue Services are over budget at 153% as of December 31, 2014. This over expending has occurred due to necessary repairs to the older fire engines, additional work on the brush truck, and other maintenance services needed for the Emergency Services Center. The Repair & Maintenance Services for Ambulance Services is also higher than expected at 85% of the budget at mid-year. The costs for this line-item include repairs to older equipment and other maintenance services needed for the Emergency Services Center, such as snow plowing, pest control, and lawn maintenance.

- *Water Fund*
  - Overtime expenditures at the end of the second quarter total $16,805 or 68% of the budgeted expenditures. Overtime expenditures as of December 31, 2014 are $7,869 higher compared to December 31, 2013. The percentage of the budget spent is also increased due to the appropriations from FY14 to FY15 decreasing by $4,649.

  - Repair & Maintenance Services at mid-year were 180% of the total appropriations for that line-item. This is primarily due to the lightning damage at the water treatment plant that occurred during summer 2014. These expenses were submitted to the City's insurance provider for reimbursement.

- *Sewer Fund*
  - Overtime expenditures and Stand By/Call Back Time expenditures were 120% and 65% of the budget at mid-year. The Overtime expenditures year-to-date for FY15 were $4,587 more than FY14. This is further compounded since the FY15 Budget is $3,697 less than the FY14 Budget. The Stand/Call Back Time expenditures are approximately the same as the prior year-to-date, but the FY15 Budget was reduced by $2,517 compared to FY14 Budget.

Long-term Debt

Information below depicts the changes in long-term debt for the City of Whitefish from June 30, 2012 until December 31, 2014. The FY2015 budget also includes additional draws on a Sewer revenue bond for up to $283,931 (River Lakes Force Main) and a $211,000 INTERCAP loan for the fire water tender apparatus. Additional revenue bonds are also likely in the future based on current projects.

Outstanding Debt Summary					
	Rate/TIC	**Dec 31 2014**	**June 30 2014**	**June 30 2013**	**June 30 2012**
Revenue Bonds					
TIF ESC	4.23%	$ 9,365,000	$10,715,000	$ 12,020,000	$13,285,000
Water	~2.1%	$ 3,033,000	$ 3,272,000	$ 3,740,000	$ 4,261,000
Sewer	~2.3%	$ 2,575,833	$ 2,638,764	$ 2,328,000	$ 2,788,000
Special Assessments					
SID166	4.18%	$ 795,000	$ 795,000	$ 865,000	$ 935,000
Intercap Loans					
Ice Rink	1.25%	$ 95,007	$ 110,575	$ 62,697	
Police Vehicle	1%	$ 13,637	$ 16,339		
Fire Engine	1%	$ 485,112	$ 202,453		
Ambulance	1%	$ 138,625	$ 153,780		
Capital Lease		$ 3,794	$ 3,794	$ 7,357	
Total		$ 16,505,008	$ 17,907,705	$ 19,023,054	$21,269,000
	$ Change	$ (1,402,697)	$ (1,115,349)	$ (2,245,946)	$ (1,093,000)
	% Change	-7.8%	-5.9%	-10.6%	-4.9%

Additional Detailed Analysis
The following discussion further highlights the attached spreadsheets.

General Fund Revenue (line 9 to 16)
Total General Fund revenues are at 58% of the FY2015 budget. However, the total General Fund revenues collected to date have decreased by 2% from the prior second quarter. This decrease is primarily due to the decreases in miscellaneous revenues and property tax relief transferred from the Resort Tax Fund.

Due to a timing difference, the miscellaneous revenues appear to have decreased in the first half of FY15 (J14) compared to the first half of FY2014. However, the significance of the decrease is much less than depicted. The FY14 second quarter numbers include the FY13 Golf Course lease payment that would have typically been paid in June of the previous fiscal year, but was actually paid in July.

When Resort Tax collections increase, the property tax relief also increases. However, due to more accurate budgeting of expected revenues in FY14, the actual property tax relief decreased. In FY13 the Resort Tax collections exceeded the budgeted revenue by a higher dollar amount, which increased the FY14 property tax relief by a significant amount. This occurs due to any amount collected over the budgeted revenues in a fiscal year are applied to property tax relief in the following year.

General Fund Expenditures, Net Revenue, & Cash (line 20 to 33)
Total General Fund expenditures are on track at 49% of the FY15 Budget. Expenditures are 7%, or $140,196, higher than the prior mid-year point. This increase is primarily due to the approved increase in transfers from the General Fund to the Parks, Law Enforcement, and Fire/Ambulance Funds. Regardless of the decrease in revenues and the increase in expenditures, the General Fund continues to see revenues exceeding expenditures (H32).

The General Fund cash balance was $1,142,108 compared to $1,158,818 at the end of the prior year's second quarter (see J33). The graph on page 1 of the spreadsheets shows the General Fund cash balance trends for the current year-to-date and the past 4 years. December, January, June, and July are months that tend to have higher cash balances due to the collection of property taxes. Building cash reserves to a minimum of 10% or more each year is important to ensure an adequate cash balance throughout the year.

Other Property Tax Supported Funds (p.2, line 71 to 108)
The funds supported by property tax have continued to see revenues exceeding expenditures. Revenues were at 47% of the budget, while expenditures were 46% of the budget at the end of the second quarter.

When compared to a year ago, these funds experienced an overall decrease in cash with detailed discussion above for each fund. Also compared to the prior mid-year balances, overall revenues and expenditures have increased. A significant portion of the increase in expenditures is attributed to the pre-payment on the Fire Department's water tender that will be financed via an INTERCAP loan later this fall. Other items that have had an effect on this financial situation include the revenues that were received in FY14 for a significant project (high school) in the Building Fund were not repeated in FY15.

Other Tax, Fee, & Assessment Supported Funds (p.2, line 114 to 144)
These funds located on the second half of the second page of the spreadsheet, receive no general property tax support.

Resort Tax collections are at 63% of the budgeted revenues as of the end of the second quarter while expenditures are at 57% of appropriations. Due to the timing of construction, more expenditures have been made to-date, but this appears to be right on track compared to the prior year.

Street Improvements comprise the largest portion of expenditures in the Resort Tax Fund. The following provides an analysis of the current cash balance for Street Improvements, as well as a projected cash balance as of June 30th based on the estimated expenditures to be incurred through the remainder of the fiscal year.

Resort Tax – Street Improvements

Beginning Cash as of 7/1/14	$756,605
+ Revenues Collected as of 12/31/14	$897,359
(allocated 70% to Street Improvements)	
- Expenditures as of 12/31/14	($1,166,139)
Cash Balance as of 12/31/14	$487,825
+ Expected Revenue Collections 1/1/15-6/30/15	$534,878
(allocated 70%of total budgeted revenue to Street Improvements)	
- Expected Expenditures	
E. 2nd Street	($ 654,125)
W. 7th Street	($ 172,376)
Expected Ending Cash Balance 6/30/14	$196,202

Street and Alley operations are also in good financial condition with the revenues exceeding expenditures. The expenditures are 24% of the budgeted authority, which has led to a significant increase of revenues less expenditures compared to the prior year-to-date (see J123). Next spring's street overlay project will comprise two years' worth of work, so the cash balance is expected to come down then.

Impact Fees have seen a $54,570 decrease (J132) from the prior year revenues at the end of the second quarter. This decrease is due to a significant increase (approximately $60,000) in impact fees collected from one project of considerable size in the City in FY14. When compared to FY13, the FY15 impact fees are significantly higher at 38%. Impact Fee expenditures will increase during the second half of the fiscal year with the transfer to the Tax Increment Financing Fund to reimburse the costs of the ESC and other paved trail improvement expenditures.

Enterprise Funds (p.3)

Metered water sales are up only 4%, while sewer service charges up 9%. The revenue for both Water and Sewer amounts were expected to grow this year due to the approved rate increase of 3.6% for Water and Sewer rates, which became effective as of October 1, 2014.

Capital expenditures in the Water and Sewer Funds are 43% and 258% higher than the prior year-to-date, respectively. This increase is due to the continued progress on the Hwy 93 Utility Improvements Project, as well as other capital improvement projects. A total of $3,333 of Water Impact Fees and $436,522 of Sewer Impact Fees have been spent during the first half of FY15 relating to these capital expenditures. An additional $201,193 has been paid with the final amounts of Plant Investment Fees in the Water fund during the first quarter.

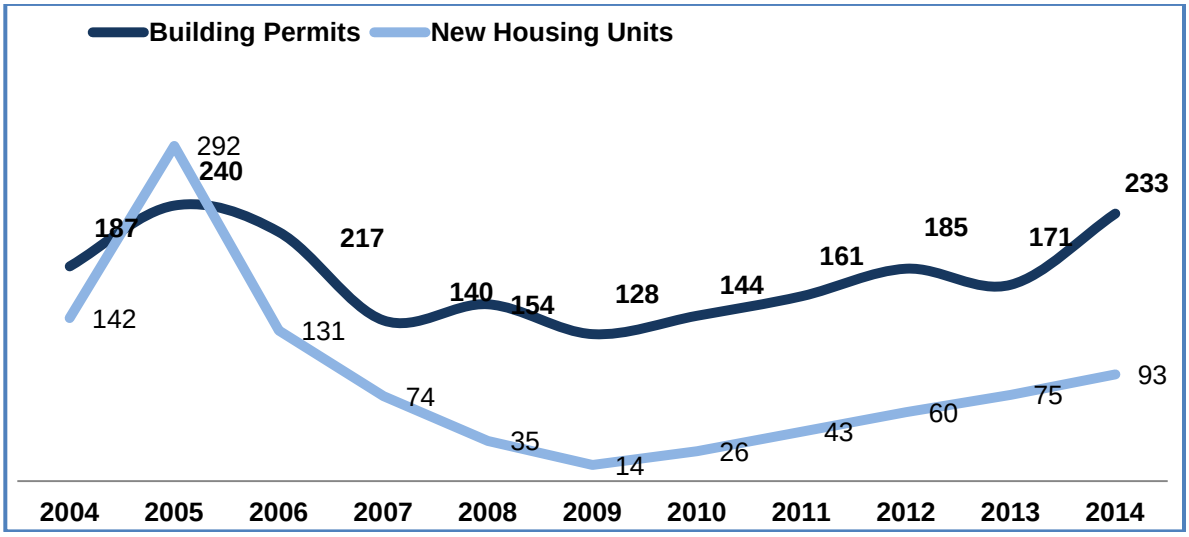
The 6% increase in Solid Waste revenues has continued into the second quarter. Revenues collected totaled 53% of the F2015 budget on December 31, 2014. The expenditures are also tracking as expected with 50% of the available appropriations expended to date.

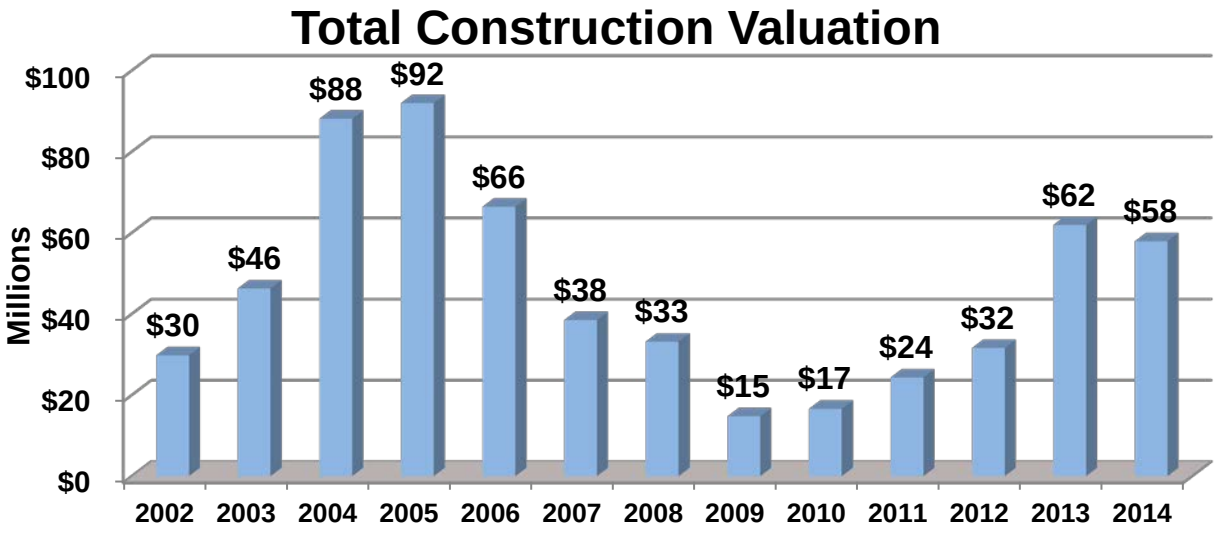
Economic Trends

Since the recession of late 2007, the City has experienced a slow, but steady recovery. Consumer spending and new housing are both key indicators of economic activity. At mid-year FY15, economic growth is evident through the increase in Resort Tax Collections and building permits, specifically new housing.

Compared to the collections through mid-year of FY2014, Resort Tax collections are up 5.23%, or $54,377. The increase in collections is further broken down as follows: 8.7% increase in lodging, 5.42% increase in retail, and 3.16% increase in restaurants and bars. With consumers continuing to increase spending on luxury goods and services within the City limits, it is anticipated that the Resort Tax Collections for FY2015 will exceed the prior year collections of $2,099,470.

The following graphs depict the growth of new construction and the change in valuation within the City by calendar year.



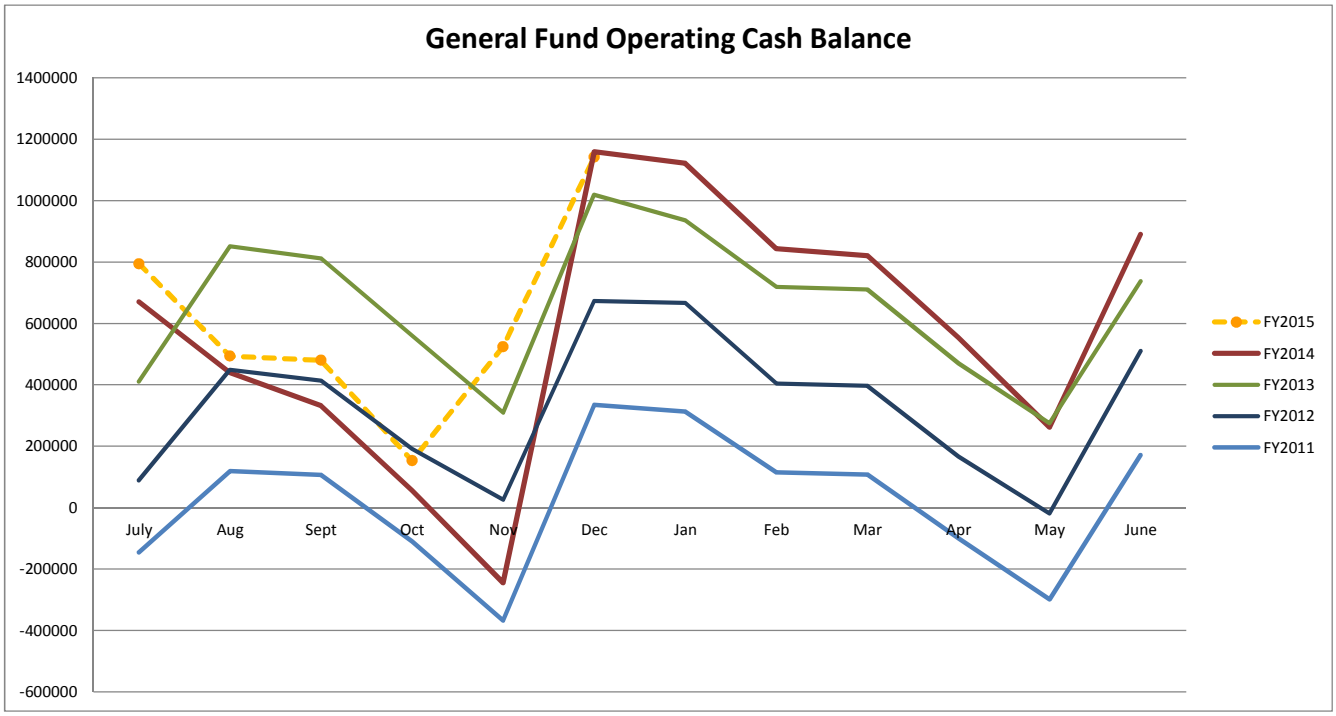


Please contact me if you have any questions regarding this report or mid-year financial results.

City of Whitefish
Quarterly Financal Review
Second Quarter of Fiscal Year 2015 (Mid-Year)
October 1, 2014 - December 31, 2014

50% of Fiscal Year Complete

General Fund Revenues	YTD Dec 31, 2012 Dollars	% of Budget	YTD Dec 31, 2013 Dollars	% of Budget	YTD Dec 31, 2014 Dollars	% of Budget	Chng Prev YR	% Chng Prev Yr
Property Taxes	$1,027,863	54%	$1,008,636	52%	$1,018,865	50%	$10,230	1%
Total Licenses and Permits	$31,243	53%	$32,150	53%	$33,929	56%	$1,779	6%
Intergovernmental Revenue	$394,376	52%	$391,595	51%	$409,425	50%	$17,830	5%
Charges for Services	$98,769	79%	$147,915	71%	$141,430	59%	($6,485)	-4%
Fines and Forfeitures	$127,624	53%	$111,112	43%	$102,554	45%	($8,558)	-8%
Miscellaneous	$12,707	35%	$47,736	118%	$8,927	19%	($38,809)	-81%
Investment Earnings	$7,266	29%	$13,350	67%	$7,900	53%	($5,450)	-41%
Resort Tax & SID RevolvingTransfer In	$598,007	100%	$693,432	100%	$668,831	100%	($24,601)	-4%
Total General Fund Revenues	$2,297,857	61%	$2,445,926	61%	$2,391,861	58%	($54,065)	-2%
General Fund Expenditures								
Municipal Court	$132,229	45%	$132,188	47%	$133,446	45%	$1,258	1%
Prosecution Services	$43,153	44%	$52,100	53%	$39,256	36%	($12,844)	-25%
Administrative Services	$32,798	46%	$36,171	44%	$36,785	46%	$614	2%
Legal Services	$16,411	45%	$17,835	45%	$19,044	45%	$1,210	7%
Community Planning	$133,352	44%	$154,753	44%	$151,030	38%	($3,723)	-2%
Transfer to Park Fund	$236,000	50%	$301,500	50%	$374,919	54%	$73,419	24%
Transfer to Law Enforcement Fund	$897,500	50%	$922,500	50%	$942,500	50%	$20,000	2%
Transfer to Fire Fund	$247,297	50%	$287,500	50%	$407,500	50%	$120,000	42%
Transfer to Library Fund	$17,186	50%	$17,185	50%	$17,186	50%	$1	0%
Cemetary/Other	$31,075	50%	$96,683	50%	$36,944	45%	($59,738)	-62%
Total General Fund Expenditures	$1,787,000	49%	$2,018,414	50%	$2,158,610	49%	$140,196	7%
General Fund Revenues Less Expenditures	$510,856		$427,512		$233,251		($194,262)	-45%
General Fund Operating Cash Balance	$1,019,892		$1,158,818		$1,142,108		($16,710)	-1%
Prop Tax Supported Funds (no General) Net	($11,329)		$73,014		$108,300		$35,287	
Prop Tax Supported Funds (no General) Cash	$428,475		$410,475		$401,143		($9,331)	
Total General & Prop Tax Supported Funds Net	$499,528		$500,526		$341,551		$998	
Total General & Prop Tax Supported Funds Cash	$1,448,367		$1,569,293		$1,543,251		($26,042)	



	A	D	E	F	G	H	I	J	K
68	**Property Tax Supported Funds**	Dec 31, 2012		Dec 31, 2013		Dec 31, 2014			
69		**Dollars**	**% of Budget**	**Dollars**	**% of Budget**		**% of Budget**	**Chng Prev YR**	**% Chng Prev Yr**
70									
71	Parks and Rec Operating Cash Balance	($188,871)		($104,639)		($24,691)		$79,948	-76%
72	Parks, Rec & Community Services Revenues	$639,059	43%	$778,653	47%	$797,372	47%	$18,718	2%
73	Parks, Rec & Community Services Exp.	$811,170	55%	$770,487	49%	$789,135	50%	$18,648	2%
74	Revenues less Expenditures	($213,059)		$8,167		$8,237		$70	
75									
76	Law Enforcement Operating Cash Balance	$72,153		$29,614		($2,890)		($32,504)	-110%
77	Law Enforcement Revenues	$1,053,306	47%	$973,518	44%	$995,337	41%	$21,819	2%
78	Law Enforcement Expenditures	$1,050,883	21%	$1,011,258	45%	$1,015,467	41%	$4,209	0%
79	Revenues less Expenditures	$2,422		($37,740)		($20,130)		$17,610	
80									
81	Library Operating Cash Balance	$2,475		$23,138		$74,633		$51,495	223%
82	Library Revenues	$91,682	44%	$104,783	48%	$111,747	53%	$6,964	7%
83	Library Expenditures	$94,234	47%	$102,029	49%	$93,901	40%	($8,128)	-8%
84	Revenues less Expenditures	($2,552)		$2,754		$17,846		$15,092	
85									
86	Fire & Ambulance Cash Balance	$501,168		$292,149		$217,949		($74,200)	-25%
87	Fire & Ambulance Taxes, Penalty and Interest	$280,986	54%	$273,992	52%	$276,831	50%	$2,839	1%
88	Ambulance Services Revenue	$575,645	52%	$480,509	51%	$509,008	51%	$28,499	6%
89	Total Fire & Ambulance Revenue	$1,370,205	38%	$1,321,267	36%	$1,726,382	47%	$405,115	31%
90	Fire & Ambulance Expenditures	$1,254,131	33%	$1,389,475	36%	$1,763,717	47%	$374,242	27%
91	Revenues less Expenditures	$116,074		($68,208)		($37,335)		$30,873	
92									
93	Building Codes Operating Cash Balance	$41,549		$170,213		$136,142		($34,071)	-20%
94	Payable to the General Fund	($460,977)		($460,977)		($171,699)		$289,278	-63%
98	License and Permits Revenues	$178,142	57%	$303,099	98%	$265,181	63%	($37,918)	-13%
99	Building Codes Expenditures without C. Falls	$134,334	47%	$153,140	49%	$151,905	41%	($1,235)	-1%
100	*Columbia Falls Contract Revenues*	$20,175	78%	$32,414	108%	$41,444	104%	$9,030	28%
101	*Columbia Falls Contract Expenditures*	$19,406	51%	$14,332	49%	$15,037	50%	$706	5%
102	Revenues less Expenditures	$44,838		$168,042		$139,683		($28,359)	
103									
104	**Total Property Tax Supported Funds (not including General Fund)**								
105	Total Property Tax Supported Cash	$428,475		$410,475		$401,143		($9,331)	-2%
106	Total Property Tax Supported Revenue	$3,352,830		$3,513,734		$3,937,462		$423,728	12%
107	Total Property Tax Supported Expenditures	$3,364,159		$3,440,721		$3,829,162		$388,441	11%
108	Revenues less Expenditures	($11,329)		$73,014		$108,300		$35,287	
109									
110	**Other Tax, Fee & Assessment Supported Funds**								
113									
114	Resort Tax Operating Cash Balance	$1,631,167		$1,629,362		$1,312,953		($316,409)	-19%
115	Resort Tax Collections	$1,165,473	68%	$1,243,209	64%	$1,308,913	63%	$65,704	5%
116	Resort Tax Investment Earnings	$3,060	20%	$4,942	82%	$2,440	49%	($2,502)	-51%
117	Resort Tax Expenditures and Transfers	$1,960,347	67%	$1,761,012	58%	$1,859,176	57%	$98,164	6%
118	Revenues less Expenditures	($791,814)		($512,861)		($547,823)		($34,962)	
119									
120	Street and Alley Operating Cash Balance	$941,800		$1,067,127		$1,257,036		$189,909	18%
121	Street and Alley Revenues	$763,201	58%	$681,340	51%	$689,071	50%	$7,731	1%
122	Street and Alley Expenditures	$701,244	43%	$641,615	37%	$526,195	24%	($115,420)	-18%
123	Revenues less Expenditures	$61,957		$39,725		$162,876		$123,151	
124									
125	Tax Increment Operating Cash Balance	$2,552,913		$1,597,730		$1,584,256		($13,474)	-1%
126	Tax Increment Property Taxes, Penalty & Interest	$2,393,926	57%	$2,182,338	49%	$2,274,272	49%	$91,935	4%
127	Tax Increment Revenues	$2,494,866	57%	$2,282,484	49%	$2,416,007	48%	$133,523	6%
128	Tax Increment Expenditures & Transfers	$2,015,734	32%	$2,543,509	46%	$2,831,317	46%	$287,808	11%
129	Revenues less Expenditures	$479,132		($261,025)		($415,310)		($154,285)	
130									
131	Impact Fees Cash Balance	$343,348		$565,732		$792,669		$226,937	40%
132	Impact Fee Collections - Revenues	$93,149	75%	$182,876	142%	$128,306	55%	($54,570)	-30%
133	Impact Fee Collections - Expenditures	$0	0%	$43,578	12%	$200	0%	($43,378)	-100%
134	Revenues less Expenditures	$93,149		$139,298		$128,106		($11,192)	
135									
136	Street Lighting #1 Operating Cash Balance	$61,899		$54,121		$52,833		($1,288)	-2%
137	Street Lighting District #1 (Rsdntl) Revenues	$41,281	62%	$39,306	51%	$39,633	52%	$326	1%
138	Street Lighting District #1 (Rsdntl) Exp.	$22,010	21%	$48,559	51%	$31,225	38%	($17,335)	-36%
139	Revenues less Expenditures	$19,271		($9,253)		$8,408		$17,661	
140									
141	Street Lighting #4 Operating Cash Balance	$69,863		$43,956		$20,939		($23,017)	-52%
142	Street Lighting District #4 (Cmmrcial) Revenues	$30,637	54%	$32,453	53%	$32,050	48%	($403)	-1%
143	Street Lighting District #4 (Cmmrcial) Exp.	$31,210	35%	$54,289	42%	$41,447	46%	($12,842)	-24%
144	Revenues less Expenditures	($573)		($21,836)		($9,396)		$12,440	
145									

	A	D	E	F	G	H	I	J	K
150	**Enterprise Funds**	Dec 31, 2012		Dec 31, 2013		Dec 31, 2014			
151		**Dollars**	**% of Budget**	**Dollars**	**% of Budget**			**Chng Prev YR**	**% Chng Prev Yr**
152									
153	Water Operating Cash Balance	$1,413,431		$1,270,347		$1,862,245		$591,898	47%
154	Water - Metered Water Sales	$1,364,754	58%	$1,465,488	61%	$1,517,536	61%	$52,048	4%
155	Water - Operating Revenues	$1,520,311	60%	$1,553,669	62%	$1,732,541	62%	$178,872	12%
156	Water - Operating Expenditures	$676,272	43%	$697,533	43%	$805,279	47%	$107,745	15%
157	Operating Revenues less Expenditures	$844,039		$856,136		$927,262		$71,127	
159									
160	Non Operating Revenue	$204,937	20%	$104,529	31%	$759	0%	($100,408)	-99%
161	Water Capital Expenditures	$724,704	27%	$174,670	13%	$249,555	15%	($550,034)	43%
162	Water Debt Service	$304,360	45%	$271,389	50%	$272,630	49%	($32,971)	0%
163									
164									
165	Wastewater Operating Cash Balance	$392,484		$678,066		$1,161,363		$483,297	113%
166	Wastewater - Sewer Service Charges	$1,040,047	55%	$1,092,436	53%	$1,142,583	54%	$50,147	9%
167	Wastewater - Other Operating Revenues	$1,161,195	58%	$1,105,587	53%	$1,306,881	54%	$201,294	13%
168	Wastewater - Operating Expenditures	$735,355	46%	$693,645	42%	$695,534	39%	$1,889	-6%
169	Operating Revenues less Expenditures	$425,840		$411,942		$611,346		$199,404	
171									
172	Non Operating Revenue	$52,441	9%	$1,953	1%	$16,181	1%	$14,228	729%
173	Wastewater Capital Expenditures	$103,265	8%	$138,374	7%	$495,379	19%	$357,005	258%
174	Wastewater Debt Service	$110,954	50%	$97,195	33%	$112,225	39%	$15,030	15%
175									
176									
177	Solid Waste Operating Cash Balance	$62,429		$139,281		$130,869		($8,412)	-6%
178	Solid Waste Revenues	$374,233	50%	$386,533	52%	$407,867	53%	$21,334	6%
179	Solid Waste Expenditures	$351,432	47%	$320,905	43%	$384,138	50%	$63,234	20%
180	Revenues less Expenditures	$22,801		$65,628		$23,729		($41,899)	
181									
182									
183	**Capital Project Funds**								
184									
185	City Hall Project Cash Balance	$1,774,653		$2,011,423		$2,098,031		$86,608	4%
186	City Hall Project - Revenues	$2,581	1%	$4,452	2%	$2,934	1%	($1,517)	-34%
187	City Hall Project - Expenditures	$0	0%	$20,222	5%	$157,605	16%	$137,382	679%
188	Revenues less Expenditures	$2,581		($15,771)		($154,670)		($138,899)	

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www.bridgewaterbuilds.com mark@bridgewaterbuilds.com

Problem: Whitefish Policy Discrepancy: Park Land Fees for ¼ acre infill lot development

Background: I purchased a piece of property in July at the corner of Murray Ave and Hwy 93 (640 2nd Street West). The purchase included two lots, one of which has a house, the other as vacant land. The lots are less than a ¼ acre each and the zoning is WR3. I have been working to get approval to build a triplex on the vacant lot as an infill project. I have been approved for preliminary plat and in December I submitted for final plat.

As part of the conditions for subdivision approval, developers must donate to the City on behalf of local parks. This requirement is found in the City regulations under 12-4-11: Park Land and Open Space Requirements. A developer can either donate land for a park as part of the subdivision effort or donate cash in lieu of the land. According to Planning Director Dave Taylor, he looked back 7 years and found one example of where this cash in lieu fee has been exercised. In this case the applicant paid $6,500 for dividing 4 lots.

The problem originates in interpretation and application of the cash contribution formula. The language is unclear and depending on how it is viewed, radical differences in what is ultimately assessed can be calculated.

After looking into what is written as state law on this issue, it is clear that the city has adopted the same language almost verbatim as the state language with a few key differences: the first and most important is that the state has given cities a range to charge developers with a not to exceed cap, whereas the adopted Whitefish language does not provide a range but rather applies only the state cap. In other words, the highest fees will always be assessed and the net result is that all projects must be handled exactly the same, whether they are similar or not, whether they are a ¼ acre infill project or a larger annexed development.

The formula is designed for larger, non-urban parcels of land rather than infill projects. If staff is forced to use the formula on smaller tracks of land, unrealistic fees can be assessed. In my case, it's possible that I need to give away the value of 1 of my three lots being created. If building multifamily infill projects are subject to unrealistic assessments, developers will simply steer clear of townhouses so as to avoid this fee altogether.

The actual language from the City reads:

> "In subdivisions that have an average lot size of ten thousand (10,000) square feet or less, the subdivider shall provide a cash or land dedication equal to .03 acres per lot."

Additionally:

> " . . . For the purpose of this chapter, the fair market value is the value of undivided, unimproved land at the time of final plat submittal."
>
> ". . . when the subdivider and the city are unable to agree upon the fair market value, the city may require that the fair market value be established by an appraisal . . ."

Example 1, typical suburban subdivision

5 acre WR-1 parcel valued at $300,000, divided into 20 10,000 sq ft lots.

1 acre = 60,000 value

Parkland dedication is: .03 x 20 (lots) = .6 acres, or 26,136 sq ft. For cash in lieu, that value would be 60,000 x .6, or $36,000, or .12% of the overall value.

Example 2, urban infill high density subdivision

10,000 sq ft WR-4 parcel, valued at $200,000, divided into three 3000 sq ft min size lots for a tri-plex type zero lot line townhouse

10k sq ft = .229 acres

Difficult to determine what the value of one acre would be, (but following the logic that was previously used by staff for the one applicant) with taking the purchase price of $200,000 and dividing it by .229 acres, creates a value of $873,362 per acre for urban property, which is unrealistic.

Parkland dedication is .03 x 3, or .09 acres, or 3920 square feet, which is 40% of the total land involved, a much higher extraction than the suburban subdivision shown above. Since the parks department will not take a park less than an acre, cash-in-lieu is the only option.

Bridgewater Innovative Builders Incorporated
4 Pine Avenue Whitefish, MT 59937
Phone: 406. 260. 1204
www.bridgewaterbuilds.com mark@bridgewaterbuilds.com

Based on the value per acre from the purchase price and the parkland exaction of .03 acres per lot, the parkland dedication would be $80,000, which is highly unreasonable for a small three lot urban infill subdivision. Because of this, developers will skirt this regulation by creating condominiums or duplexes only, which are exempt from parkland dedication, so no money goes to the park system.

It would be much more reasonable to add an exemption for infill subdivisions where if the total subdivision is less than an acre the formula for cash or land dedication was .01 acres per lot.

In addition to the above examples that demonstrate disparity, there are a variety of upfront issues with basic interpretation. Because the language is not clear as to exactly what land needs to be valued to begin with, one cannot even give proper instructions to a third party appraiser to help solve this problem of value. Is the exact zoning really required for the land under question and is this even possible? How can a small infill project that is less than an acre be valued fairly at an acre? What does "unimproved and undivided" really mean for an infill urban lot? Is there land in the city with WR3 Zoning that fits this requirement? Lastly, does it make sense that a 3 lot subdivision pay the same fee as a 20 lot subdivision or is the fee even applicable to lots less than an acre?

As a policy issue this should be outside of my involvement. Planning Director Dave Taylor acknowledges that there is a problem with the formula and understands that this issue needs attention. He has explained to me that changing this however will require several months of effort. He has agreed to work with me to allow my project to move forward as a condominium rather than a townhouse project at this time where this fee is exempt. However, I would like to ask Council to direct staff to look into revising this policy and do so in a way that is congruent with the master plan which encourages infill. Furthermore, I ask that because my final plat is now officially delayed for reasons beyond my control, that this delay not add any additional costs nor additional requirements to my project.

Thank you for your consideration,

Mark Van Everen

Duane Reisch, 209 Fairway Drive, said he first started in business in Whitefish in 1971 as the manager of the Safeway Store and has been in retail in Whitefish for 43 years. He has been a member of the Lions and Rotary, the Architecture Review Committee, and a past President of the Chamber of Commerce. He currently owns Marcus Foods and the half-block complex that houses several other businesses. One thing he realizes about successful retail is that you need good employees, and to have good employees they need to have housing, affordable housing. The trailer court that was torn down 12 years ago provided affordable housing, is now lost. Mr. Reisch said the Master Plan shows his half-block business complex should be replaced by a hotel and that the apartments behind the VFW across the street should be torn down and replaced with retail. He disagrees with both of those proposals and thought the Master Plan should address new uses for the old hospital and the old trailer court, now vacant properties.

Chris Hyatt, 611 Somers, addressed Ordinance 14-14 on the Consent Agenda regarding airports, heliports, helipads and manned helicopters; he felt that there was confusion caused by the staff report from the November 17th agenda regarding new language in Section E; and asked the Council to reconsider and give the issue more review. He thought the Council should collect more pros and cons to the issue from the community and said this would be forever – it can't be turned back. He urged them to regulate, not eliminate.

6) COMMUNICATIONS FROM VOLUNTEER BOARDS (CD 18:48)

Police Chief Dial, 911 Board, spoke regarding the 911 Special District's failure to pass in the election. He has had discussions with Board Chairman Sheriff Chuck Curry and the Board is considering placing it on the next ballot; they will be continuing to study the best way to get information out to voters.

Councilor Hildner reported on the Pedestrian/Bike Path Advisory Committee meeting held this morning. Part of his Committee report he'll give during Agenda Item 10a) later in the meeting. He noted new bike/pedestrian crossing that are being put up; and the Committee had a teleconference with Crandall Arambula Consultants wherein they discussed new path integration that is part of the Master Plan update.

Councilor Anderson reported on the last Resort Tax Monitoring Committee; it was a good summer and fall; summer revenue had about a 5% increase and there was another 1% increase in the fall. The Committee also had discussion on the Haskill Basin Project and Council's most recently approved goals and priorities.

6a) Consideration of a recommendation from the Future City Hall Steering Committee to pursue LEED (Leadership in Energy and Environmental Design) Certification for the new City Hall Building. (CD 22:00)

City Manager Stearns reported the Future City Hall Steering Ad Hoc Committee has forwarded a recommendation to the Council with an eight to four vote of the attending committee members to pursue LEED Certification for the New City Hall Project. The packet includes the background for that decision starting on page 46 in the packet. Member of the Ad Hoc Committee, Councilor Hildner, said project architect Ben Tintinger said the project as currently designed is just a few points shy of what is needed for certification, and then it wouldn't be too far to get points to the next levels. He supported going for the next levels and said the payoffs would be down the road. Council discussed the options.

Councilor Hildner offered a motion, second by Councilor Sweeney, to pursue LEED Certification for the New City Hall Project. The vote was a tie vote with Councilor Barberis, Feury and Hildner voting in favor of the motion and Councilors Anderson, Frandsen and Sweeney voting against. Mayor Muhlfeld voted in favor of the motion and the motion passed on a 4 to 3 vote.

7) **CONSENT AGENDA** (The consent agenda is a means of expediting routine matters that require the Council's action. Debate does not typically occur on consent agenda items. Any member of the Council may remove any item for debate. Such items will typically be debated and acted upon prior to proceeding to the rest of the agenda. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC) (CD 37:40)

a) **Minutes from the November 17, 2014 Council regular session**

b) **Ordinance No. 14-14; An Ordinance amending Zoning Regulations in Whitefish City Code Section 11-2A-3, WA Agricultural District Conditional Uses, and adding a new section to Chapter 3, Special Provisions, regarding airports, heliports and helipads, and permitting manned helicopters to land or take off only in the WA Agricultural District and to or from approved helipads or heliports, except in cases of emergency (Second Reading)**

c) **Ordinance No. 14-15; An Ordinance rezoning approximately 0.881 acres of land located at 1722 and 1726 West Lakeshore Drive, in Section 26, Township 31 North, Range 22 West, Whitefish, Montana, from County R-3 (One Family Residential) to City WR-1 (One-Family Residential District) and adopting Findings with respect to such rezone (Second Reading)**

d) **Ordinance No. 14-16; An Ordinance rezoning approximately 7 acres of land located at 2492, 2494, 2496 and 2498 East Lakeshore Drive, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone (Second Reading)**

e) **Ordinance No. 14-17; An Ordinance rezoning approximately 3 acres of land located at 2520, 2522, and 2524 East Lakeshore Drive, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone (Second Reading)**

f) **Ordinance No. 14-18; An Ordinance rezoning approximately 2 acres of land located at 2530 and 2532 East Lakeshore Drive, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone (Second Reading)**

g) **Ordinance No. 14-19; An Ordinance rezoning approximately 2.3 acres of land located at 2405 Carver Bay Road, in Section 14, Township 31 North, Range 22 West, Whitefish, Montana, from County R-1 (Suburban Residential) to City WSR (Suburban Residential District) and adopting Findings with respect to such rezone (Second Reading)**

Councilor Sweeney made a motion, second by Councilor Anderson, to approve the consent agenda as presented. The motion passed unanimously.

8) **PUBLIC HEARINGS** (Items will be considered for action after public hearings) (Resolution No. 07-33 establishes a 30 minute time limit for applicant's land use presentations. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC))

8a) **Consideration of an application from Eric Mulcahy of Sands Surveying on behalf of Whitefish Handcrafted Spirits for a Conditional Use Permit to operate a micro-distillery and tasting room in an existing building at 1820 Baker (WCUP 14-07)** (CD 38:02)

P.O. Box 158 • Whitefish, MT 59937 • (406) 863-2400 • Fax: (406) 863-2419

November 24, 2014

Mayor Muhlfeld and City Councilors
City of Whitefish
Whitefish, Montana

Mayor Muhlfeld and Councilors

Recommendation Pursuing LEED Certification for New City Hall Building

Introduction/History
The Future City Hall Steering Ad Hoc Committee was established in November 2011 (Resolution No. 11-57) to study, evaluate and recommend ideas and process for the location, design and architectural selection for the future City Hall to City Council. In September 2012, the Committee recommended to City Council to build the future City Hall on the same property where it currently is located. In January 2014, the Committee recommended to City Council to award the design contract to Mosaic Architecture and move forward with the Phase I design. City Council moved forward to negotiate a contract with Mosaic Architecture.

The City Hall Committee has participated in goal setting and concept design meetings and most recently participated in a Leadership in Energy and Environmental Design (LEED) Workshop presented by Mosaic. At our November 12th Committee meeting we learned the basic idea of what LEED certification was and the various levels of certification, the pros and cons of LEED Certification and whether it was a good fit for this project. The packet contains more background and information on LEED.

Current Report and Recommendation
At the November 12, 2014 City Hall Committee meeting a motion was made, seconded and passed with an 8 to 4 vote to recommend to City Council to pursue LEED Certification for the New City Hall Project. Of the four levels of LEED, Mosaic Architecture believes with the current design of City Hall, we could achieve the basic LEED certification, silver certification is likely very attainable and gold certification is possible, but it might take more funding than we have. There is a cost of $1,200 to register for LEED certification and an additional fee of $50,000 to $75,000 for all the paperwork and follow up. A copy of the "draft" minutes from the meeting are attached to this memo.

Sincerely,

Sherri L Baccaro

Sherri L. Baccaro
Chair, Future City Hall Committee

WHITEFISH FUTURE CITY HALL STEERING COMMITTEE
WEDNESDAY NOVEMBER 12, 2014
CITY COUNCIL CONFERENCE ROOM

CALL TO ORDER
Chairman Baccaro called the meeting to order at 1:00 p.m. Members present were Jeff Raper, Wendy Compton-Ring, Toby Scott, John Muhlfeld, Richard Hildner, City Manager Stearns, George Gardner, Robert Blickenstaff, Ross Anderson, Ian Collins, Rhonda Fitzgerald and Vanice Woodbeck. Member absent were Necile Lorang. Ben Tintinger and Mark Ophus from Mosiac Architectures, also they had Ryan who is the electrical engineer from Missoula and Brad who is a mechanical engineer from Morrison and Maierle attending for the LEED discussion. In the audience were Councilor Jen Frandsen, Karin Hilding, City Engineer and Tom Kennelly, Fire Marshall.

APPROVAL OF MINUTES FROM LAST MEETING (OCTOBER 15, 2014)
Wendy said she does support the landscaping at the corner and would like it in the minutes.

City Manager Stearns made a motion, seconded by Ross, to approve the minutes as amended. The motion passed unanimously.

LEED WORKSHOP
Ben Tintinger went through a power point on an introduction to a LEED (Leadership in Energy & Environmental Design) building. Ben said with a sustainable design you can save an average of 30% in energy, 35% carbon, 30-50% water use and 50-90% waste costs. With LEED buildings you have energy savings, verified performance, increased value, reduced liability & improved risk management and enhanced productivity. On the financial front you can't argue that green buildings aren't a smart financial decision. In terms of energy savings alone, they have a huge impact on the cost of running a building. Today, green buildings- (LEED certified and silver buildings)-can be built not a penny more than conventional buildings on a first cost basis. Ben said LEED buildings enhance productivity with individual temperature control and high-performance lighting with a 2-15% productivity increase.

Ben said the cost premiums for a green building could be anywhere from .4% to 29% increase. He said they have already figured in a 3% cost into their proposal.

Ben said there are points you get with the different categories to decide if the building would be:
Certified 40-49 pts
Silver 50-59 pts
Gold 60-79 pts
Platinum 80+ pts

The more points that you try to get the higher construction cost is to build the building. As of right now with the current design of City Hall, it is already at 46 points so we would be certified if we decide to pursue a LEED building. There would be a cost of $1,200 to register and an additional fee of $50,000 to $75,000 to file all the paperwork and follow up that Mosiac would have to do.

Ben explained that there are 5 different LEED credit categories:
SS- Sustainable Sites (26 possible pts)
WE- Water Efficiency (10 possible pts)

EA- Energy and Atmosphere (35 possible pts)
MR- Materials and Resources (14 possible pts)
IEQ- Indoor Environmental Quality (15 possible pts)

Bonus Credits Available:
ID- Innovation and Design Process (6 possible pts)
RP- Regional Priority Credits (4 possible pts)

Ben said within each category they will attempt to identify credits that are:
Readily attainable for this project.
Additional "stretch" credits (as in: they may be a "stretch" to achieve, but are certainly attainable)
Unlikely/uneasily attainable credits.

One example would be:
Goal: Reduce energy use by 50%
Strategy: Ground-source cooling, super-insulation, High-performance glass, daylighting/controls
Impacts: Cost, soils/water study, building modeling, wall system design, glazing system cost and lighting design.

Ben went through each of the LEED categories and what is readily attainable and some "stretch" pts.
SS- With this building we would already have 15 pts out of 26 pts with the possibility of 3 more pts.
WE- With this building we would already have 5 pts out of 10 pts with the possibility of 3 more pts.
EA- With this building we would already have 9 pts out of 35 pts with the possibility of 17 more pts.
MR- With this building we would already have 3 pts out of 14 pts with the possibility of 6 more pts.
IEQ- With this building we would already have 11 pts out of 15 pts with the possibility of 2 more pts.
RP- With this building we would already have 1 pt. out of 4 pts with the possibility of 2 more pts.
ID- With this building we would already have 2 pts out of 6 pts with the possibility of 3 more pts.

This shows that we have readily attainable 46 pts which would make the building Certified but with another 6 to 8 stretch pts we could become Silver.

Ian asked if the LEED building would just be City Hall or would it also include the Parking Structure. Ben said just City Hall.

City Manager Stearns said with a cost increase of 0 to 12% a LEED building helps with the livability of the building for the future. There is also accountability with LEED and we can do LEED without the certifications.

Some other comments were if LEED it does hold the contractors "feet to the fire", this is a community building and should be some level of LEED certified and what is the dollar amount for each additional point? Some felt that the additional $50,000 to $75,000 would be worth going for a LEED certification with Silver certification.

Ben said the committee needs to decide if they want a LEED certified building or not.

Richard made a motion, seconded by Toby, to pursue LEED Certification and forward the recommendation to Council for their December 1st meeting.

Ian and Rhonda felt it was too early for this decision and they should wait for a couple more meetings.

Ben said when they get into the schematic design they do need to know if they want to be LEED certified so it can be put into the design.

The motion passed on a 8 to 4 vote.

REVIEW AND DISCUSS SCHEMATIC SUBMITTAL

City Manager Stearns said the Council voted at the November 3, 2014 meeting to go with a Construction Manager at Risk (CMAR) for the City Hall/Parking Structure project. The RFQ's are due on December 4th and they will have a committee review the RFQ's and due interviews the first part of January. The review committee will consist of Ben Tintinger, Mayor Muhlfeld, Richard Hildner, City Manager Stearns and one additional City Hall Committee member. Chuck- asked for a volunteer from the Committee and no one volunteered except Sherri Baccaro. Chuck stated they hope to have a recommendation to the Council on the January 20, 2015 meeting.

Ben went through the floor plans with the committee. On the first floor the vestibule was made bigger, the stairway is 6 foot wide and it is 35 feet from the information desk to the utility desk. They show a women, men's, family and staff restroom. Ian said to take out the family restroom and make the women's and men's bigger and it was suggested to remove the staff restroom.

City Manager Stearns feels the stairway is not wide enough. Rhonda would like to see a bigger lobby for people to mingle and possibly have events at. Sherri said we have to remember that this is a professional office and the first floor will house three departments that have the heaviest foot traffic. It is very busy with 50 to 100 customers in and out daily. Having a large open echoing lobby is not conducive to being able to communicate with customers (in person or on the phone) in a professional and private way. Staff is concerned it will be extremely noisy with the floor plan that currently has an oversized lobby, high ceilings and open counters the entire span.

Ian read some comments he had written up. (They are attached to the minutes).

The committee had many comments. Some of which were suggestion to have a removable wall between the Council Chambers and the Council Conference meeting room as it would make more room for a big crowd of citizens attending a meeting. Some believe the building is not historic enough, some said the building and parking structure fit well together and it was good to see the retail space put in. Some would like more room in the lobby for larger crowds. If we go up to high it does make a much higher price tag and they would like to see how the snow will be removed from the 3rd floor of the parking structure. Maybe move the larger meeting room on the first floor over to the other side by Parks & Recreation, move the stairs and elevator for a bigger lobby and no window coverings on the windows. Some would like Mosaic to incorporate more of Crandall Arambula into the schematic design.

Jeff asked about the 3rd floor and was told that Council wanted it in the schematic design but it has not been decided if it will be added at this point.

Sherri said all the meeting rooms would be open to the public. Jen would like to see more covered sidewalks going east and north. Rhonda would also like to see the street lights, street signals and signs that are in the area of City Hall into the design.

Ben said he can create an image pulling the corner out.

COMMUNICATIONS FROM THE PUBLIC-none.

SET UP TIME FOR NEXT MEETING (S)
Chairman Baccaro will do a doodle pole to see if December 8th or 9th works for everyone.

ADJOURNMENT- The meeting was adjourned at 5:30 p.m.

DRAFT

WHY LEED CERTIFICATION MATTERS

The U.S. Green Building Council's LEED green building certification system is the world's foremost program for the design, construction, maintenance and operations of green buildings.

PROVEN PERFORMANCE

LEED certification is verified through the Green Building Certification Institute (GBCI), an independent third party that holds participants accountable to meet clearly defined goals that optimize building performance. LEED guides projects to save money, conserve energy, reduce water consumption and drive innovation. Through a vigorous, documented process that relies on performance and metrics, LEED ensures a building project meets certain requirements and can be trusted.

INVESTING IN LEED IS GOOD BUSINESS

LEED-certified buildings cost less to operate, reducing energy and water bills by as much as 40 percent. Using LEED to increase the efficiency of buildings frees up valuable resources that can be used to create new jobs, attract and retain top talent, expand operations and invest in emerging technologies.

LEED-certified buildings are advantageous to owners. Studies show that buildings using LEED have higher occupancy rates and lease more quickly and for more dollars per square foot than non-LEED-certified buildings. There are also incentives like tax rebates and zoning allowances that are available to many LEED-certified buildings.

LEED BUILDINGS ARE BETTER FOR THE ENVIRONMENT AND FOR OCCUPANTS

LEED-certified buildings consume less energy and fewer resources than conventional buildings. LEED buildings take into account the site that the building is built on, the materials used, the water efficiency, energy use, human experience and occupant health and comfort.

HOW LEED'S BRAND HELPS BUSINESSES GET WHAT THEY PAY FOR

- **Assurance:** Third-party certification means transparency- no cutting corners. More than 2.9 billion square feet of space has been certified using LEED, with 1.7 million square feet certifying every day in more than 140 countries and territories globally. LEED projects are among the most efficient, high-performing buildings throughout the world.
- **Performance:** The LEED: Building Operations & Maintenance rating system focuses on performance. More than 65 percent of all possible LEED points in this system focus on tangible outcomes and benchmarks for optimal operations and improvements that can be measured so that buildings continue to save energy, water and money year after year.
- **Unrivaled Visibility:** LEED is recognized as the premier mark of achievement in green building with the demand for LEED continuing to grow and gain credibility. LEED certification comes with unmatched tools, resources and marketing potential.
- **Dynamic LEED Online Platform**: This clear and convenient tool makes it easy to document the achievement of each LEED credit and go through the certification process.
- **Excellent Customer Service:** Users can interact regularly with project reviewers, a customer service team, and subject matter experts from LEED.

"LEED's certification process and associated building operating procedures have proven to lower our building's energy use. This directly translates into a reduction in operating costs and a building's bottom line. Undergoing the certification process is one way owners can increase the value of their projects while doing the right thing."

Allan Skodowski, Chief Sustainability Officer, Transwestern

Behind LEED is a substantial infrastructure developed by leaders in the industry to support project teams as they innovate and create high performance buildings, homes and neighborhoods. USGBC invests more than $30 million a year to maintain, operate and improve LEED and its customer delivery. For more information on LEED and how to get started, visit usgbc.org/leed.

LEED BRIEF

LEED: SAVING TAXPAYERS MONEY, CREATING AMERICAN JOBS AND LEADING BY EXAMPLE

Government at all levels has a responsibility to use taxpayer dollars both wisely and transparently. Through the use of the LEED® green building certification program, public buildings can save money, ensure accountability, incentivize local investment, and create jobs while committing our iconic civic structures to healthy, responsible and efficient practices that represent 21st Century values.

LEED SAVES TAXPAYERS MONEY

Just as in the private sector, new and upgraded LEED public buildings can save money by using less energy and water and by creating an environment for more productive occupants. Governments across the nation are committing public buildings to LEED because they are getting results. For example, U.S. General Services Administration LEED-certified government buildings use 27 percent less energy and cost 19 percent less to operate compared to the national average.[1]

The Twin Cities Police Headquarters in Larkspur, Calif. (pictured) earned LEED Platinum in 2012. To mitigate energy use, the building features on-site power generation through photovoltaic roof panels, which, combined with other energy efficient strategies, allow the building to use 47 percent less energy than a similar typical building. The building also uses 38 percent less water.[2] This is just one LEED-certified state/local public project of more than 2000, multiplying taxpayer savings while also creating jobs and reducing environmental impacts.[3]

LEED PROMOTES ACCOUNTABILITY

For better buildings, accountability makes a difference. Through a carefully managed, independent, third-party verification system, LEED affirms the integrity of green building commitments by ensuring project teams are delivering on design plans and goals. Third-party validation helps guarantee that each project saves energy, water and other resources, reducing the overall environmental impact. No cutting corners. Taxpayers deserve to know they're getting a strong return on their investment.

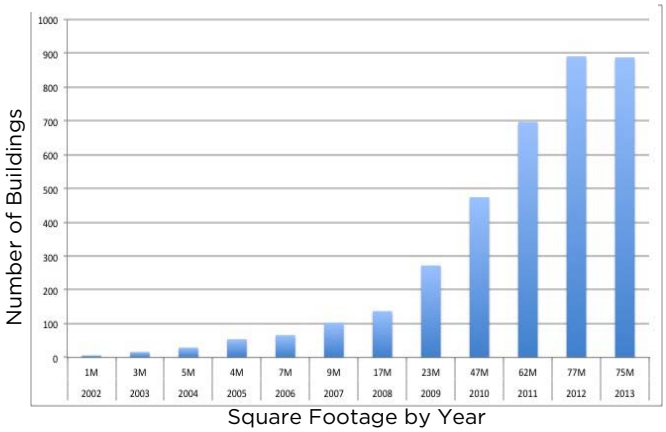
Twin Cities Police Headquarters
Credit: Lenny Siegel, Siegel Photographic

WHICH STATES ARE LEADING WITH LEED?

State	# of State and Local LEED-certified buildings*
California	433
Florida	176
Texas	139
Washington	122
Illinois	107
Virginia	92
Colorado	81

*Project statistics as of April 2014

LEED CERTIFICATIONS OF GOVERNMENT-OWNED BUILDINGS*



Square Footage by Year

**Chart reflects certifications achieved by owner/sector type including federal, state and local governments as of June 2014.*

1. GSA Public Buildings Service (2011) "Green Building Performance: A Post Occupancy Evaluation of 22 GSA Buildings."
2. http://www.usgbc.org/articles/protecting-communities-sustainably-leed-taking-hold-public-safety-space
3. LEED project data, accessed March 20, 2014

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LEED CREATES JOBS

The value of green building has seen major growth from $10 billion in 2005, to an estimated $200+ billion by 2016 (non-residential and residential). Also, 55 percent of all commercial and institutional construction will be green by 2016, according to a recent McGraw-Hill Construction study. Such an increase translated to a massive amount of design, construction, operation and other jobs, all connected to the market-driven growth of the green building industry.[4]

Government is helping turn the gears of job creation while also encouraging the spread of 21st Century building science and technology. A Harvard Business School study found that public investment in LEED-certified government buildings stimulates private investment, supply and market uptake of greener building practice. The research finds that green public building commitments produce a near doubling effect in private investment across the building sector and up and down the supply chain of products, professionals and services – not to mention the energy and water savings. Neighboring communities experience a 60% increase in the same, all of which is encouraged by government leadership by example.[5]

BUILDINGS DEFINE OUR CITIES AND COMMUNITIES

Our buildings are at the heart of our communities. Iconic buildings and city skylines become shining symbols for a city's identity. From our town halls to courthouses, from capital domes to train stations, buildings help define the places we live and work. When governments commit to build green – and especially to LEED – it is a statement of leadership and pride. Green public buildings demonstrate a commitment to a safer, stronger and more comfortable today, without compromising a brighter, healthier and more prosperous tomorrow.

COMMUNITIES GO GREEN: LEADERSHIP WITH LEED

LEED has inspired hundreds of incentive programs, laws and administrative policies across the country and at all levels of government. These policies play a critical leadership role in the transformation of our built environment.

GREENSBURG, KANSAS

Policy: First city in America to require all new public buildings be built to LEED Platinum standards.

Fun Fact: All of the electricity used in the City of Greenburg is wind energy-100% renewable.

CINCINNATI, OHIO

Policy: The city offers residential and commercial property tax abatement for new construction and renovation projects that meet LEED certification.

Fun Fact: There are 192 single family LEED-certified homes in Cincinnati.

ALBUQUERQUE, NEW MEXICO

Policy: All new public school buildings must be built to at least LEED Silver, resulting in 35 LEED certifications for schools.

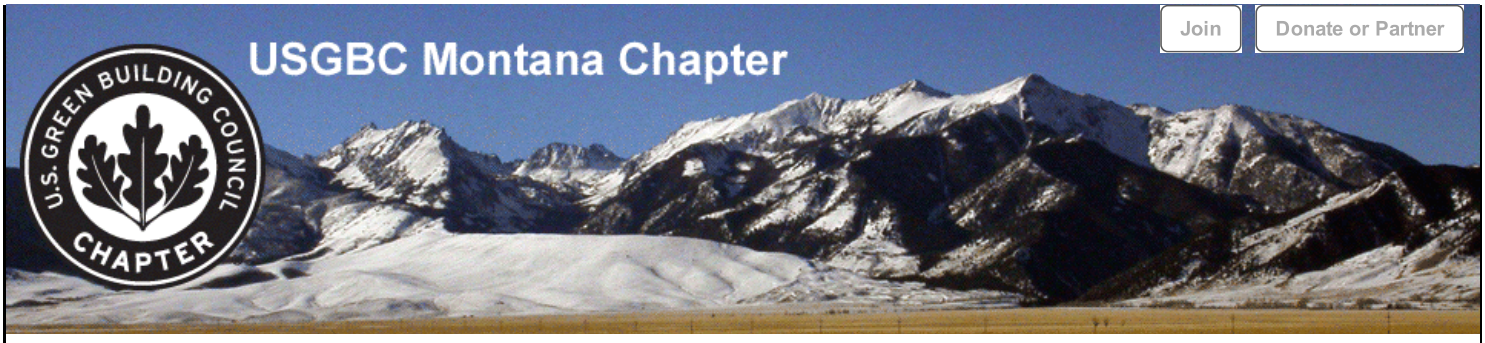
Fun Fact: All new NW state buildings over 15,000 sq. ft. must meet at least LEED Silver.

ARLINGTON, VA

Policy: Arlington has committed its public projects to achieving LEED Silver certification.

Fun Fact: The county has a Green Building Fund, where developers who don't build to LEED must contribute money which is used for green building education and outreach.

4. McGraw-Hill Construction. (2013) "Green Building Outlook Strong for Both Non-Residential & Residential Sectors Despite Soft Economy, Says New Report from Dodge."
5. Timothy Simcoe and Michael W. Toffel. (2012) "Public Procurement and the Private Supply of Green Buildings."



Montana LEED Project Directory

SEARCH: Go Reset

Click on table headers to sort columns

Project Name	City	LEED System	Project Profile	Owner/Organization	Cert Level
Headwaters Camp	Big Sky	LEED for Homes	Download PDF	Todd and Melissa Thomson	Platinum
Coletta	Big Sky	LEED for Homes v2008			Certified
High Meadow	Big Sky	LEED for Homes v2008			Gold
Big Sky Health & Fitness Building	Big Sky	LEED NC 2.2	Download PDF	Madko Realty, LLC	Gold
Saddlehorn Marina	Bigfork	LEED NC 2.2	Download PDF	Saddlehorn	Gold
395 Holt Drive	Bigfork	LEED for Homes v2008			Gold
CTA Billings Office	Billings	LEED ED O&M	Download PDF	CTA, Inc.	Gold
Tracy Lofts	Billings	LEED - NC v2008	Download PDF	Tracy Lofts Development Venture, LP	Platinum
Home on the Range	Billings	LEED NC v2.1			Platinum
Kohl's Department Store	Billings	LEED Retail (NC) 1.0 Pilots Only			Certified
Northern Plains Resource Council	Billings	LEED NC 2.1	Download PDF	Northern Plains Resource Council	Platinum
One Main Financial	Billings	LEED Retail (CI) 1.0 Pilots Only			Certified
GE Corporate Financial Center	Billings	LEED NC 2.2	Download PDF		Certified
Underriner Honda	Billings	LEED NC 2.2			Certified
Klos Building	Billings	LEED NC 2.2		High Plains Architects	Platinum
First Interstate Bank Billings Operations Center	Billings	LEED NC 2.2	Download PDF	First Interstate Bank	Silver
GE Operations Building	Billings	LEED NC 2.2	Download PDF	Big Sky Economic Development Authority	Certified
MET Downtown Transfer Center	Billings	LEED NC 2.2	Download PDF	City of Billings MET Transit System	Platinum
Billings Federal Courthouse	Billings	LEED NC 2009	Download PDF	U.S. General Services Administration	Gold
All American Home	Bozeman	LEED for Homes v2008			Certified
Hoy Residence	Bozeman	LEED for Homes v2008			Certified
USGS Tenant Finish	Bozeman	LEED CI 2.0		University Way, LLC	Silver
Bozeman City Hall Renovation	Bozeman	LEED Existing Building v2009			Silver
Sherwood Pohl Residence	Bozeman	LEED for Homes v2008			Gold
Kohl's Department Store	Bozeman	LEED Retail - NC v1.0 Pilot			Silver
Safeway Store 2999	Bozeman	LEED Retail NC v2009	Download	Safeway Inc.	Silver

			PDF		
Bozeman Public Library	Bozeman	LEED NC 2.2	Download PDF	City of Bozeman	Silver
Morrison, Maierle, Inc.	Bozeman	LEED NC 2.2	Download PDF	Morrison, Maierle, Inc.	Gold
Greater Yellowstone Coalition	Bozeman	LEED NC 2.2	Download PDF	Greater Yellowstone Coalition, Inc.	Gold
Wiseman Residence	Bozeman	LEED for Homes v2008			Gold
Bozeman Retail Shell	Bozeman	LEED Core and Shell Development v2009	Download PDF	Safeway, Inc.	Certified
MSU Cooley Lab	Bozeman	LEED NC 2.2	Download PDF	Montana State University	Gold
MSU Gaines Hall Renovation	Bozeman	LEED NC 2.2		Montana State University	Silver
Blackfeet Community College Math/Science	Browning	LEED NC 2.2	Download PDF	Blackfeet Community College	Platinum
Charles Goodman & Patricia Pappo	Colubus	LEED for Homes v2008			Gold
Barrett Hospital	Dillon	LEED NC (Version 2.2)	Download PDF	Barrett Hospital and HealthCare	Gold
Xanterra Parks & Resorts NPS Concessioner	Gardiner	LEED NC v2.2	Download PDF	National Park Service	Certified
US District Court, District of Montana	Great Falls	LEED NC 2.2			Certified
Recycling the Orange Crush	Great Falls	LEED NC v2.2			Gold
Cascade Ridge Senior Living	Great Falls	LEED for Homes v2008			Silver
Intra-Theater Airlift Conversion	Great Falls	LEED NC v2009			Certified
Rocky Mountain Lab Building 7	Hamilton	LEED NC 2.2	Download PDF	National Institutes of Health/National Institute of Allergy and Infectious Disease	Gold
Wildhorse LPOE, East House	Havre	LEED for Homes v2008			Certified
Land Port of Entry - Wild Horse	Havre	LEED NC v2009			Certified
Wildhorse LPOE, West House	Havre	LEED for Homes v2008			Certified
Helena Housing Authority	Helena	LEED NC v2009	Download PDF	Helena Housing Authority	Platinum
Montana State Fund Building	Helena	LEED NC 2.2	Download PDF	Montana Board of Investments	Gold
Downhour House	Helena	LEED for Homes v2008			Gold
ExplorationWorks!	Helena	LEED NC 2.2	Download PDF	Community Works, Inc.	Certified
Early Learning and Job Training Center	Helena	LEED NC v2009			Platinum
Veterans Benefits Administration	Helena	LEED NC 2.1	Download PDF	US Department of Veteran Affairs	Certified
First Interstate Bank - Helena	Helena	LEED NC v2009			Silver
DNRC/DEQ CO-Location	Kalispell	LEED NC 2.2	Download PDF	Montana DNRC/DEQ	Certified
Marc + Kate Nevas	Kila	LEED for Homes v2008			Silver
National Outdoor Leadership School (NOLS)	Lander, WY	LEED NC v2009	Download PDF	National Outdoor Leadership School	Platinum
Housing One for Port of Entry	Loring	LEED for Homes v2008			Certified
Housing Two for Port of Entry	Loring	LEED for Homes v2008			Certified
Morgan Port of Entry	Loring	LEED NC v2009			Silver
Missoula Federal Credit Union	Missoula	LEED NC 2.2	Download PDF	Missoula Federal Credit Union	Platinum
Sussex School	Missoula	LEED for Schools 2.0	Download PDF	Sussex School	Gold
Garlington, Lohn, & Robinson Office Building	Missoula	LEED NC 2.2	Download PDF	Garlington Lohn Robinson	Gold
One Main Financial	Missoula	LEED Retail (CI) 1.0 Pilots Only			Certified
Missoula North	Missoula	LEED Commercial Interiors v2009			Silver

Payne Family Native American Center	Missoula	LEED NC 2.2	Download PDF	State of Montana A&E	Platinum
First Interstate Bank & Business Center	Missoula	LEED CS 2.0	Download PDF	First Interstate Bank	Gold
Solstice/Confluence	Missoula	LEED NC v2.2			Gold
JCG Office Building	Missoula	LEED NC 2.2		Jackson Contractor Group	Gold
Boys and Girls Club of Carbon County	Red Lodge	LEED NC v2009	Download PDF	Boys and Girls Club of Carbon County	Platinum
Scobey LPOE House	Scobey	LEED for Homes v2008			Certified
Sweetgrass Border Patrol Station	Sunburst	LEED NC 2.2		Boyer Sunburst, LLC	Certified
US/Canada Shared Port of Entry	Sweetgrass	LEED NC 2.0		U.S. General Services Administration	Certified
Apgar Transit Center	West Glacier	LEED NC 2.1		National Park Service	Gold
Whitlash Port of Entry	Whitlash	LEED for Homes v2008			Certified
Old Faithful Visitor Education Center	Yellowstone National Park, Wyoming	LEED NC 2.1	Download PDF	National Park Service	Gold

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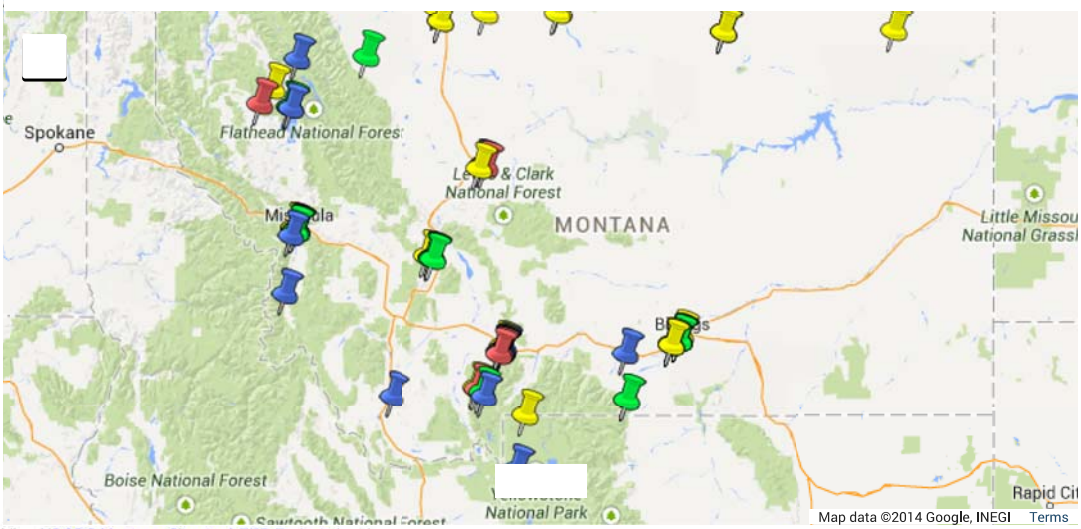
Map of Projects

USGBC Montana Chapter LEED Projects



View USGBC Montana Chapter LEED Projects in a larger map

LEED Buildings Map of Billings, MT

Developed in partnership with YVCC

The Yellowstone Valley Citizens Council created a Guide to Green Buildings in Billings which features a map of LEED Certified buildings in the Billings area.

Projects

- Montana LEED Projects
- Map of Projects
- Project Profiles

LEED Project Icons

- LEED Platinum
- LEED Gold
- LEED Silver
- LEED Certified

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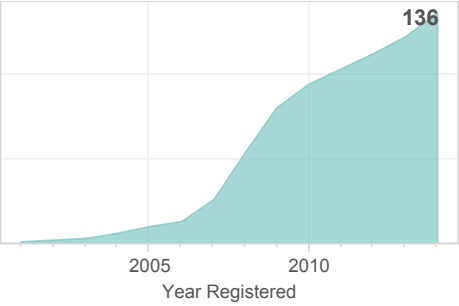
Select a state
Montana

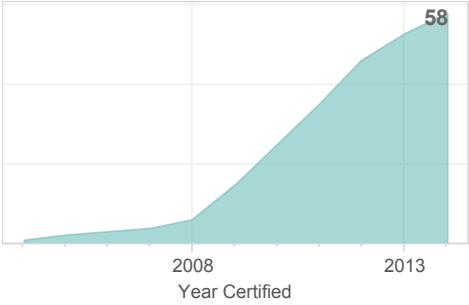
LEED project data only includes commercial rating systems. The underlying data does not include LEED ND or LEED for Homes projects.

State Market Brief: Montana

Cumulative LEED® Registrations



Cumulative LEED® Certifications



Summary

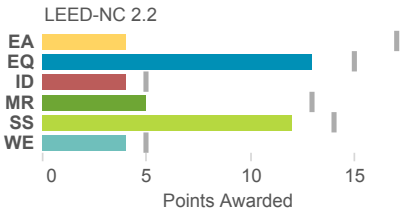
(last updated 10/15/2014 1:21:58 PM)

Project Status	Number of Projects	Gross Square Footage
Certified	58	1,837,854
Registered	78	3,313,742
Grand Total	136	5,151,596

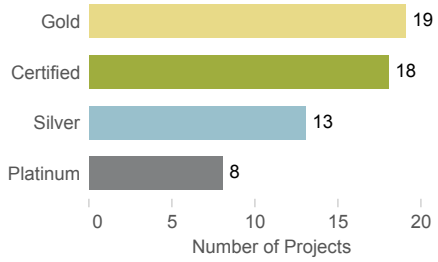
Certified square footage equivalent to Empire State Buildings.

Project Profile

Montana State Fund Office Building
Gold certification 42/69 points achieved



LEED® Achievement



Space Type

Office & Office: Mixed Use	44
Education	21
Retail	16
Laboratory	11
Public Assembly & Religious Worship	8
Public Order and Safety	8
Service	7
Other	5
Lodging	4
Military Base	4
Residential (commercial rating syste..	4
Health Care	3
Industrial Manufacturing	1

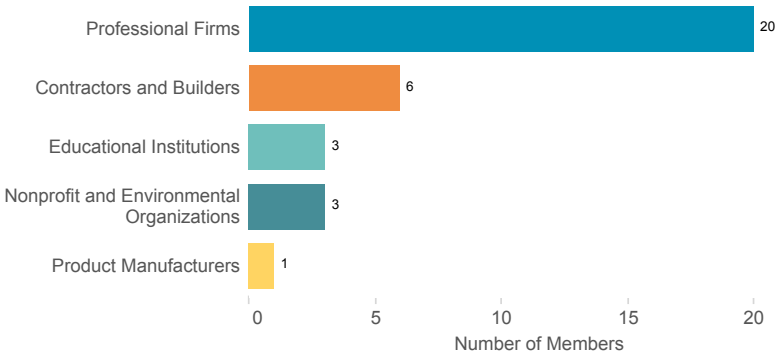
Owner Sector

Corporate & Investor	55
Federal Government	33
Higher Ed	17
Non-Profit & Religious	14
Other	6
Local Government	6
State Government	3
K-12	2

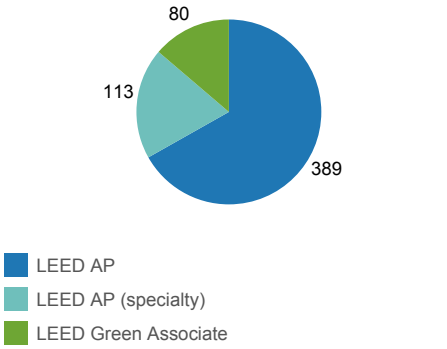
Click on chapter name to visit website.

Montana Chapter

USGBC member organizations based in Montana



LEED Credentialed Professionals



The following pages were handed out at the City Council meeting the night of the meeting. They are included here as an addendum to the packet.

After Packet

Subject: opposition to new hotel
From: Andrew Zimet <azimet@me.com>
Date: 1/28/2015 2:07 PM
To: nlorang@cityofwhitefish.org

Dear Council Member:

I have lived and worked in Whitefish for over 25 years and we are strongly opposed to the hotel planned for 2nd St and Spokane Ave. First, it is too big. There is a 7500 sq ft limit for downtown buildings, which is appropriate in order to maintain the character of Whitefish. To double that, for this project, is wrong and sets a terrible precedent. The impact of this hotel on traffic is a second problem. This is already the worst intersection in Whitefish in terms of gridlock. Putting a large hotel there is going to make a bad situation worse. Further, if a hotel is built, it should not be a franchise hotel. It is my understanding that this is contrary to our growth policy. Again, we would be setting a bad precedent. The current rules in place are there for a reason- to maintain the character and livability of Whitefish. To allow this project to circumvent those limits is unwise.

A 7500 sq ft boutique hotel with careful consideration of parking and traffic flow is acceptable, but the current plan that has been submitted is ultimately a very bad choice for Whitefish.

Sincerely,

Andrew and Linda Zimet

2646 Snowghost Drive

Whitefish, MT 59937

received after packet

Subject: Proposed hotel
From: Christine Stanley <chrisis@bresnan.net>
Date: 2/2/2015 6:57 AM
To: "nlorang@cityofwhitefish.org" <nlorang@cityofwhitefish.org>

This planned project just seems to be totally unnecessary given local lodging already in place. The location across from school poses pedestrian safety issues and, as always, parking problems to add to congested area.

Sincerely,
Chris Stanley

Sent from my iPad

received after packet

Subject: Letter for Council
From: leslie hunt <leslieandwill@hotmail.com>
Date: 2/1/2015 1:48 PM
To: "nlorang@cityofwhitefish.org" <nlorang@cityofwhitefish.org>

Dear Mayor Muhlfeld and Whitefish City Council,

I am writing to express my concern with the project currently proposed by Whitefish Hotel Group for Block 46. I believe that this project, as currently drafted, is not appropriate for that space. The scale is too large and will likely contribute to traffic congestion, parking issues and degradation to the quality of life of the surrounding residential neighborhoods.

When comparing this project to the WMS building that is adjacent, the only similarity I can see is the size of the building. The middle school has very predictable high traffic times, and anyone who has been involved in picking up or dropping off a child can attest to the fact that there is a fair amount of strategy involved in doing this successfully. There are also crossing guards that help this process. Adding a building across the street with a large amount of people coming and going (and without ample parking) will not be advantageous to the many school kids who attend WMS.

It concerns me that this particular group often has a CUP attached to their projects (ie overpass on Wisconsin and proposed Wild Rose Lane development). Why can't they just play by the rules? We have a well thought out, public-involved process for zoning, growth policy and downtown master plan. Since when is an 89 room hotel a boutique hotel?

Thanks for your consideration of my comments on this important decision for downtown Whitefish.

Sincerely,

Leslie Hunt

received after packet

Subject: February 2nd Council Meeting
From: "sherman" <sherman@montanasky.net>
Date: 2/1/2015 2:04 PM
To: <nlorang@cityofwhitefish.org>

Dear City Council
I would respectfully like to make a few comments on the following matters being discussed at your
February second meeting.

Please postpone and revise the highway 93 West Corridor Plan. In my opinion it is very important
to retain the neighborhood ambience/character of the single residence homes both owner and rentals
of Area B. This requires retaining the existing zoning. Please address standards still lacking for river
front development in this corridor.
There should be NO strip commercial development along entry approach to
our city.

There have been repeated changes to the proposed new hotel on Spokane by the developer, including
very recently, as it now moves from the planning board to the city council.
The developer is asking to build a hotel twice the size of that permitted at this site, and the City Council has a
right and duty to condition this approval to ensure that development does not further increase the shortage
of parking in the downtown area or create other issues of public concern. This leaves residents uncertain of
what all the changes are and what additional changes are going to be requested. Given the lack of public
notice on these changes it is important that the city council carefully and transparently announce any approval
of this proposal and that the public be given meaningful opportunity to comment on these most recent changes.

Thank you for all you do for our special community.

Roger Sherman
280 Brimstone Dr,
Whitefish

This email has been checked for viruses by Avast antivirus software.
http://www.avast.com

received after packet

Subject: CBF Comments on the WF Hwy 93 Corridor Plan and the proposed Block 46 Hotel
From: Mayre Flowers <Mayre@flatheadcitizens.org>
Date: 2/1/2015 2:44 PM
To: Chuck Stearns <cstearns@cityofwhitefish.org>, Mary Vanbuskirk <mvanbuskirk@cityofwhitefish.org>, Dave Taylor <dtaylor@cityofwhitefish.org>, "pbarberis@cityofwhitefish.org" <pbarberis@cityofwhitefish.org>, Andy Feury <afeury@cityofwhitefish.org>, Jen Frandsen <jfrandsen@cityofwhitefish.org>, Richard Hildner <rhildner@cityofwhitefish.org>, Frank Sweeney <fsweeney@cityofwhitefish.org>, John Anderson <janderson@cityofwhitefish.org>, John Muhlfeld <jmuhlfeld@cityofwhitefish.org>, City of Whitefish <nlorang@cityofwhitefish.org>
CC: Citizens for a Better Flathead <Mayre@flatheadcitizens.org>

To: The Whitefish City Council

Below please find comments and concerns, which we ask that you make part of the hearing record for the two public hearings on your agenda Feb. 2nd including the WF Hwy 93 Corridor Plan and the proposed Block 46 Hotel and that you consider and address the issues we raise prior to your final decision on these two items.

Please confirm that the city has received this email.

RE: The Block 46 Hotel—our comments are captured in the alert below. Please also note our concern (at end of the alert) with the public process, legal notices, and on-going changes to the plan as it moved through the planning and public hearing process.

RE: WF Hwy Corridor Plan— We want to add that we think you will find it informative to print off the 3 sets of comparison maps we have linked to below and which we compiled from maps in the plan. These maps allow you to easily compare on one page proposed changes from the existing to the newly proposed map changes to the WF Growth Policy for this area, the proposed changes from the existing zoning and to proposed new zoning and the changes to the borders of Area B and Idaho Timber area from their original designation to the changed borders under the current changes proposed as well as current land ownership.

The attached fact sheet in the alert below outlines many of the concerns we have heard from area residents and that we share. As our written and verbal comments to the planning board (see also attached) explain in more detail, we are also concerned that this plan needs to be identified as a neighborhood plan and that it include overall goals and policies that provide guidance in using and applying this plan.

We have also noted that this draft plan is lacking in standards for desired river corridor development, park standards (as called for in the growth policy) for publicly owned, managed and maintained parks that make up a large section of this plan area and for private parks like the Peace Park that have already hosted events with impacts that many residents in the area

found unacceptable.

Additionally, the plan fails to provide a transportation framework to accommodate future transportation growth or non motorized needs. Finally, as proposed this plan fails to provide overall goals and standards for corridor development specific to an entrance corridor for the city and should not be viewed as a model policy or process for future corridor plans as proposed.

We appreciate the work of the steering committee and their committment to this process. It has been unfortunate and difficult for them and the public that there were some very long gaps between critical meetings making it challenging to refocus and hold on to concerns raised, inconsistent attendance, and that it was not until the final meeting of this group that concrete drafts of proposed plan with significant changes was ready for public input. Though we attended almost every committee meeting we do not feel that our concerns and those of many area residents are adequately addressed in the draft plan before you. This plan should be tabled until these concerns are vetted and addressed.

Mayre Flowers, Executive Director
Citizens for a Better Flathead
PO Box 771, Kalispell, MT 59903
406-756-8993 (W), 406-253-0872 (Cell) 406-756-8991 (Fax) 406-755-4521(H)
Mayre@flatheadcitizens.org
www.flatheadcitizens.org

Begin forwarded message:

From: Citizens for a Better Flathead <citizens@flatheadcitizens.org>
Subject: Alert: A Few Minutes of Your Time Today & Tomorrow = Better Planning for Whitefish's Future
Date: February 1, 2015 at 12:57:02 PM MST
To: mayre@flatheadcitizens.org
Reply-To: citizens@flatheadcitizens.org

Like

Greetings,

On Monday, Feb. 2nd at 7:00pm

the Whitefish City Council will hold public hearings on two important issues that need your input. You can email comments now by clicking here.

Please join us in asking the City Council to:

- **Table and revise the proposed draft Whitefish Hwy 93 West Corridor-Neighborhood Plan, and** 1) develop standards to retain the neighborhood character of owner-occupied single-family homes and affordable long-term rental housing in Area B of the plan by retaining the existing zoning, 2) develop standards which are still lacking for river-front development and area parks in this corridor, and 3) remove new and loosely defined options for rezoning of property in this corridor for unlimited conversions to commercial/retail/light industrial uses. These new zones could, as proposed, allow strip commercial development along this entrance corridor to the city or inappropriate locations in residential areas.
- **Ensure that the proposed new Hotel at the corner of Spokane Ave. and 2nd Street East complies with Whitefish standards that prohibit "formula businesses" in the downtown and that call for limiting the scale & impacts of such buildings to adjoining residential neighborhoods, schools, and the downtown character.** Repeated changes to this proposal by the developer, including again now as it moves from the planning board to the city council leaves residents uncertain of what all the changes are and what additional changes are going to be requested. Given the lack of public notice on these changes it is important that the city council carefully condition any approval of this proposal to prevent additional changes and that the public be given meaningful opportunity to comment on these most recent changes. (see link to public notice requirements at end of this email)

Review below for links to documents and our detailed concerns outlined below. (Note you are welcomed to simply copy and paste the above summary, or other contents of this email that reflect your concerns, into your comments for the city council.)

~~~~~~

Please review maps and a summary of issues of concern with the Hwy 93 West Corridor-Neighborhood Plan below:
~~~~~~

[Click here](#) to view enlarged map of corridor planning areas and **fact sheet** of concerns that we share with many area residents.
[Click here](#) to view aerial image of corridor and map showing property ownership in corridor.
[Click here](#) to view maps of exiting WF Growth Policy uses allowed in corridor and map of proposed changes.
[Click here](#) to view maps of existing WF zoning in corridor and map of proposed zone changes that would now be possible.
Click the following page numbers to view text of new zoning proposed for sections of this corridor: 106, 107, 108, 109, 110, 111, 112, 113.
~~~~~~

Please review maps and a summary of issues of concern with the proposed Block 46 Hotel at the intersection of Spokane and 2nd Street East below:

Click here to see the site aerial view location.

Click here to view staff report on this proposal, but note that there have been a series of changes to this design and other details since this report was written. The
~~~~~~

entire city council packet for this and other city business is on the city web site and includes some references to additional changes being proposed.

Important background information:

- Note that the hotel developers could build a smaller hotel (7500 sq. ft.) about half the size of the current proposal on the existing property that they own as it is currently zoned for this use and does not need additional city council approval.

- Note that by building a smaller hotel, the developer could reduce the hotel's negative impacts on downtown parking, adjoining residential uses and be more compliant with the with the character and bulk & scale of development in the downtown area.

- Note that because the developer is asking to build a hotel twice the size of that permitted at this site, that the City Council has a right--and we think duty-- to condition this approval to ensure that development does not further increase the shortage of parking in the downtown area or create other issues of public concern.

- Note that while the developer is proposing to provide some parking that will accommodate some guests and staff on site, they are also stating that they will be leasing rights to some existing after-hour business parking lots downtown. While legal, this could serve to further worsen the downtown Whitefish parking issues and the CUP should be conditioned to address this.

- Note that the granting of a CUP or conditional use permit establishes that "The burden of proof for satisfying the aforementioned criteria considered for approval shall rest with the applicant and not the city council. The granting of a conditional use permit is a matter of grace, resting in the discretion of the city council and a refusal is not the denial of a right, conditional or otherwise." (11-7-8: CONDITIONAL USE PERMITS)

- Note that the Whitefish Growth Policy, the Whitefish Downtown Master Plan, and the Whitefish zoning regulations prohibit "formula retail " in the area where this hotel is proposed to be located.

Ask the City Council to:

1. **Prohibit formula businesses at this site**. Place a specific and strongly worded condition on this CUP (Conditional Use Permit) to make it clear that the requested conditional use permit prohibits current or future owners of this property or facilities from converting this proposed hotel facility or any future facility to "formula" business(es) to clarify and further enforce the City's zoning and growth policy requirements and intent.

2. **Require on-site parking.** Given the developer's desire to build a building double the allowed square footage permitted in this district, which would not be possible without a conditional use permit, require the developer to provide on site parking for all guests and staff and a detailed parking plan for any off site parking that may be used. Establish that leased parking within the downtown plan area may not be used to meet this on site parking requirement as it may further increase the parking shortage within the downtown area.
3. **Require as a condition of approval implementation of a residential parking district** in the neighborhoods adjoining the hotel to be supported by the hotel. Require guest notification that that parking in the surrounding residential parking district is prohibited.
4. **Require noise abatement** in addition to the existing requirements under WB-3 zoning that limits noise from music in this district. Limit outside roof top uses and associated noise generated, from for example gatherings of guests for rooftop events, to the standards in place for other noise in the district to prevent neighborhood impacts.
5. **Review traffic study for this project** and require traffic mitigation as needed. Establish within the required findings of fact that the peak traffic counts in this study are for summer, high impact times to identify accurate traffic and parking impacts, and that the study considers traffic impacts from recently approved additional development east on Second Street. Ensure that city plans for bike and pedestrian facilities are not compromised.
6. **Review and look at ways to condition and mitigate the scale and mass of the project** to address neighborhood concerns raised over lack of compatibility with the downtown, its historical character, and the adjoining residential section.

Sincerely,
Citizens for a Better Flathead

Citizens for a Better Flathead encourages you to make a difference by participating in the decisions that are shaping the future of your community!

Our work and alerts such as this are dependent on the generous support of individuals like you.

Click below for

Quick Links

Concerns with Repeated changes to the Block 46 Hotel Application after the public notice for hearings on this proposal are set and noticed should not be allowed.

"Amendment(s) to the application shall not be made after the official notice of the public hearing has been

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waste not

transmitted to the official newspaper for publication. Once public notice has been issued for an application, the public hearing shall be held." (#5, page 5 of Whitefish City Rules Governing Changes to Applications after public hearing notice has been published) Click here for full regulation.

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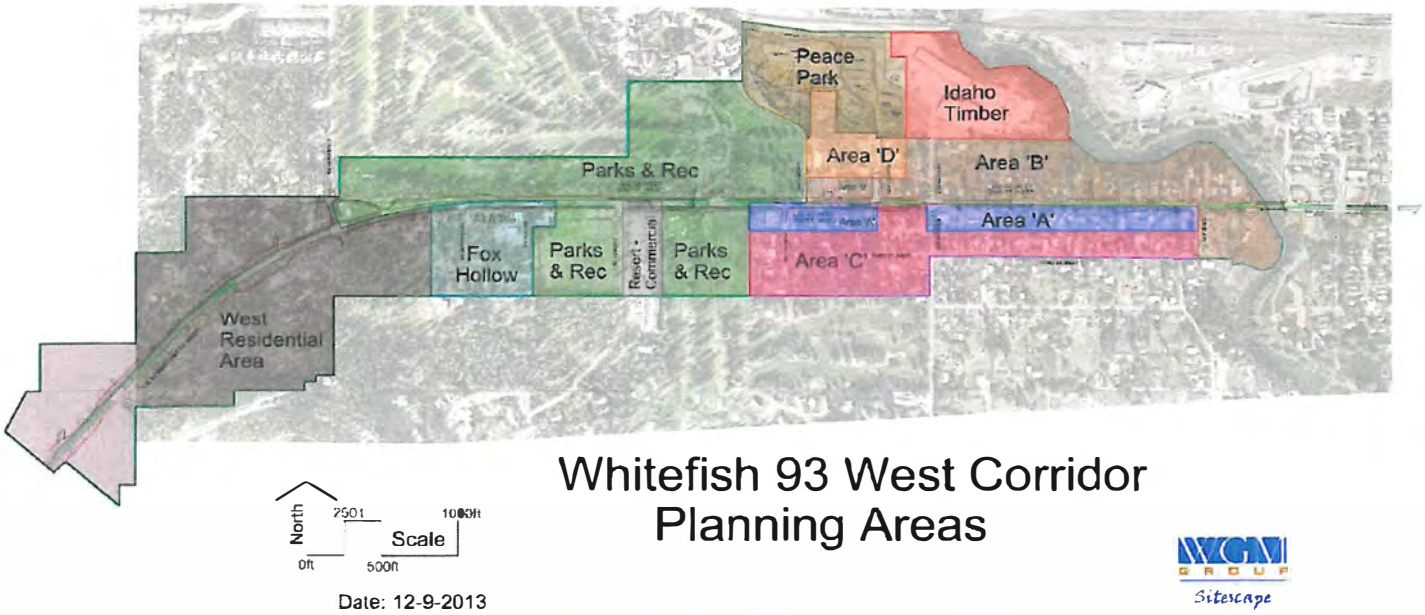


Date: 12-9-2013

See Page 39 of Plan http://www.cityofwhitefish.org/large-files/pdf/Planning/Corridor%20Plan_DRAFT_11-25-2014.pdf

Note that as currently proposed future land uses and zoning for all areas in the plan area are recommended to stay the same EXCEPT for: ▶ Area B, ▶Idaho Timber, ▶the "Peace Park", ▶the zoning for areas designated as Parks and Recreation, and ▶the zoning where Grouse Mountain Resort currently is located.

Summary of some of the major issues of concern with the Draft Whitefish 93 West Corridor Plan:

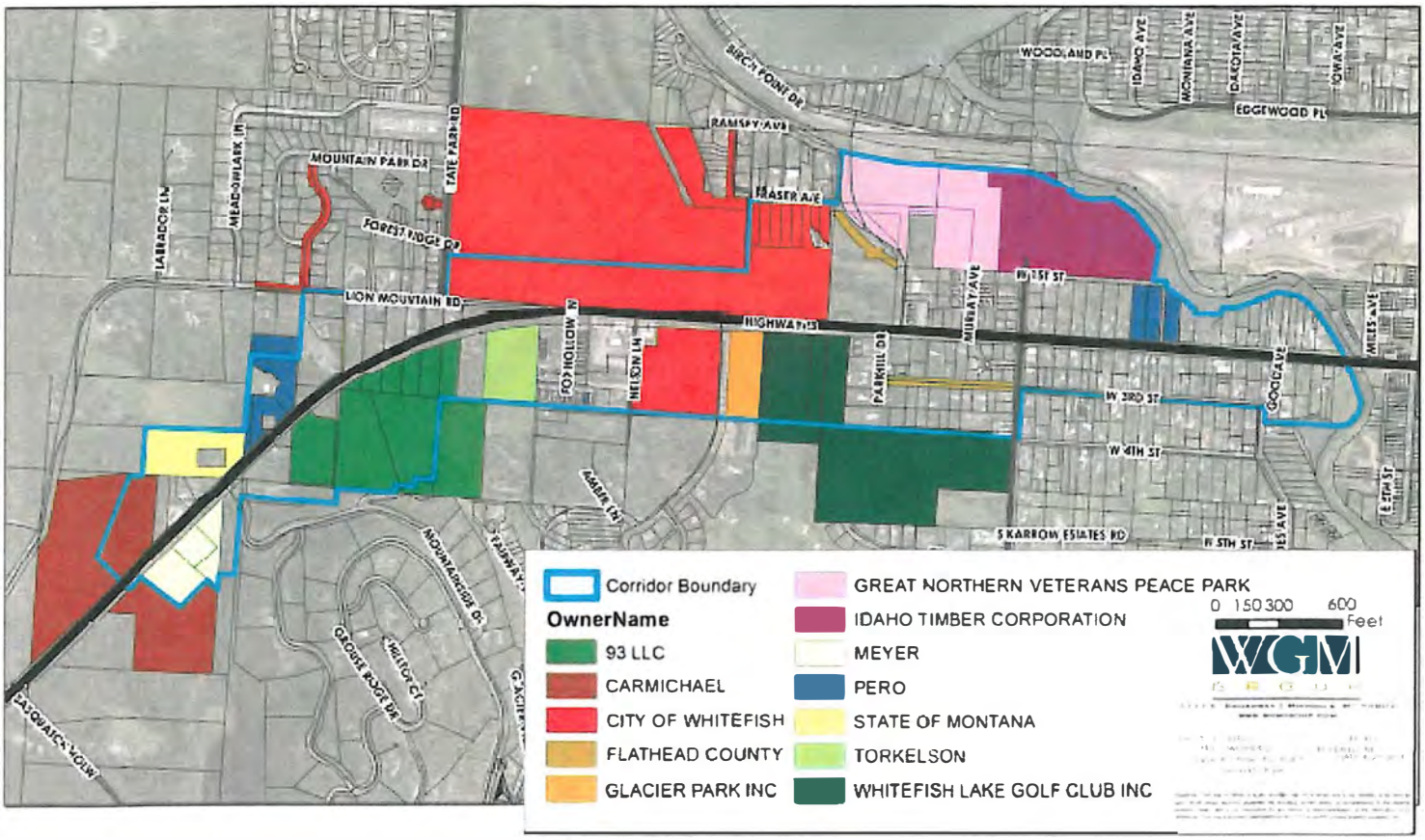
1. **Keep existing zoning for Area B:** Residents (renters & property owners) of Area B, some members of plan steering committee for this corridor plan, and other city residents concerned with how Whitefish develops have testified that the existing primarily single-family zoning with limited professional offices in Area B should be retained. The proposed changes as described below are not appropriate for Area B.
2. **Don't allow short-term and overnight rentals or five or more multi-unit rentals in Area B:** Instead develop standards to retain neighborhood character of owner-occupied single-family homes and affordable long-term rental housing. The new zoning proposed for Area B would allow a developer-driven, unlimited proliferation of overnight rentals, multi-unit dwellings in excess of four units for resort and residential condominiums, town houses, time sharing and interval ownership and the undefined "ancillary services" for multi-unit dwellings.
3. **Limit commercial uses along the highway corridor and in Area B:** Instead direct commercial uses toward the downtown core area. Under the current draft plan, a major proliferation of commercial uses would be allowed throughout Area B and along the highway corridor from Whitefish River west to Ramsey Ave. These uses could include coffee shops, sandwich shops, "Manufacturing Artisan," personal services, professional offices, and hotels and motels along the river north of 1st Street. *Micro-breweries should not be allowed in Area B because of its residential character.* "(Manufacturing Artisan" is a totally new zone the consultants are recommending be created that allows for many potential types of new retail/manufacturing businesses including micro-breweries.)
4. **Limit commercial uses along the river corridor:** All the commercial uses and 5 or more multi-unit and multi-story housing, and short-term housing uses noted above in addition to hotels and motels along the river north of 1st street are allowed along the river corridor. The plan lacks standards that define desired water-front development. The City needs to develop a comprehensive plan for river-front development.
5. **Don't allow the 93 West Corridor to become lined with commercial uses, which would create strip development patterns and traffic issues:** The proposed plan allows for developer-driven zone changes, which would cause eventual patterns of strip development (given lack of clear plan intent to retain residential character of corridor), encourage lot consolidation for non-residential uses, and associated traffic congestion from increased access needs. The plan fails to set standards the growth policy requires for noise, screening, landscaping, and traffic.
6. **Don't allow lot coverage in Area B to increase from 40% to 70%.** Instead establish overall goals and policies to retain this corridor's residential and non-commercial character. Larger-sized structures would lead to the removal of vegetation and trees and would create significant changes in the traditional residential character of the area.
7. **Set clear standards *now* for private parks like the Peace Park area.** Even before its completion, this park has impacted surrounding neighborhoods with events that generated excessive noise, traffic and parking. The Whitefish Growth Policy calls for adopting park district standards. Parks are a large component of this plan area.

!

See!page!16!of!Plan!http://www.cityofwhitefish.org/large9files/pdf/Planning/Corridor%20Plan_DRAFT_119259 2014.pdf!

Ownership

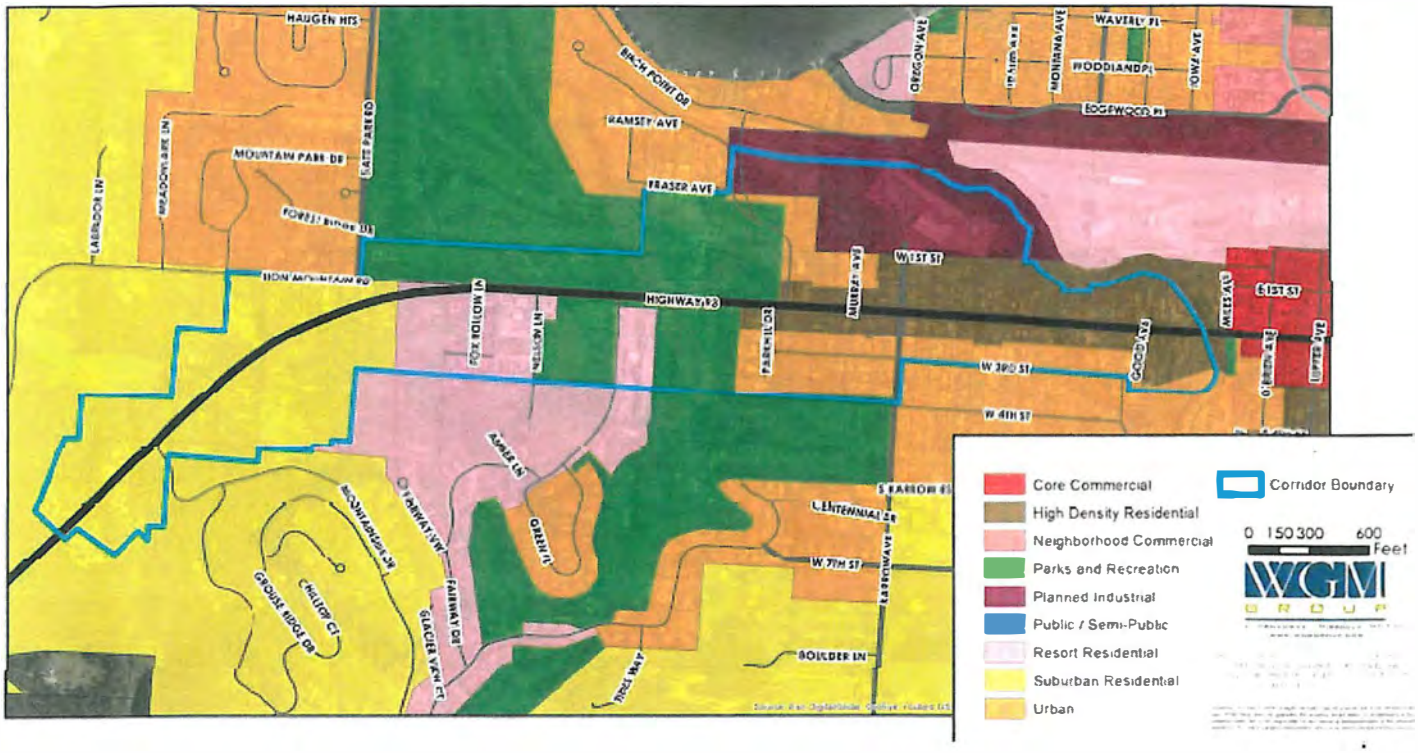
Major property owners with over three acres of property within or adjacent to the corridor are identified in the map below.



See!page!18!of!plan!!http://www.cityofwhitefish.org/large9files/pdf/Planning/Corridor%20Plan_DRAFT_119259 2014.pdf!

Future Land Use – 2007 City of Whitefish Growth Policy

The 2007 Growth Policy anticipated continued residential development along the US Highway 93 West corridor with continued industrial use at the Idaho Timber site and continued open space and recreational facilitation at the golf course and municipal ball fields along with resort commercial. Higher density residential development was proposed closer to the core and along the highway frontage. Suburban residential was proposed beyond State Park Road.

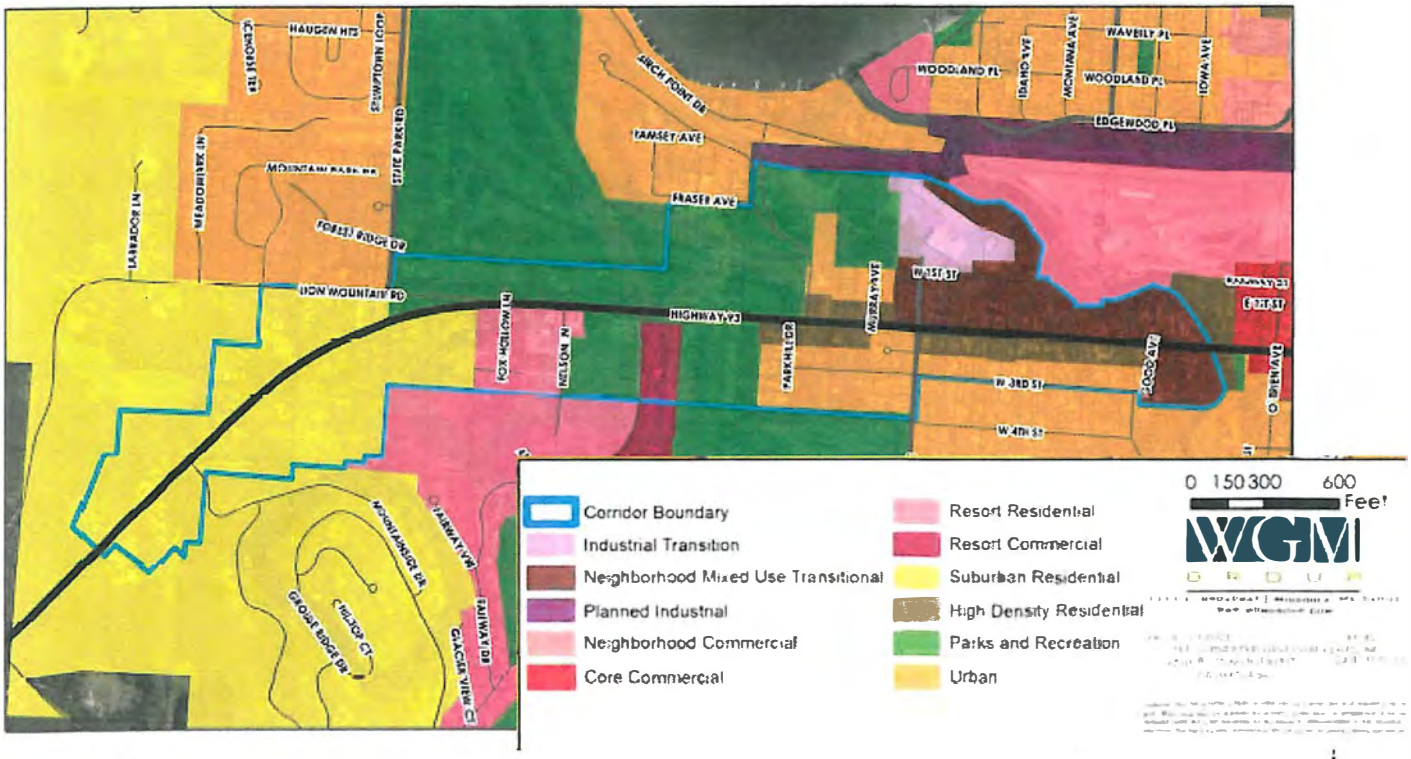


See Page 25 http://www.cityofwhitefish.org/large8files/pdf/Planning/Corridor%20Plan_DRAFT_118258 2014.pdf

Growth Policy Land Use Designations

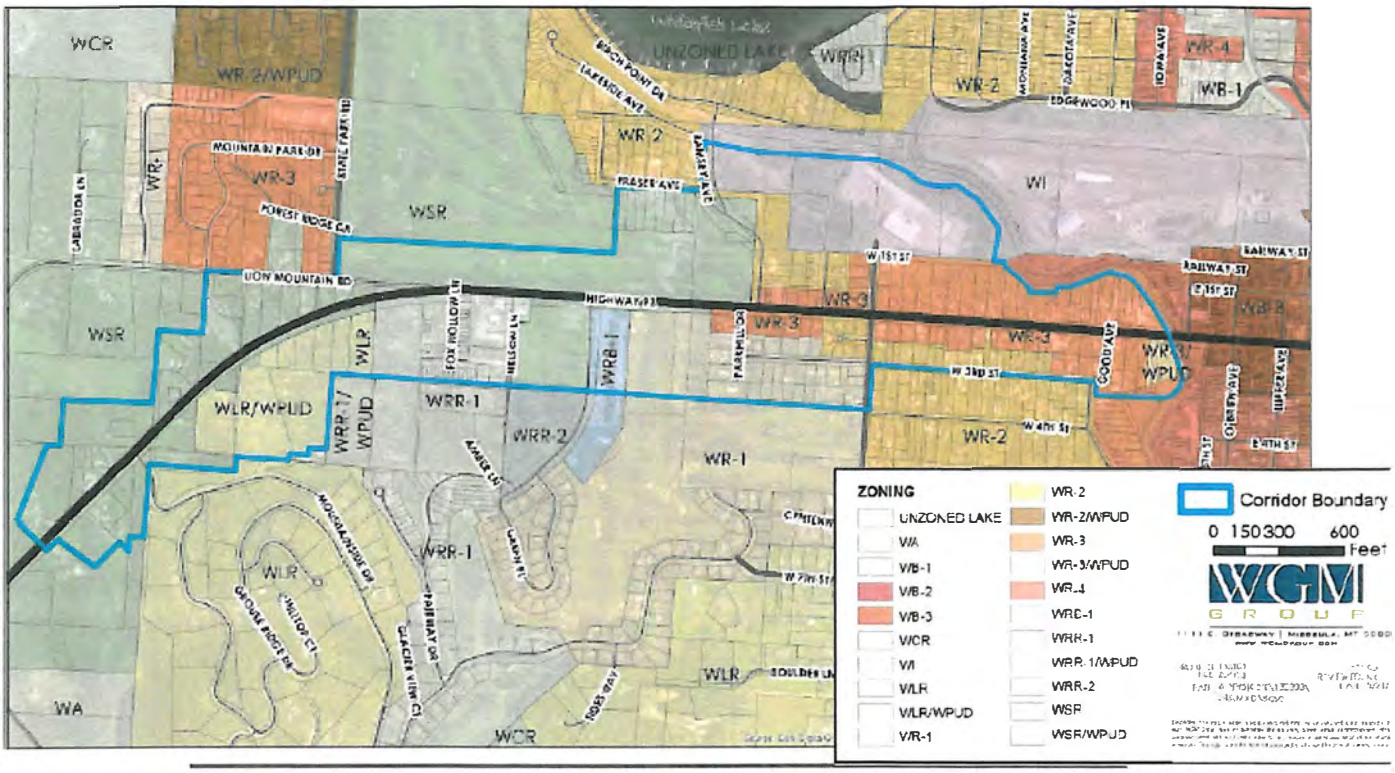
Proposed Future Land Uses Map

The land use recommendations for the Highway 93 West Corridor are shown in the Proposed Future Land Uses Map below.



Zoning

The zoning within the corridor is primarily residential. There are a number of non-conforming commercial or conditionally permitted professional office uses along US Highway 93 West. The prevalent zoning districts within the US Highway 93 West Corridor are Suburban Residential (WSR), Low Density Multi-family Residential (WR-3), Industrial and Warehousing (WI), One-Family Residential (WR-1), Two-Family Residential (WR-2), One-Family Limited Residential (WLR), Low Density Resort Residential (WRR-1) and Limited Resort Business (WRB-1).

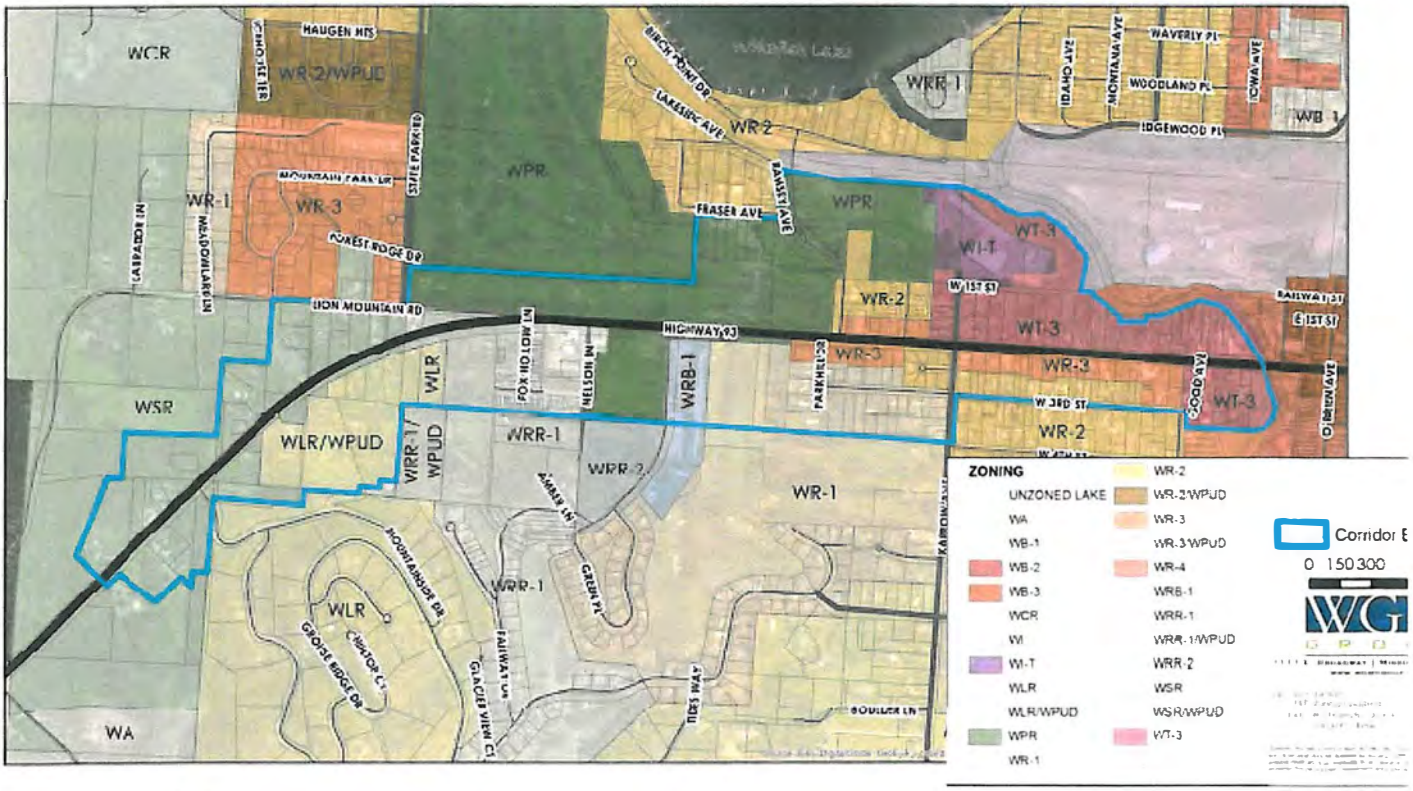


see page 26 of plan http://www.cityofwhitefish.org/large-files/pdf/Planning/Corridor%20Plan_DRAFT_11-25-2014.pdf

Zoning Changes

Proposed Future Zoning Map

The zoning recommendations for the Highway 93 West Corridor are shown in the Proposed Future Zoning Map below.



KEN STEIN

44 FAIRWAY VW

received after packet

MAYOR AND COUNCIL,

I am sorry this is so late and I may be able to attend, but here are my thoughts.

I AM ON THE PLANNING BOARD, BUT AM SPEAKING AS AN INDIVIDUAL. Regarding the proposed Hotel on 2nd and Spokane:

IF THESE 19 WB-3 LOTS WERE DEVELOPED INDIVIDUALLY, THE POTENTIAL FOR BUILDINGS WITH ZERO LOT LINES AND NO PARKING REQUIREMENTS ARE AN ACCEPTABLE USE FOR THIS ZONE. THE APPLICANT/DEVELOPER IS NOT RESPONSIBLE FOR SOLVING THE CITY'S PARKING ISSUES. THE PREVIOUS OWNER WAS KIND ENOUGH TO ALLOW DOWNTOWN BUSSINESS EMPLOYEES AND THE PUBLIC TO USE THIS LOT FOR FREE.

THE FACT THAT PEOPLE USE FIRST INTERSTATE PARKING IS VERY NICE, HOWEVER NOT AT THE OWNERS PERMISSION. THE DEVELOPER IS SECURING ADDITIONAL PARKING FOR GUESTS OR EMPLOYEES AT A CLOSE LOCATION.

THE BIGGER ISSUE IN MY MIND IS THE POTENTIAL FOR 'FRANCHISE' DETERIORATION TO TAKE AWAY FROM THE UNIQUE QUALITY OF THE 'HOMETOWN" FEEL OF THIS PROJECT.

THE TOP FLOOR PATIO SHOULD HAVE REASONABLE HOURS OF OPERATIONS AND IF TRULY A "PEACEFUL" PLACE TO ENJOY SUMMER EVENINGS, NO MUSIC OR ENTERTAINMENT.

If parking is such a big issue, which it is, the council should think of private property that can be purchased near downtown core (described in growth policy), before it's all developed into new and more commercial buildings .

Thank you very much,

Respectfully,

Ken Stein

Subject: Deny Hotel @ Spokane & 2nd
From: "Ben Cavin" <bencavin@gmail.com>
Date: 2/2/2015 10:33 AM
To: <nlorang@cityofwhitefish.org>
CC: "ken stein" <ken@kenstein.us>, "Rebecca Norton" <rannenorton@yahoo.com>

received
after packet

Mayor Muhlfeld & City Council,
Deny this monstrosity --- vastly too big!
Ben Cavin

Subject: feb.2 meeting comets
From: Diane Carter <diane@dancehammer.com>
Date: 2/2/2015 10:50 AM
To: nlorang@cityofwhitefish.org

received after packet

Thank you for listening,

When I was involved in building a garage apartment I was informed of the conditions I was required to work within.
To make an exception for anyone else is not only wrong but sets a standard for future people to push and manipulate the established regulations even further.
Please stick to established plans that have plenty of fore sight and thought. We lose focus when we get in a hurry.
Our street 'improvement' shows we have lost some common sense of how to develop while keeping maintenance in mind. The guy in the grader should have had opportunity to veto the developers bulb out design.

People come to Whitefish for the quaint village feel not the glitzy congested Jackson Hole look.

As for the river development, this should be over regulated because of the lack of education most people have reguarding wildlife and water interaction. Apartments on the river is asking for hardship for everyone but the developers and builders.

Diane

received
after packet

I want to thank you for your hard work and tough decisions you are making on behalf of Whitefish. I trust each one of you and know you have the best interest of the community at heart. I can't think of a better council and city staff to look out for Whitefish, but I'm getting nervous about everything that is coming before you; unlike a few years ago when there were no building permits or development applications going through the Planning Office; how quickly things have changed!

I watched the council meeting the other night and the presentation on the new City Hall. Even though I have not been involved in the public process, I appreciate the thoughtfulness you have taken to make sure the public has time to review the changes and provide you with input even to the frustration of the architect. It will change the face of our downtown and our community has every right to weigh in. The decisions you have before you on the new hotel at Block 46 and the Hwy 93 West corridor plan deserves the same scrutiny, as it will further change our downtown in a big way.

When I heard the Averill family was looking at the empty lot next to Sweet Peaks for a boutique hotel, all I could think about is how a hotel on that corner will close in our downtown and create too much congestion there and ideally needs to go further out.

When Orlan Sorenson had proposed the hotel at Block 46 I thought it was a better location, but now that I see the massive design in that location, I don't think it's the right place for a hotel of that size. I realize that the city has had this location on it's radar for awhile now, and that the Averill's will be providing parking that would not necessarily need to provided in the WB3 zone, but seeing the congestion at The Lodge on Wisconsin Ave at different times of the year, I can only imagine we will have a similar scenario with another ugly bridge that no one uses over Spokane Avenue. I'm glad to hear the developers are not proposing a chain or franchise hotel, although there's no guarantee it won't someday be bought by one.

When I was on the Steering Committee for the Growth Policy, I attended approximately 17 visioning sessions in areas throughout the Whitefish Planning Jurisdiction, and we heard over and over again that we needed to keep the character and small town feel of Whitefish. Many of the attendees had either grown up here, moved away and returned because of the type of growth that occurred in the areas they returned from, or moved here because of the "small town feel" of Whitefish and the loss of "character" from the place they left behind. I think most of us can relate to this, and why we moved to Whitefish. That "Whitefish community character" along with the abundance of natural resources and open space is our economic driver. I think we have to be very careful how when we make such drastic changes to our neighborhoods. This is discussed on page 47 & 48 of the Whitefish Growth Policy,

Maintaining the Character and small town feel of Whitefish as the community experiences rapid growth.

"Rapid growth can not only strain community infrastructure and services, it gives people little time to adapt to change. A part of Whitefish's character is defined by its diversity of residential types and densities. This diversity was created over time as many different factors such as economy, lifestyle changes, and social structure influenced the type and densities of homes that were built. Today, a residential development can provide a large number of homes all of the same type within a very short period of time, thereby making a profound change in the community and limiting the diversity of housing type.

Another factor that can threaten community character is development that is out of scale with surrounding neighborhoods. Existing Whitefish land development regulations control density, setbacks, and lot coverage. Landscaping is required for multi-family and commercial developments. Structural height is allowed up to 35", and this can be much higher than homes in established neighborhoods. Also, floor area ratio (FAR) and landscape ratio (LSR) are not regulated, nor is total impervious surface. Lack of control of these critical factors of community character can and has resulted in structures that are far out of scale with their surroundings. With scale and character being such significant issues with the public, character based regulations and neighborhood conservation districts should be carefully considered."

No doubt the existing residential neighborhood will be affected greatly by the hotel. The Averill's are proposing to build a structure that is largely out of scale with the existing neighborhood and larger than what is allowed in the WB3 zone and will have a huge impact on the area. There are quite a few proposed projects that will change the face of Whitefish in a very short period of time. Is this what we want? Are we going to be sorry? Should we take a step back and not agree to variances for height, size, and density? Should we not adhere to our own zoning laws and review our Growth Policy for guidance and vision?

Page 47 Land Use Element; ***"How will our existing neighborhoods be affected? Will new development preserve and enhance the community's unique character and qualities, or will they destroy them? Will Whitefish retain its small town feel and friendliness, or will it become just another "Any Town, USA".***

After some heart burn and consideration over what could become a very congested area with traffic and pedestrian concerns, I don't think this is a good location for a hotel of this size and I ask you to take more time to consider whether this is what we really want in this location. There are many other options for this location such as mixed use commercial and residential with less

congestion and opportunities for parents and children to walk to Central school and downtown. We need a realistic transition to the east Whitefish neighborhood and schools.

You have tough decisions to make on the proposed hotel and the Hwy 93 West Corridor Plan, and It sounds like a future hotel may be proposed at the Idaho Timber property, which could be a perfect place, or anywhere on Baker such as the Assembly of God Church or the JCCS building across from the post office where the locations are still in town will have connectivity, but a little further out.

With the proposed hotel please consider the transition and scale of this type of commercial development and the residential neighborhood. With the Idaho Timber Property there is the potential for connectivity to town and the visitors coming from Canada will not be driving through town to find their hotel near a school and busy intersection.

Developers always want to tell you that they need so many lots, townhouses, or rooms to make it pencil. Well please don't buy into that. We have zoning laws that developers need to abide by and that is the reason we have them. The hotel developers have every right to build a hotel in that location, but could build a smaller hotel of 7,500 square feet which is allowed on the existing property as it is currently zoned for this, and reduce the hotel's negative impacts on downtown parking, traffic, congestion and pedestrian safety, and would be more compliant with the character and scale of development to the adjoining neighborhood. Please consider staying true to the zone as allowed in this location and keeping with the scale and character of the neighborhood

I also understand that there was a traffic study from April of 2014. This is one of the slowest times of the year, and certainly does not reflect the true traffic counts during the busy summer months.

In regards to the Hwy 93 West Corridor plan, I attended a visioning session on the possibilities of that particular site and there were some great mixed-use ideas that could blend in with the neighborhood. Protecting the river of course of utmost importance, with the potential for parks and recreation, trail system, light industrial, work force housing, potential hotel and some commercial were all great ideas. I know that the committee has been working on this a long time and like the City Hall design there are constant changes and hopefully the community will get the time to weigh in on each change. After so much thought and work that has gone into the redesign of 2nd Street I would hate to see the entrance to our town dotted with strip commercial development. Whitefish is changing at a rapid pace. Don't be pressured, it's forever.

Kind regards,
Mary Person
603 Wisconsin Ave.
Whitefish, Mt.59937

Subject: FW: Hotel Support Letters
From: "Chuck Stearns" <cstearns@cityofwhitefish.org>
Date: 1/30/2015 1:07 PM
To: "'Necile Lorang'" <nlorang@cityofwhitefish.org>

received after packet

From: Jeff Badelt [mailto:Jeff@MtDevGroup.com]
Sent: Friday, January 30, 2015 12:19 PM
To: Wendy Compton-Ring
Cc: Chuck Stearns; 'David Taylor'
Subject: Hotel Support Letters

Wendy,
Attached are 63 signed Letters of Support from local Whitefish business owners/managers & residents for the Downtown Hotel Project. I realize they may be bulky to insert into Council packets so we will bring a notebook w hard copies for you Monday as well or can bring by the office early Monday if you prefer. I apologize for the last minute package.
Additionally we have entered into lease agreements for an additional 16 parking spots. We'll now have 74 on site, 16 leased off-site and will create an additional 5 curbside on the north side of Third St.
Regards,

Jeffrey Badelt
Partner
Montana Development Group
406.890.8195

Attachments:

20150130_121137.pdf	972 KB
20150130_121304.pdf	1.8 MB
20150130_121442.pdf	1.5 MB

Received at Council Meeting

Chris Schustrom

From: Chris Schustrom [chris@gardenwallinn.com]
Sent: Monday, February 02, 2015 10:48 AM
To: 'John Muhlfeld'; 'John Anderson'; 'Richard Hildner'; 'Richard Hildner'; 'janderson@conradianderson.com'; 'Frank Sweeney'; 'fsweeney@cityofwhitefish.org'; 'Jen Frandsen'; 'jfrandsen@cityofwhitefish.org'; 'pbarberis@cityofwhitefish.org'; 'afeury@cityofwhitefish.org'
Subject: Haskill Basin conservation easement / TPL polling
Attachments: ITRR Review of TPL Poll.docx; Water Revenue bond Page from Packet.2015-02-02.pdf

Dear Mayor and City Councilors,

The decision of how to fund the purchase of a Haskill Basin conservation easement is a very important one for Whitefish. Your decision on the preferred funding option can result in an equitable method of funding that benefits the entire community, while avoiding harm to any one part of our town.

A very important part of making the best decision on a matter such as this is having the best available information, fairly and objectively collected. I am writing to express concern over the Trust for Public Land (TPL) polling undertaken in January. It appears to be an important component in your considerations. After reading the TPL presentation and polling results in the City Council packet, it seemed obvious to me that this polling was focused primarily on gathering support for a proposal to increase the Resort Tax to fund the purchase of the Haskill conservation easement. It also appeared that this public opinion surveying was not objectively undertaken. I brought this concern up to one of you last week, and was told that I was "off base" in my concerns. Seeking to be as informed as possible, and joining you all in not being an expert in public opinion surveying, I sought a profession review of the TPL surveying.

TPL's presentation and polling results were sent to Dr. Norma Nickerson, Director of the Institute for Tourism and Recreation Research at the University of Montana. The work of the ITRR is to collect primary data in the form of surveys and other methodologies. Dr Nickerson's review of the polling undertaken by TPL's public opinion firm is attached, and below. As you can see from the Dr. Nickerson's review, concern over the polling and the results, is not without merit. I hope that you will give this review serious consideration as you deliberate how to give weight to the equity and efficacy of the funding options proposed for the Haskill easement.

I support the purchase of the Haskill conservation easement. I believe that approving a Water Revenue Bond at $6.72 per month addition cost to the average homeowner would be the most equitable funding option. Attached is the page (page 61) from the City Council packet showing this breakdown. This option would spread the cost of the Haskill conservation easement purchase over all water users in the City, and could be approved by the Council Council.

I do not support a ballot measure to increase the Resort Tax to fund the purchase of the Haskill conservation easement. Each time the Resort Tax is brought up in a public arena, local businesses that collect the Resort Tax hear about it, and see a negative effect on their businesses. Shoppers can purchase similar goods, without paying the Resort Tax, 15 minutes south of Whitefish. The Resort Tax has been successful for Whitefish and I support it, but it should be recognized that Whitefish loses business from it every day.

At a meeting with Mayor Muhlfeld last week, Whitefish businesses from all sectors were unified in their support for the Haskill conservation easement. These same businesses were unified in their opposition to an

increase in the Resort Tax to fund the easement purchase. They cited numerous examples of the loss of business resulting from the fact that the tax exists, but also from the negative perception, correct or not, associated with the tax.

Thank you for giving careful consideration to these concerns and points as you seek an equitable and beneficial way to make this project a reality.

Sincerely,
Chris

Chris Schustrom
The Garden Wall Inn | 504 Spokane Avenue | Whitefish, MT 59937
p: 406-862-3440 | www.gardenwallinn.com

FROM: INSTITUTE for TOURISM and RECREATION RESEARCH at University of Montana

According to the US Census Bureau the 2013 Whitefish population was 6,649 with 80% of them being 18 or older (5,319 voting age). A survey of 175 voting residents is only 3.3% of the population. Therefore my first concern is the data represents such a small portion of the population and the methods do not indicate how the 175 represent the population. Furthermore, the survey methods used a telephone survey. With any objective survey research, it is important to provide the response rate of the survey. This NEEDS to include the number of people who simply hung up as well as those not willing to participate. What was the total population they tried to contact? Telephone surveys are notorious for people hanging up and therefore a "random" and "objective" population is difficult to reach. How many people were called? How many call-backs were attempted? What is the breakdown of land-line and cell responses? It is important that the methodology is clear on how the data was determined to be representative of Whitefish. This has not been presented even though they state the margin of error is +/- 7.4% with the caveat that the margin of error for population subgroups will be higher. Who are those subgroups?

When I read through the presentation, there was a slide showing the following:
Public Opinion Survey

* • **Determine support for funding land conservation**
* • **Test voter priorities/benefits**
* • **Sample ballot language**
* • **Understand tax tolerance**
* • **Fiscal safeguards, accountability elements**
* • **Find out best messengers & messages**

It was very clear to me that the second bullet, "Test voter priorities/benefits" was not fairly tested (or it simply was not reported). Most of the survey was about the increase in resort tax. It appears that only one question related to other possible funding sources and their support or lack of support for those other options. The survey did not go into detail about the other funding options and therefore the survey instrument itself was biased towards the resort tax increase. Perhaps the city officials had already decided that the resort tax was the option they would prefer and only asked TPL to assess that issue. If so, TPL did that. If not, TPL presented a one-sided survey to the residents.

Other thoughts:

* 1. When the ballot measure being tested starts out saying "to protect and preserve water quality and quantity" of course people want that to happen. But my question is this: IS protection of the water quality truly the main reason for obtaining the conservation easement? Is there a chance that without the easement, the water quality could be marginalized? In other words, without protection, will there be such development in the area that quality water is threatened? Or is it more about the view shed, wildlife, recreation and so forth. They really should be honest in the reason behind the conservation easement.

* 2. Finally, there were no questions asking residents how much they currently shop in Whitefish and elsewhere and whether or not the added 1% would change their shopping behavior in Whitefish. All that was asked was if they felt it would hurt the Whitefish economy.

Rooftop Patio

Received at Council Meeting

Received at Council Meeting

I applaud the Averill family for deciding that a chain, or formula, cookie-cutter hotel is not right for Whitefish. And I am also very pleased that they are continuing to work toward redesigning the building to be compatible with the character of our downtown.

Visitors to Whitefish are seeking an "authentic sense of place". Our authenticity is Whitefish's competitive advantage. If we allow our unique, local, one-of-a-kind character to be eroded, Whitefish will lose its advantage in tourism.

I believe that the choice of an independent downtown hotel is the right business decision for the developer AND the right decision for downtown.

Rhonda Fitzgerald

Received at Council Meeting

Anne Shaw Moran
432 W. Third Street
P.O. Box 4472
Whitefish, MT 59937

February 2, 2015

The Mayor and City Council
City of Whitefish
P.O. Box 158
Whitefish, MT 59937

Dear Mayor and Councilors:

RE: Hwy 93 W. Corridor Study Proposed Plan and Zoning Districts

Thank you for the opportunity to serve on the Steering Committee and for considering my comments, as follows:

- **If you approve the new zoning districts called for in this plan (WT-3 and WT-I), I believe you will be setting the study area up for ongoing conflict and polarity.** Much of this plan is well-done and deserving of support, but I need to do my job and communicate to you that **the plan contains critical "deal breakers" for those who live and own residential property** throughout the corridor study area. People buy in zoned neighborhoods for predictability, and residential owners invest real dollars for this purpose. Many are extremely concerned about the proposed introduction of manufacturing and vacation rentals into an area that remains predominantly residential.

- **Why was the Corridor Study initiated in the first place?** A non-compliant use (Ryan Zinke's microbrewery) was proposed via a PUD, and neighboring property owners were so opposed they successfully petitioned for a 2/3 Council vote on the proposed rezoning, which resulted in the PUD being withdrawn. This situation served as a catalyst to trigger a corridor study that the City had already been contemplating. **While these same property-owners have since supported several WR3-compliant non-residential uses in their neighborhood, they felt a microbrewery had unacceptable impacts. That feeling has not changed.**

- **Why are so many residential owners just now questioning Area B and the proposed Zoning Districts/Classifications?** Most Steering Committee meetings were held during the day when many of my neighbors work. **In addition, the proposed zoning districts (which impact Area B) did not surface in the process until the plan draft was complete (long after all Open Houses and public meeting were already held).** The neighbors' first real chance to comment on the zoning districts was at the Planning Board hearing.

- **Did Steering Committee participation coincide with the residential representation the Council originally contemplated?** When the Steering Committee makeup was proposed, Council opted to add another seat in recognition that the vast majority of the properties within the overall study area were residential and to insure adequate representation. Few Steering Committee applicants lived in the area so the field of candidates for residential representation was limited. Ryan Zinke (operator of the Peace Park and microbrewery proponent) and I were appointed to the two seats. I question whether residential interests received the committee representation that the Council originally contemplated.

- **Have the neighbors' view on manufacturing/microbreweries changed since their initial protest?** No. Manufacturing is manufacturing, "artisan" or not. In fact, many neighbors contiguous to Area B are sufficiently upset with the proposed zoning districts recommended for Area B that they are ramping up to protest any subsequent zone changes supporting same. **The current WR3 zoning provides many commercial and professional uses that are a good mix for the existing residential zoning.** On the same evening as the Corridor Study was reviewed, Planning Board members expressed many concerns (vis a vis the Downtown Master Plan) about protecting two similar contiguous residential areas from nearby commercial impacts; neighbors are simply asking that a similar rubric be applied to our area.

- **The Steering Committee and City Consultants acted in good faith.** Most Steering Committee members researched the issues hard, acted in good faith, and did their best to represent this community. The consultants tried to facilitate the process as well as possible and much of the Plan reflects that. Few Steering Committee members actually live in the area and the open houses were completed prior to the zoning district language being proposed, so direct interaction with residential property owners on that subject was limited.

- **Why is this being dubbed a "Neighborhood Plan" after the fact? I do not believe this was intentional, but it is a serious concern if we are going to behave ethically in this process.** I have been told this is necessary to facilitate a Growth Policy amendment. However: 1) Many Whitefish residents are familiar with the Neighborhood Planning process and likely would have participated more vigorously if the effort had been billed as such, rather than a "corridor study"; and 2) Goals and objectives typical to a neighborhood plan were not adequately identified or addressed.

- **Should a Growth Policy Amendment reflecting the proposed Zoning Districts be approved? No, not unless you want ongoing polarity in the neighborhood.** The Growth Policy may not implement new zoning, but it *is* an intentional guide for future planning decisions. Based on what they see in the Growth Policy, developers may spend significant dollars pursuing plans, only to encounter strenuous opposition from other neighbors who invested in the area based on the pre-existing WR3 zoning. This is not good for anyone; such polarity is unhealthy and costly for all.

The current WR3 zoning allows for many nonresidential uses that the neighborhood has historically supported; it is a win-win for both residential and non-residential property investors. Whitefish remains one of the most desirable communities in Montana because our existing zoning districts and classifications have served us well; this isn't the time or place to introduce an untested zoning district. If it ain't broke, please don't "fix" it!

Sincerely,

Anne Shaw Moran
Residential Representative
Hwy 93 Corridor Study Steering Committee

Received at Council Meeting

2/2/15

Gail Linne
106 Murray Avenue
Whitefish, MT 59937

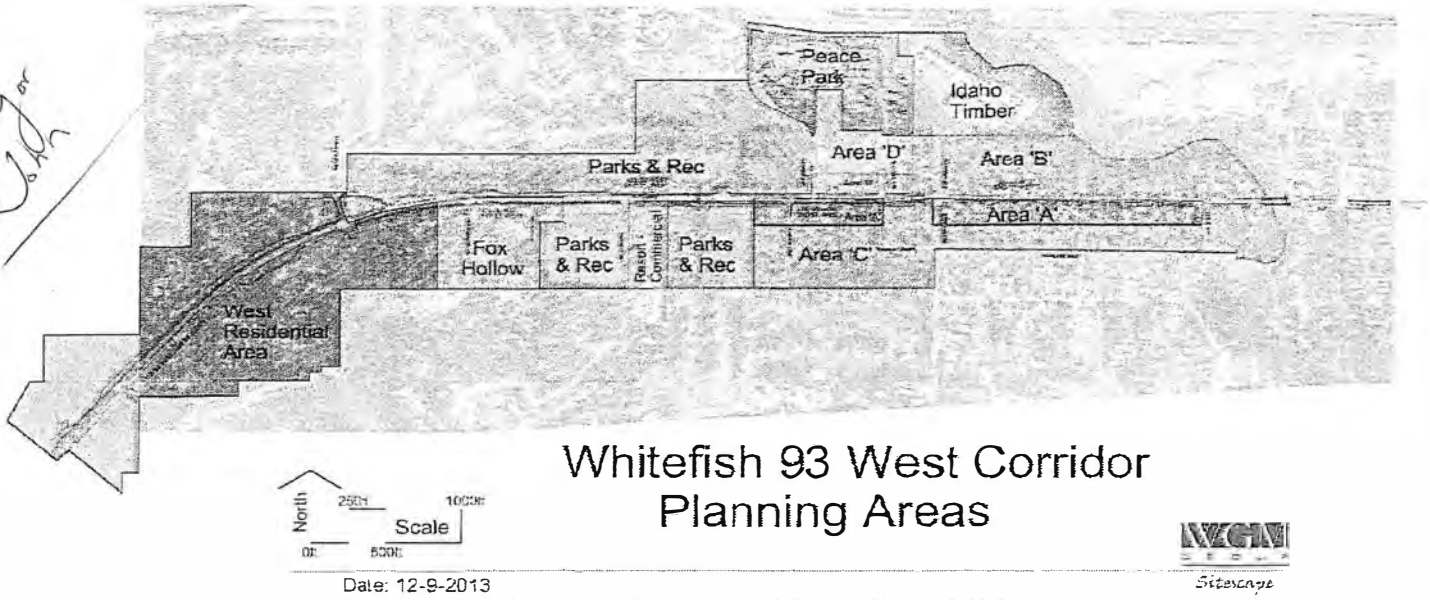
Good evening and thank you for listening to my input and concerns regarding the Highway 93 West Corridor Plan as drafted. Susan Prillman and I worked to get community inputs. These ~~N~~eighbors and I have signed a statement expressing our position about the Corridor Plan to submit to you tonight. 50 neighbors have signed the following statement:

We the undersigned ask the Whitefish City Council to not adopt the proposed Draft Whitefish Hwy 93 West Corridor Plan for one or more of the reasons cited on the reverse side of this petition. While we believe that a lot of good work has been done to develop this Corridor Plan, we feel that as proposed this plan does not do enough to protect the established residential character of neighborhoods along this corridor. We encourage the City Council to support the use of existing Whitefish zoning districts, which already provide opportunities for limited nonresidential uses in this plan area. We support the creation of standards for a park zoning district, as called for in the Whitefish Growth Policy, as a necessary part of this final plan. **Please direct the Whitefish City Planning office to work with plan area residents and other city residents to further revise the Draft Whitefish Hwy 93 West Corridor Plan to address these concerns**.

We know the Whitefish City Council will give our concerns your full attention.

Thank you.

Mayor John



See Page 39 of Plan http://www.cityofwhitefish.org/large-files/pdf/Planning/Corridor%20Plan DRAFT 11-25-2014.pdf

Note that as currently proposed future land uses and zoning for all areas in the plan area are recommended to stay the same EXCEPT for: ▶ Area B, ▶Idaho Timber, ▶the "Peace Park", ▶the zoning for areas designated as Parks and Recreation, and ▶the zoning where Grouse Mountain Resort currently is located.

Summary of some of the major issues of concern with the Draft Whitefish 93 West Corridor Plan:

1. **Keep existing zoning for Area B:** Residents (renters & property owners) of Area B, some members of plan steering committee for this corridor plan, and other city residents concerned with how Whitefish develops have testified that the existing primarily single-family zoning with limited professional offices in Area B should be retained. The proposed changes as described below are not appropriate for Area B.
2. **Don't allow short-term and overnight rentals or five or more multi-unit rentals in Area B:** Instead develop standards to retain neighborhood character of owner-occupied single-family homes and affordable long-term rental housing. The new zoning proposed for Area B would allow a developer-driven, unlimited proliferation of overnight rentals, multi-unit dwellings in excess of four units for resort and residential condominiums, town houses, time sharing and interval ownership and the undefined "ancillary services" for multi-unit dwellings.
3. **Limit commercial uses along the highway corridor and in Area B:** Instead direct commercial uses toward the downtown core area. Under the current draft plan, a major proliferation of commercial uses would be allowed throughout Area B and along the highway corridor from Whitefish River west to Ramsey Ave. These uses could include coffee shops, sandwich shops, "Manufacturing Artisan," personal services, professional offices, and hotels and motels along the river north of 1st Street. *Micro-breweries should not be allowed in Area B because of its residential character.* "(Manufacturing Artisan" is a totally new zone the consultants are recommending be created that allows for many potential types of new retail/manufacturing businesses including micro-breweries.)
4. **Limit commercial uses along the river corridor:** All the commercial uses and 5 or more multi-unit and multi-story housing, and short-term housing uses noted above in addition to hotels and motels along the river north of 1st street are allowed along the river corridor. The plan lacks standards that define desired water-front development. The City needs to develop a comprehensive plan for river-front development.
5. **Don't allow the 93 West Corridor to become lined with commercial uses, which would create strip development patterns and traffic issues**: The proposed plan allows for developer-driven zone changes, which would cause eventual patterns of strip development (given lack of clear plan intent to retain residential character of corridor), encourage lot consolidation for non-residential uses, and associated traffic congestion from increased access needs. The plan fails to set standards the growth policy requires for noise, screening, landscaping, and traffic.
6. **Don't allow lot coverage in Area B to increase from 40% to 70%.** Instead establish overall goals and policies to retain this corridor's residential and non-commercial character. Larger-sized structures would lead to the removal of vegetation and trees and would create significant changes in the traditional residential character of the area.
7. **Set clear standards *now* for private parks like the Peace Park area.** Even before its completion, this park has impacted surrounding neighborhoods with events that generated excessive noise, traffic and parking. The Whitefish Growth Policy calls for adopting park district standards. Parks are a large component of this plan area.

We the undersigned ask the Whitefish City Council to not adopt the proposed Draft Whitefish Hwy 93 West Corridor Plan for one or more of the reasons cited on the reverse side of this petition. While we believe that a lot of good work has been done to develop this Corridor Plan, we feel that as proposed this plan does not do enough to protect the established residential character of neighborhoods along this corridor. We encourage the City Council to support the use of existing Whitefish zoning districts, which already provide opportunities for limited nonresidential uses in this plan area. We support the creation of standards for a park zoning district, as called for in the Whitefish Growth Policy, as a necessary part of this final plan. **Please direct the Whitefish City Planning office to work with plan area residents and other city residents to further revise the Draft Whitefish Hwy 93 West Corridor Plan to address these concerns.**

Print first and last name	Signature	Street Address	Check if Whitefish Resident
Kelly Mildenberger	[illegible]	532 2nd street W Whitefish, MT	✓
Sidney Gale	[illegible]	435 2nd St West Whitefish	✓
Justin Richardson	[illegible]	336 2nd ST WEST WHITEFISH	✓
Dmitri Ivanov	[illegible]	322 2nd St WF	✓
Grant Baldwin	[illegible]	226 2nd St Whitefish	✓
Susan Wollner	Susan M Wollner	107 Murray Ave, Whitefish	—
Traye Beams	[illegible]	133 2nd st West, Whitefish, M	✓
Kathy Finger	Kathy	305 W 2ND St Whitefish	✓
ROGER FINGAR	Roger Fingar	305 W 2 ST WHITEFISH	✓
Andrew Losos	[illegible]	435 W. Second St Whitefish	✓
Greg Morris	[illegible]	521 2nd Street West	✓
DAVE WOLLNER	[illegible]	107 MURRAY AVE	✓

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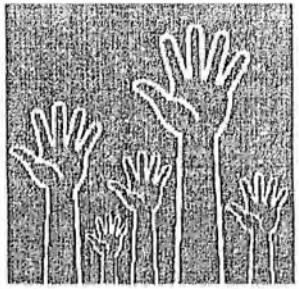

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Print first and last name	Signature	Street Address	Check if Whitefish Resident
DAVE SUPINA		108 MURRAY AVE	✓
PAM SUPINA		108 Murray Ave	✓
Jenna Gerstenbacher		108 Murray Ave	✓
Mike Gerstenbacher		108 Murray Ave	✓

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Print first and last name	Signature	Street Address	Check if Whitefish Resident
M. CAROLIN	[illegible]	300 3RD ST WEST, WF	✓
Denise Dryden	[illegible]	756 Hidden Valley Dr WF MT	✓
Jamey Willows	[illegible]	233 Bear Trail, WF, MT	✓
Ann Jeremiassen	Ann Jeremiassen	P.O. Box 173 Olney, MT. 59927	
SUSAN PRILLIMAN	Susan Prilliman	334 W 3rd St WF	✓
Fern Kastella	Fern B. Kastella	414 W. 2nd St. Wfsh, MT	✓
Doug Kastella	[illegible]	414 W. 2nd St Wfsh MT	✓
Kim Fedderly	[illegible]	429 B 3rd St West	✓
BARBARA PALMER	Barbara Palmer	225 W 3rd ST WEST	✓
Billie Thomas	Billie Thomas	240 Fox Farm CT WF	✓
KURT CRAVEN	K. Craven	240 Fox Farm DR WF	✓

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Print first and last name	Signature	Street Address	Check if Whitefish Resident
Julie W. Tobey	Julie W. Tobey	234 W. 3rd St. Whitefish	✓
Nick Palmer	[illegible]	925 3 St W, WF,	✓
Lori Brown	[illegible]	176 Sylvan Drive, BF	

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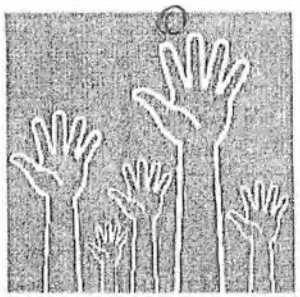

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Print first and last name	Signature	Street Address	Check if Whitefish Resident
Adam Pitman	[illegible]	328 W. 3rd St	X
Laira Fonner	Laira Fonner	328 3rd St W	X
Brett Ersley	[illegible]	141 W. 3rd St	X
Rebecca Sergin	[illegible]	120 W 3rd	X
Cynthia Eayrs	Cynthia Eayrs	334 W 3rd	X
Michael Eayrs	Michael Eayrs	334 W 3rd	X
JERRY B. MILLER	see email	328 W 3rd St	X
SUZANNE MILLER	see email	328 W 3rd	X

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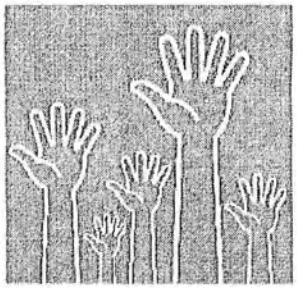

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Print first and last name	Signature	Street Address	Check if Whitefish Resident
GAIL LINNE	G Linne	106 Murray Avenue	✓
Faith Shuck	Faith Shuck	714 2nd St W Whitefish, MT	✓
CHUCK GATLEY	[illegible]	260 FOX FARM CT WHITEFISH	✓
Tom NELSON	[illegible]	110 Murray - Whitefish	✓
by e-mail: (ATTACHED)			
MITA LINNE		106 Murray Ave	✓
Rik / Val Smistad / Kinnear		105 "	✓
Sandy / John Kuffel		109 "	✓
Kirk / JoAnn Jurgens		104 "	✓
SARTH VAN Gaalen		104 "	✓

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February 2015 Petition

Linne

From: "Garth Van Gaalen" <vader@cciwireless.ca>
To: "'Linne'" <gslinne@centurytel.net>
Sent: Monday, February 02, 2015 10:26 AM

We the undersigned ask the Whitefish City Council to not adopt the proposed Draft Whitefish Hwy 93 West Corridor Plan for one or more of the reasons cited on the reverse side of this petition (see fact sheet). While we believe that a lot of good work has been done to develop this Corridor Plan, we feel that as proposed this plan does not do enough to protect the established residential character of neighborhoods along this corridor. We encourage the City Council to support the use of existing Whitefish zoning districts, which already provide opportunities for limited nonresidential uses in this plan area. We support the creation of standards for a park zoning district, as called for in the Whitefish Growth Policy, as a necessary part of this final plan. Please direct the Whitefish City planning office to work with plan area residents and other city residents to further revise the Draft Whitefish Hwy 93 West Corridor Plan to address these concerns. February 2015

I Garth Van Gaalen support this petition.

Hi Gail
Sorry short notice
My adobe doesn't what to open the petition doc for some reason
Hope maybe this is enough to add my name to the list
Thank you so much for all you do for our neighborhood

Linne

From: "kirk and JoAnn Jurgens" <jkjurgens@gmail.com>
To: "Gail/Mitch Linne" <gslinne@centurytel.net>
Sent: Sunday, February 01, 2015 12:45 PM
Subject: petition

We the undersigned ask the Whitefish City Council to not adopt the proposed Draft Whitefish Hwy 93 West Corridor Plan for one or more of the reasons cited on the reverse side of this petition (see fact sheet). While we believe that a lot of good work has been done to develop this Corridor Plan, we feel that as proposed this plan does not do enough to protect the established residential character of neighborhoods along this corridor. We encourage the City Council to support the use of existing Whitefish zoning districts, which already provide opportunities for limited nonresidential uses in this plan area. We support the creation of standards for a park zoning district, as called for in the Whitefish Growth Policy, as a necessary part of this final plan. Please direct the Whitefish City planning office to work with plan area residents and other city residents to further revise the Draft Whitefish Hwy 93 West Corridor Plan to address these concerns. February 2015 Kirk Jurgens, JoAnn Jurgens 104 murray avenue

Linne

From: "Mitch" <jmlinne@live.com>
To: "Gail Linne" <gslinne@centurytel.net>
Sent: Sunday, February 01, 2015 10:41 AM

We the undersigned ask the Whitefish City Council to not adopt the proposed Draft Whitefish Hwy 93 West Corridor Plan for one or more of the reasons cited on the reverse side of this petition (see fact sheet). While we believe that a lot of good work has been done to develop this Corridor Plan, we feel that as proposed this plan does not do enough to protect the established residential character of neighborhoods along this corridor. We encourage the City Council to support the use of existing Whitefish zoning districts, which already provide opportunities for limited nonresidential uses in this plan area. We support the creation of standards for a park zoning district, as called for in the Whitefish Growth Policy, as a necessary part of this final plan. Please direct the Whitefish City planning office to work with plan area residents and other city residents to further revise the Draft Whitefish Hwy 93 West Corridor Plan to address these concerns. February 2015

I agree with items 4-7 of the fact sheet
Mitch Linne

Linne

From: "Sandy Kuffel" <jskuff@frontier.com>
To: "'Linne'" <gslinne@centurytel.net>
Sent: Sunday, February 01, 2015 2:47 PM
Subject: Proposed Draft Whitefish Hwy 93 West Corridor Plan

We the undersigned ask the Whitefish City Council to not adopt the proposed Draft Whitefish Hwy 93 West Corridor Plan for one or more of the reasons cited on the reverse side of this petition (see fact sheet). While we believe that a lot of good work has been done to develop this Corridor Plan, we feel that as proposed this plan does not do enough to protect the established residential character of neighborhoods along this corridor. We encourage the City Council to support the use of existing Whitefish zoning districts, which already provide opportunities for limited nonresidential uses in this plan area. We support the creation of standards for a park zoning district, as called for in the Whitefish Growth Policy, as a necessary part of this final plan. Please direct the Whitefish City planning office to work with plan area residents and other city residents to further revise the Draft Whitefish Hwy 93 West Corridor Plan to address these concerns. February 2015

John Kuffel and Sandra Kuffel 109 Murray Avenue

Linne

From: "RIKARD SMISTAD" <rsmistad@shaw.ca>
To: "Linne" <gslinne@centurytel.net>
Cc: "Val Kinnear" <vkinnear@mtroyal.ca>
Sent: Saturday, January 31, 2015 8:54 PM
Subject: Draft Whitefish Hwy 93 West Corridor Plan

Hi Gail:

We the undersigned ask the Whitefish City Council to not adopt the proposed Draft Whitefish Hwy 93 West Corridor Plan for one or more of the reasons cited on the reverse side of this petition (see fact sheet). While we believe that a lot of good work has been done to develop this Corridor Plan, we feel that as proposed this plan does not do enough to protect the established residential character of neighborhoods along this corridor. We encourage the City Council to support the use of existing Whitefish zoning districts, which already provide opportunities for limited nonresidential uses in this plan area. We support the creation of standards for a park zoning district, as called for in the Whitefish Growth Policy, as a necessary part of this final plan. Please direct the Whitefish City planning office to work with plan area residents and other city residents to further revise the Draft Whitefish Hwy 93 West Corridor Plan to address these concerns. February 2015

Signed: Rik Smistad and Valerie Kinnear - Unit 105 Murray Avenue, Whitefish, Montana 59937

Subject: RE: Here's a cleaned up version

From: Bruce-Suzanne Miller (bruce-suzanne@hotmail.com)

To: sprilliman@yahoo.com;

Date: Friday, January 30, 2015 12:12 PM

Susan, we agree that Area B zoning of the Draft Whitefish West Corridor Plan should remain WR-3.

Jerry B Miller
Suzanne P Miller
328 3RD ST W
Whitefish, MT 59937

Date: Thu, 29 Jan 2015 23:49:56 +0000
From: sprilliman@yahoo.com
To: bruce-suzanne@hotmail.com
Subject: Here's a cleaned up version

Hi again,

I hope you will reply to this email after looking at the information below and the attached fact sheet.

Thank you!
Susan

I am attaching a fact sheet that is a summary of the major issues of concern with the Draft Whitefish 93 West Corridor Plan. A hearing addressing the proposed plan will be held on February 2, and the Council may or may not vote on the plan as drafted that night. The attached map shows Area B, which borders the north side of Hyw 93 from the bridge to Ramsey Avenue (two streets west of Karrow) and extends north to the river and includes some of Idaho Timber. Note that a portion of area B is also on the south side of Hwy 93 near the river.

Once this plan is adopted, any property owner/developer can request to change the zoning from WR-3 zoning to WT-3 Transitional Zoning status. This would allow such things as coffee shops, sandwich shops, maufacturing artisan (which could include many manufacturing/relail scenarios including microbreweries), short-term rentals and condos, townhouses and multi-unit housing exceeding five units, hotels and motels along the river north of 1st Street. If this proposed plan is approved it would be very difficult for the Council to turn down projects that would have a negative impact on the residential flavor of this west entrance into Whitefish. Multiple microbreweries and other commercial uses could be allowed with a simple Conditional Use Permit, easily meeting the requirements of the proposed draft Highway 93 West Corridor Plan.

As it stands now structures on any given lot in the area can take up only 40% of the land, whereas the new plan allows 70% lot coverage for Area B. The plan fails to set standards for noise,lighting, screening, landscaping and traffic - all standards that should be required as called for by the city growth policy. Without greater clarification we could easily end up with a strip development pattern on the north side of the corridor and along the river. This is the time to set those standards. If the council approves the proposed plan as is, this opportunity to clarify standards will be lost.

Many neighbors in the area want the City Council to remove the proposed WT-3 status from the draft plan and retain WR-3 zoning as it stands. WR-3 zoning for Area B already addresses both

current and future needs of the neighborhood. At the very least we want the Council to continue discussion and community input in Council work sessions.to define the standards that can be applied in regard to such issues as noise, lighting, hours of operation, traffic and parking.

Please email back stating whether or not you wish the Council to vote to accept the Highway 93 West Corridor plan as currently written. Please include your full name(s) and your Whitefish address.

Received at Council Meeting

PO Box 771 | 35 4th Street West

Kalispell, Montana 59903

CITIZENS FOR A BETTER FLATHEAD

T: 406.756.8993 | F: 406.756.8991

citizens@flatheadcitizens.org

www.flatheadcitizens.org

To: The Whitefish City Council
RE: Additional Comments on the Block 46 Hotel proposal

WHITEFISH PLANNING BOARD , RULES OF PROCEDURE, GENERAL GOVERNING RULES, adopted November 20, 2014

5. Amendments to Application

Amendment(s) to the application shall not be made after the official notice of the public hearing has been transmitted to the official newspaper for publication. Once public notice has been issued for an application, the public hearing shall be held.

Mayre Flowers 2/2/2015 4:27 PM

Comment [1]: This application has had numerous changes after the original application was accepted in Nov. 2014 and after the publication of the legal notice for both the planning board meeting and this city council meeting. As a result a final decision should not be made until a hearing on the application without changes can be made to be fair to the public on this application and on other applications that the city accepts. The City, the public, and the applicant would be better served if the notice for the planning board hearing and the city council hearing were published separately.

As of 1-24-2015 WF Zoning Regulation for:
11-7-8: CONDITIONAL USE PERMITS:

A. Conditional Use Permit Required: No structure, building or land shall be used, constructed, altered or expanded where a conditional use permit is specifically required by the terms of these regulations until a conditional use permit for the use has been authorized by the city council and issued by the zoning administrator.

B. Continuation Of Conditional Use Permit: Any use which was lawfully established prior to the adoption, extension or application of these regulations and the use is now permitted by these regulations subject to a conditional use permit, may continue in the same manner and to the same extent as conducted prior to the adoption or extension of these regulations without securing a conditional use permit; provided that before the structure or building in which the use is conducted may be altered, added to, enlarged, expanded or moved from one location to another on the lot, or before the use may be expanded within the building or extended over the lot on which the use is located, a conditional use permit shall be secured from the zoning administrator.

C. Alter Or Enlarge Structures: Structures or buildings devoted to any use which is permitted under the terms of these regulations, subject to the securing of a conditional use permit, may be altered, added to, enlarged, expanded or moved from one location to another on the lot only after securing a new conditional use permit.

D. Application:
1. Application for a conditional use permit may be made by the owner of the affected property, or his designated agent, on a form obtainable from the zoning administrator.
2. The completed application and fee as set by the city council shall be submitted to the zoning administrator or his designee. The fee is not refundable. (Ord. A-407, 3-15-1982)

3. All required conditional use permit applications and preliminary plat applications applicable to a single development project shall be submitted for review simultaneously. (Ord. 96-10, 6-17-1996)

E. Procedure For Consideration:
1. After acceptance by the zoning administrator or his designee, the completed application shall be transmitted to the staff of the planning board for their review and evaluation.
2. The planning staff shall set a public hearing date and publish a public notice which **jointly advertises the public hearing before the planning board and the public hearing before the city council**, at least once in a newspaper of general circulation in the community, at least fifteen (15) calendar days prior to the meeting of the planning board at which the application is to be considered.
3. The planning staff shall also mail written notice to all adjacent property owners within one hundred fifty feet (150') of the subject property not less than fifteen (15) calendar days prior to the time of formal review by the planning board. Where the subject property abuts a public right of way, the one hundred fifty foot (150') measurement shall be in addition to the right of way along the abutting side.
4. Written comment from adjacent property owners shall be specific when maintaining that the granting of the conditional use permit would adversely or injuriously affect their personal and legal interests.
5. The planning board shall consider the application at its next regular meeting following the public notice process. The board shall make a recommendation to the city council to approve, conditionally approve or deny the application.
6. Upon receipt of the recommendation of the planning board, the city council shall hold a public hearing and render a determination whether to approve, conditionally approve or deny the application for a conditional use permit based on public input, the staff report and findings of the planning board.
7. **Should a decision not be rendered by the city council within ninety (90) days after acceptance of the completed application by the zoning administrator and the payment of the appropriate fee, the application shall be deemed approved unless the time limit has been extended by an agreement between the zoning administrator and the applicant.**
8. In certain instances, the city council may elect to place certain required conditional use permits into an administrative review category, for example those that may be required for minor amendment to an already approved conditional use permit, whereby the zoning administrator may issue an administrative conditional use permit in compliance with guidelines set by the city council. This provision shall not be construed so as to give the power to grant or deny the conditional use permit to other than the city council, and shall apply only to specific categories or instances predetermined by the city council.

F. Approval Of Application, Granting Of Conditional Use Permit: Upon rendering a decision to grant a conditional use permit, with or without stipulations or conditions that must be adhered to by the applicant, the city council shall notify the zoning administrator of their decision, and he shall issue a conditional use permit, with stipulations if any referred to and itemized in brief on the face of the permit. The application and all subsequent information, correspondence, evaluations, recommendations and decisions shall then be placed on permanent file in the office of the zoning administrator.

G. Revocation: In the event of a violation of any of the provisions of these regulations or its amendments, or in the event of a failure to comply with any prescribed condition of approval or

Mayre Flowers 2/2/2015 4:48 PM
Comment [2]: To publish legal notices separately for the city council and the planning board would require changes to city statues like the CUP requirements. Making these changes would alert the public to meetings that get continued with no other public notice and would allow the city to review ways to recognize and inform the public when a developer finds themselves needing to amend their application during the process—though this should be an exception.

Mayre Flowers 2/2/2015 4:51 PM
Comment [3]: No where in the city packet could I find a reference to where the city is on this 90 day time line that must be coming up soon. Given the changes to this application in this process, it should be clarified that this deadline moved forward with each change to the application I believe.

Mayre Flowers 2/2/2015 5:34 PM
Comment [4]: Condition #1 needs to be changed to correctly identify which documents are the final documents. It currently reads "The project shall be in compliance with the application submitted on November 26, 2014 and the revised site plan dated December 18, 2014, except as amended by these conditions. Any significant deviation from the plans shall require approval (§11-7-8, WCC)." It should be clarified that any significant deviation for the plan should come back to the city council for approval.

stipulations placed upon approval, the zoning administrator shall suspend any conditional use permit immediately, notify the city council and set a date for hearing to determine if the suspensions shall be lifted or if the conditional use permit shall be revoked. The city council shall be the hearing body. In the case of a revocation of a conditional use permit, the determination of the city council shall be final, unless recourse is sought in a court of record.

H. Termination And Transferability: Once granted, a conditional use permit with its terms and conditions, shall:
1. Run with the lot, building, structure or use and shall not be affected by changes in ownership.
2. Terminate eighteen (18) months from date of authorization if commencement of the authorized activity has not begun:
a. Unless otherwise spelled out in the conditions of approval; or
b. Unless the applicant can demonstrate and maintain a continuous good faith effort (preparing financing, securing state or federal permits, undertaking engineering and design, etc.) in commencing the activity.

Mayre Flowers 2/2/2015 5:22 PM
Comment [5]: Condition #20. States "The conditional use permit is valid for 18 months and shall terminate unless commencement of the authorized activity has begun. (§11-7-8, WCC)" This condition should be expanded to state that should this building/hotel/sitie plan not be built that any future plan for this site could not rely on permission to building larger than 7500 sq ft as a right established by this current application and that permission to build any other building at this site over 7500 sq ft would require a new CUP.

I. Denial Of Application:
1. In the event an application is denied by the city council, no resubmittal of an application for a conditional use permit may be made for one year from the date of denial, unless sufficient new evidence or conditions are offered to the zoning administrator to demonstrate to him that circumstances have altered and that further consideration of the application is warranted. In such an event, the resubmitted application shall follow the same procedures as the original, and shall be treated as a new application.
2. Denial of an application for a conditional use permit may be appealed to a court of record within thirty (30) days from the date of denial. (Ord. A-407, 3-15-1982)

J. Criteria Required For Consideration Of A Conditional Use Permit (CUP): A CUP may be granted only if the proposal substantially conforms to all of the following criteria standards:
1. Growth policy compliance. The proposal conforms to applicable goals and policies of the Whitefish city-county growth policy.
2. Compliance with regulations. The proposal is consistent with the purpose, intent, and applicable provisions of these regulations.
3. Site suitability. The site must be suitable for the proposed use or development, including:
a. Adequate usable land area,
b. Access that meets the standards set forth in these regulations, including emergency access,
c. Absence of environmental constraints that would render the site inappropriate for the proposed use or development, including, but not necessarily limited to, floodplains, slope, wetlands, riparian buffers/setbacks, or geological hazards.
4. Quality and functionality of design. The site plan for the proposed use or development has effectively dealt with the following design issues as applicable:
a. Parking locations and layout,
b. Traffic circulation,
c. Open space,
d. Fencing/screening,
e. Landscaping,
f. Signage,

Mayre Flowers 2/2/2015 5:30 PM
Comment [6]: 1.Note that there has been much discussion about what size of hotel is appropriate for the downtown area. The approved 2005 Downtown master plan identifies this as: Note that the current and approved 2005 Whitefish Downtown Master Plan calls for a growth strategy that "Expands downtown visitor accommodations with **a 36 room boutique hotel** along Central Avenue and a potential resort located on the underutilized Burlington Northern/ Santa Fe property north of Railway Street." Page 17
2.**The 2005 Master Plan also includes** the following strategies: Establish a strong and unique retail presence that attracts visitors and supports local residents. **Meet the demand for tourist accommodations in downtown.** Increase housing opportunities in downtown. Provide adequate parking and public facilities. Improve access to the surrounding natural environment.
The current draft Downtown Plan identifies a hotel with first floor retail and rooms on a second floor and of a size that is smaller than proposed and in a location that does not extend to a residential area.

g. Undergrounding of new utilities, and
h. Undergrounding existing overhead utilities based on scope and scale of project.
5. Availability and adequacy of public services and facilities. The following services and facilities are available and adequate to serve the use or development as proposed and as applicable:
a. Sewer,
b. Water,
c. Storm water,
d. Fire protection,
e. Police protection,
f. Streets (public or private),
g. Parks (residential only),
h. Sidewalks, and
i. Bike/pedestrian ways (including connectivity to existing and proposed developments and destinations off site).
6. Neighborhood/community impact. The proposed use or development will not have detrimental effects on adjacent properties, nearby neighborhoods, and the community in general. Adverse impacts may include, but are not necessarily limited to:
a. Excessive traffic generation and/or infiltration of neighborhoods,
b. Noise or vibration,
c. Dust, smoke, glare or heat,
d. Smoke, fumes, gas or odors, and
e. Hours of operation.
7. Neighborhood/community compatibility. The use or development is compatible with the surrounding neighborhood and community in general in terms of:
a. Structural bulk and massing,
b. Scale,
c. Context of existing neighborhood,
d. Density, and
e. Community character. (Ord. 07-05, 3-5-2007)

K. Burden On Applicant: **The burden of proof for satisfying the aforementioned criteria considered for approval shall rest with the applicant and not the city council. The granting of a conditional use permit is a matter of grace, resting in the discretion of the city council and a refusal is not the denial of a right, conditional or otherwise.**

L. City Council Decision Based On Findings: **Every decision of the city council pertaining to the granting, denial or amendment of a request for a conditional use permit shall be based upon findings of fact, and every finding of fact shall be supported in the records of its proceedings.** The enumerated conditions as provided for in subsection J of this section, required to exist in any matter upon which the city council is required to pass under these regulations shall be construed as a limitation on the power of the city council to act in the matter of the issuance of conditional use permits. A mere finding or recitation of the enumerated conditions unaccompanied by findings of specific fact shall not be deemed in compliance with these regulations. (Ord. A-407, 3-15-1982)

Mayre Flowers 2/2/2015 5:48 PM

Comment [7]: The proposed findings of fact need to be amended to reflect information added to the record and additional conditions or changes to conditions. For example the current staff report notes that " Noise or Vibration: No impacts are anticipated beyond what would be expected from a typical commercial use." Yet you have had testimony from neighbors concerned about noise from use of the roof top area and have testified that noise is already an issue. Public comment should be meaningfully reflected in findings of fact. Parking is another issue that has been raised repeatedly and the City should provide a more fact based finding on the existing shortage of parking particularly during peak tourist seasons. The Traffic Study is another factual issue that should be established for example responding to public testimony questioning if the peak trip and intersection congestion data was identified was appropriately drawn from peak season traffic counts and with consideration of newly approved developments.

11-2L-5: NOISE CONTROL:

No commercial business located in the **WB-3 zoning district** shall broadcast prerecorded music by means of: a) an audio speaker located outside of a business and directed toward the sidewalk or street located near such business; or b) an audio speaker located inside such business but broadcasting through an open window or door toward the public sidewalk or streets. This section shall not prohibit restaurants with outdoor dining from **providing music to their patrons if the audio speakers used are directed away from the public sidewalk and streets, and are set at a loudness level allowing only an insignificant amount of volume to spill out onto the public sidewalk and streets;** provided, however, that before such restaurants shall use such speakers, they **shall first arrange an inspection** by the zoning administrator, or his designee, to allow a determination to be made whether their speakers, and the volume used, are acceptable under this section. Once inspected and approved, such restaurants shall not alter the direction of their audio speakers and shall not increase the volume that was used during such inspection. A violation of this section shall constitute a misdemeanor, punishable as set forth in the general penalty in section 1-4-1 of this code. (Ord. 08-23, 11-17-2008)

Mayre Flowers 2/2/2015 5:43 PM

Comment [8]: Other noise impacts should be identified and conditioned including use of patio areas and rooftop area.

Additional Comments

1. **Prohibit formula businesses at this site**. Place a specific and strongly worded condition on this CUP (Conditional Use Permit) to make it clear that the requested conditional use permit prohibits current or future owners of this property or facilities from converting this proposed hotel facility or any future facility to "formula" business(es) to clarify and further enforce the City's zoning and growth policy requirements and intent.

2. **Require on-site parking.** Given the developer's desire to build a building double the allowed square footage permitted in this district, which would not be possible without a conditional use permit, require the developer to provide on site parking for all guests and staff and a detailed parking plan for any off site parking that may be used. Establish that leased parking within the downtown plan area may not be used to meet this on site parking requirement as it may further increase the parking shortage within the downtown area.

3. **Require as a condition of approval implementation of a residential parking district** in the neighborhoods adjoining the hotel to be supported by the hotel. Require guest notification that that parking in the surrounding residential parking district is prohibited.

4. **Require noise abatement** in addition to the existing requirements under WB-3 zoning that limits noise from music in this district. Limit outside roof top uses and associated noise generated, from for example gatherings of guests for rooftop events, to the standards in place for other noise in the district to prevent neighborhood impacts.

5. **Review traffic study for this project** and require traffic mitigation as needed. Establish within the required findings of fact that the peak traffic counts in this study are for summer, high impact times to identify accurate traffic and parking impacts, and that the study considers traffic impacts from recently approved additional development east on Second Street. Ensure that city plans for bike and pedestrian facilities are not compromised.

6. **Review and look at ways to condition and mitigate the scale and mass of the project** to address neighborhood concerns raised over lack of compatibility with the downtown, its historical character, and the adjoining residential section.

received
2-3-15 @ 8 AM

Subject: My concerns about the proposed Hotel
From: Susan Fletcher <susanfletch8855@gmail.com>
Date: 2/2/2015 6:22 PM
To: nlorang@cityofwhitefish.org
CC: jan metzmaker <jmetzmaker@hotmail.com>

Despite the facade of "Glacier country charm, it is too big. It will an albatross to the community if the proposed size goes ahead. I am not opposed to a moderately sized boutique hotel which is what the developers were originally promoting. A three story structure! **That is not Whitefish.**

I live on the corner of Somers and Third, just two blocks from the proposed hotel. I can't even imagine how many guests, but more likely hotel staff, will try to park in front of my home. I have no garage, so maintaining "my" parking on the street is critical for me. What a shame if this town had to be reduced to residential parking permits!

This volume of people with their cars and congestion with turn our happy, well-balanced community into a **Disneyland of ill tempered people fighting for parking spots baffled by why big money should take priority over a community's mental health and well-being.**

Sincerely,
Susan Fletcher
245 Somers Ave.
Whitefish
260 2021

To the City Council Members:

received 2-3-15 @ 8 AM

I am worried about the purposed building and changes in downtown Whitefish. Please consider the purposed actions listed in the attached letter from Citizens for a Better Flathead.

Sincerely,

Nancy Nei
Whitefish Resident

On Monday, February 2, 2015 10:01 AM, Citizens for a Better Flathead <citizens@flatheadcitizens.org> wrote:

Like

Greetings,

TODAY, Feb. 2nd at 7:00pm
the Whitefish City Council will hold public hearings on two important issues that need your input. You can email comments now by clicking here.

Please join us in asking the City Council to:

- **Table and revise the proposed draft Whitefish Hwy 93 West Corridor-Neighborhood Plan, and** 1) develop standards to retain the neighborhood character of owner-occupied single-family homes and affordable long-term rental housing in Area B of the plan by retaining the existing zoning, 2) develop standards which are still lacking for river-front development and area parks in this corridor, and 3) remove new and loosely defined options for rezoning of property in this corridor for unlimited conversions to commercial/retail/light industrial uses. These new zones could, as proposed, allow strip commercial development along this entrance corridor to the city or inappropriate locations in residential areas.
- **Ensure that the proposed new Hotel at the corner of Spokane Ave. and 2nd Street East complies with Whitefish standards that prohibit "formula businesses" in the downtown and that call for limiting the scale & impacts of such buildings to adjoining residential neighborhoods, schools, and the downtown character.** Repeated changes to this proposal by the developer, including again now as it moves from the planning board to the city council leaves residents uncertain of what

all the changes are and what additional changes are going to be requested. Given the lack of public notice on these changes it is important that the city council carefully condition any approval of this proposal to prevent additional changes and that the public be given meaningful opportunity to comment on these most recent changes. (see link to public notice requirements at end of this email)

Review below for links to documents and our detailed concerns outlined below. (Note you are welcomed to simply copy and paste the above summary, or other contents of this email that reflect your concerns, into your comments for the city council.)

Please review maps and a summary of issues of concern with the Hwy 93 West Corridor-Neighborhood Plan below:

Click here to view enlarged map of corridor planning areas and **fact sheet** of concerns that we share with many area residents.
Click here to view aerial image of corridor and map showing property ownership in corridor.
Click here to view maps of exiting WF Growth Policy uses allowed in corridor and map of proposed changes.
Click here to view maps of existing WF zoning in corridor and map of proposed zone changes that would now be possible.
Click the following page numbers to view text of new zoning proposed for sections of this corridor: 106, 107, 108, 109, 110, 111, 112, 113.

Please review maps and a summary of issues of concern with the proposed Block 46 Hotel at the intersection of Spokane and 2nd Street East below:

Click here to see the site aerial view location.

Click here to view staff report on this proposal, but note that there have been a series of changes to this design and other details since this report was written. The entire city council packet for this and other city business is on the city web site and includes some references to additional changes being proposed.

Important background information:

- Note that the hotel developers could build a smaller hotel (7500 sq. ft.) about half the size of the current proposal on the existing property that they own as it is currently zoned for this use and does not need additional city council approval.

- Note that by building a smaller hotel, the developer could reduce the hotel's negative impacts on downtown parking, adjoining residential uses and be more compliant with the with the character and bulk & scale of development in the downtown area.

- Note that because the developer is asking to build a hotel twice the size of that permitted at this site, that the City Council has a right--and we think duty-- to condition this approval to ensure that development does not further increase the shortage of parking in the downtown area or create other issues of public concern.

- Note that while the developer is proposing to provide some parking that will accommodate some guests and staff on site, they are also stating that they will be leasing rights to some existing after-hour business parking lots downtown. While legal, this could serve to further worsen the downtown Whitefish parking issues and the CUP should be conditioned to address this.

- Note that the granting of a CUP or conditional use permit establishes that "The burden of proof for satisfying the aforementioned criteria considered for approval shall rest with the applicant and not the city council. The granting of a conditional use permit is a matter of grace, resting in the discretion of the city council and a refusal is not the denial of a right, conditional or otherwise."

(11-7-8: CONDITIONAL USE PERMITS)

- Note that the Whitefish Growth Policy, the Whitefish Downtown Master Plan, and the Whitefish zoning regulations prohibit "formula retail " in the area where this hotel is proposed to be located.

Ask the City Council to:

1. **Prohibit formula businesses at this site**. Place a specific and strongly worded condition on this CUP (Conditional Use Permit) to make it clear that the requested conditional use permit prohibits current or future owners of this property or facilities from converting this proposed hotel facility or any future facility to "formula" business(es) to clarify and further enforce the City's zoning and growth policy requirements and intent.
2. **Require on-site parking.** Given the developer's desire to build a building double the allowed square footage permitted in this district, which would not be possible without a conditional use permit, require the developer to provide on site parking for all guests and staff and a detailed parking plan for any off site parking that may be used. Establish that leased parking within the downtown plan area may not be used to meet this on site parking requirement as it may further increase the parking shortage within the downtown area.
3. **Require as a condition of approval implementation of a residential parking district** in the neighborhoods adjoining the hotel to be supported by the hotel. Require guest notification that that parking in the surrounding residential parking district is prohibited.
4. **Require noise abatement** in addition to the existing requirements under WB-3 zoning that limits noise from music in this district. Limit outside roof top uses and associated noise generated, from for example gatherings of guests for rooftop events, to the standards in place for other noise in the district to prevent neighborhood impacts.
5. **Review traffic study for this project** and require traffic mitigation as needed. Establish within the required findings of fact that the peak traffic counts in this study are for summer, high impact times to identify accurate traffic and parking impacts, and that the study considers traffic impacts from recently approved additional development east on Second Street. Ensure that city plans for bike and pedestrian facilities are not compromised.
6. **Review and look at ways to condition and mitigate the scale and mass of the project** to address neighborhood concerns raised over lack of compatibility with the downtown, its historical character, and the adjoining residential section.

Sincerely,
Citizens for a Better Flathead

Citizens for a Better Flathead encourages you to make a difference by participating in the decisions that are

Click below for

Quick Links

shaping the future of your community!

Our work and alerts such as this are dependent on the generous support of individuals like you.

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Secure donations through Network for Good

CITIZENS FOR A BETTER FLATHEAD

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go Local FLATHEAD 2014/2015 — THINK Local First — BUY Local Here — Thank You for Shopping Locally

RE-POWERING THE FLATHEAD for a New Energy Economy

waste not

Concerns with Repeated changes to the Block 46 Hotel Application after the public notice for hearings on this proposal are set and noticed should not be allowed.

"Amendment(s) to the application shall not be made after the official notice of the public hearing has been transmitted to the official newspaper for publication. Once public notice has been issued for an application, the public hearing shall be held." (#5, page 5 of Whitefish City Rules Governing Changes to Applications after public hearing notice has been published) Click here for full regulation.

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