



**CITY COUNCIL WORK SESSION  
CITY COUNCIL CHAMBER CONFERENCE ROOM  
MONDAY, APRIL 20, 2015  
5:00 TO 7:00 PM**

1. Call to Order
2. 5:00 – 5:30 P.M. **CLOSED EXECUTIVE SESSION:** City Manager annual evaluation. Pursuant to §2-3-203(3) MCA, the presiding officer may close the meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceeds the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting must be open.
3. 5:30 – 6:00 P.M. **CLOSED EXECUTIVE SESSION:** City Attorney annual evaluation. Pursuant to §2-3-203(3) MCA, the presiding officer may close the meeting during the time the discussion relates to a matter of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy clearly exceeds the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting must be open.

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Open Work Session

4. 6:00 – 6:50 p.m. – Review and update annual Mayor and City Council goals
5. Public Comment
6. Adjournment

**CITY OF WHITEFISH**  
**CITY MANAGER CONFIDENTIAL EVALUATION**  
**DATE: \_\_\_\_\_**

1. General Performance:  
Has Chuck done a good job of implementing City Council policy and accomplishing Council's objectives?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
\_\_\_\_\_  
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2. Interaction with the public:  
Is Chuck's interaction with the public befitting that of a City Manager? Is he respected and developing a beneficial relationship with the Community?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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3. Enforcement of Ordinances and Policies:  
Does Chuck do a good job of enforcing and causing the enforcement of City ordinances, contracts, and policies? Does he negotiate, prepare, and present effective ordinances and contracts?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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4. **Organizational Skills:**  
Does Chuck present clear, well written and well articulated information to the City Council and the public for decision making? Does he keep the City Council well informed? Does he have a good command of information?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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5. **Staff Management:**  
Does staff morale seem appropriate? Does Chuck seem to have a healthy and effective rapport with his staff in general? Is communication open and effective?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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6. Budget Administration:  
Does Chuck manage the City's resources well? Does he prepare and administer the budget well? Does he provide clear information and choices to Council for their deliberations?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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7. Problem solving and decision making:  
Does Chuck have appropriate problem solving skills and use them to assist the Council effectively? Does he make good decisions and exhibit good judgment that supports the Council's policy objectives?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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8. Accountability:  
Is Chuck accountable for his actions? Does he take responsibility for the consequences of his recommendations and actions?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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9. Does Chuck provide effective recommendations to Mayor and Council when dealing with policy matters while also providing viable alternatives as needed from which to choose?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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10. Does Chuck maintain effective relationships with other governmental entities such as State agencies, County government, school district, etc?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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11. What things do you most appreciate that Chuck as City Manager is doing?

Comments: \_\_\_\_\_  
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**CITY OF WHITEFISH**  
**CITY ATTORNEY CONFIDENTIAL EVALUATION**  
**DATE: \_\_\_\_\_**

1. General Performance:  
Has Mary done a good job of implementing City Council policy and accomplishing Council's objectives?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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2. Interaction with the public:  
Is Mary's interaction with the public befitting that of a City Attorney? Is he respected and developing a beneficial relationship with the Community?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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3. Ordinances and Policies:  
Does Mary do a good job of preparing City ordinances, contracts, and policies?  
Does she negotiate, prepare, and present effective ordinances and contracts?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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4. Organizational Skills:  
Does Mary present clear, well written and well articulated information to the City Council and the public for decision making? Does he keep the City Council well informed? Does he have a good command of information?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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5. Staff Interaction:  
Does Mary seem to have a healthy and effective rapport with staff in general? Is communication open and effective?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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6. Problem solving and decision making:  
Does Mary have appropriate problem solving skills and use them to assist the Council effectively? Does she make good decisions and exhibit good judgment that supports the Council's policy objectives?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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7. Accountability:  
Is Mary accountable for her actions? Does she take responsibility for the consequences of her recommendations and actions?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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8. Does Mary provide effective recommendations to Mayor and Council when dealing with policy matters while also providing viable alternatives as needed from which to choose?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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9. Does Mary maintain effective relationships with City boards and committees and other governmental entities such as State agencies, County government, school district, etc?

- Unsatisfactory
- Needs Improvement
- Acceptable
- Very good
- Excellent

Comments: \_\_\_\_\_  
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10. What things do you most appreciate that Mary as City Attorney is doing?

Comments: \_\_\_\_\_  
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11. Overall Job Performance and any other matters not specifically identified above.

Comments: \_\_\_\_\_  
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**RESOLUTION NO. 14- 11**

**A Resolution of the City Council of the City of Whitefish, Montana, establishing annual goals for the City.**

WHEREAS, the City Council of the City of Whitefish is committed to the continuing advancement and improvement of the community, City, and City services; and

WHEREAS, the City Council has adopted annual goals since 1999; and

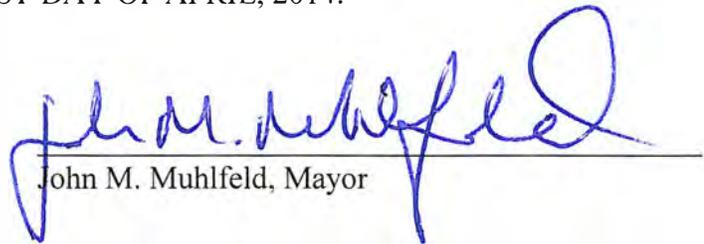
WHEREAS, the Mayor and City Council met in a work session with the City Manager on April 7, 2014 to establish short term, long term, and on-going goals for items needing more than two years to accomplish; and

WHEREAS, Exhibit "A", attached hereto, is a list of the above referenced goals which the Mayor, City Council, and City Manager established.

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

Section 1: The Whitefish City Council hereby approves the list of goals as provided in Exhibit A.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 21ST DAY OF APRIL, 2014.

  
\_\_\_\_\_  
John M. Muhlfeld, Mayor

ATTEST:

  
\_\_\_\_\_  
Necile Lorang, City Clerk

ATTACHMENT A  
 CITY OF WHITEFISH – MAYOR AND COUNCIL GOALS  
 FY15  
 PREPARED: April 7, 2014

Mayor/Council Short Term Goals (no particular order)	Mayor/Council Longer Term Goals (no particular order)	Mayor/Council Ongoing Goals (no particular order)	Staff Goals (no particular order)
Hwy 93 South Corridor Plan	Riverside Park protection and improvement for erosion	Economic Development – Public-Private Partnerships and targeted business assistance	MDT – Hwy 93 west project
Downtown Parking	Whitefish River waterway development and improvement	BNSF – cleanup of CECRA site, maintain good relationship on all issues	Explore extent of waivers for utility contracts
City Hall planning	Open space funding	Whitefish Trail - work with Whitefish Legacy Partners	Long Term Financial Planning and Sustainability
Depot Park Phase II Redevelopment – including new restrooms at O’Shaughnessy Center	Climate Action Plan	Water quality improvements and projects (AIS, water rights, City Beach, Stormwater pond improvements)	Green Initiatives
Whitefish Lake – Retail uses – licensing and/or zoning		Affordable Housing	Recycling Improvements
New Cemetery development		Growth Policy Implementation Items	Maintenance Programs for City Facilities
Begin review of zoning code – district by district		Code Enforcement	Planning – in house priorities and text amendments
Stoltze Conservation Easement – completion and funding			
Wisconsin Avenue Corridor Study			
Birch Point Quiet Zone			

## Chuck Stearns

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**From:** David Taylor <dtaylor@cityofwhitefish.org>  
**Sent:** Monday, April 13, 2015 5:05 PM  
**To:** 'Chuck Stearns'  
**Subject:** Long Range Planning Project List

Chuck,

The following is a list of Long Range Planning Projects on our 'to do' list, with estimates at how long they will take with our current staffing level and without contracting outside consultants. We will be short staffed May-August due to Bailey being on maternity leave for three months, summer vacations, etc. The timelines are estimates, as in-house work on long range planning can only occur part time and has to work around other current planning and priority projects. Staff can only realistically tackle one major long range planning project at time with the current work load, although smaller ones such as the parkland dedication and clustering chapter could be done concurrently. Realistically, we need either more staff or more consultant money to accomplish major long range projects in a timely manner.

### Long Range Planning Projects:

Wisconsin Avenue Corridor Plan: 12-16 months (will need to contract landscape architect and highway/transportation engineer)

Floodplain Regulations update (initial work underway, required by State): 3-6 months

Parkland Dedication subdivision chapter revision (underway): 3 months

Downtown Master Plan Implementation: Downtown Zoning overlay: 7-12 months

Architectural Standards revision: 5-7 months

Highway 93 West Plan implementation: 4-6 months

Review of Zoning Code District by District: 12-14 months (primary issue may be solved by downtown zoning overlay?)

Clustered Development/affordable housing code improvements (downtown master plan implementation): 4-6 months

PUD chapter revisions (Planning Board asked staff to initiate review of entire PUD chapter): 4-6 months

Highway 93 South Plan: 12-18 months, depending on coordination with the County and outside private consultants (will likely need to contract landscape architect and highway/transportation engineer)

David Taylor, AICP  
Director, Planning & Building  
City of Whitefish  
510 Railway Street  
PO Box 158  
Whitefish, MT 59937

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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, April 20, 2015, at **7:10 p.m.** at City Hall, 402 East Second Street.

Ordinance numbers start with 15-06. Resolution numbers start with 15-08

- 1) CALL TO ORDER
- 2) PLEDGE OF ALLEGIANCE
- 3) PRESENTATIONS
  - a) Update from Mike Cronquist, City's Owners Representative for City Hall/Parking Structure Project (p. 29)
  - b) Presentation on Hazardous Materials Incidents Preparedness and Procedures – Interim Fire Chief Joe Page
- 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)
- 5) COMMUNICATIONS FROM VOLUNTEER BOARDS
- 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)
  - a) Minutes from the April 6, 2015 City Council regular session (p. 32)
  - b) Consideration of Tax Increment Development Agreement with the Carrington Company for the Mountain Mall urban renewal project (p. 40)
  - c) Report and update on six months of experience implementing the False Alarm Ordinance – Chief Dial (p. 58)
- 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) 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. 60)
- 8) COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR
  - a) Central Avenue Water Line Replacement Project (3<sup>rd</sup> Street to 6<sup>th</sup> Street) – design options and authorization to bid (p. 288)

9) COMMUNICATIONS FROM CITY MANAGER

- a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 294)
- b) Other items arising between April 15<sup>th</sup> and April 20<sup>th</sup>
- c) Consideration of authorizing staff to proceed with sale of Tax Increment Refunding Bonds and Tax Increment Bonds for City Hall/Parking Structure (p. 301)
- d) Consideration of delegating authority for City Hall/Parking Structure Design Development daily or weekly decisions to a sub-committee of the City Hall Steering Committee (p. 313)

10) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

11) 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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April 15, 2015

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

Mayor Muhlfeld and City Councilors:

**Monday, April 20, 2015 City Council Agenda Report**

There will be a work session on Tuesday at 5:00 p.m. for two Executive Sessions for the annual evaluations for the City Manager and City Attorney. There will be a work session at 6:00 p.m. for the annual review and updating of Mayor and City Council goals. 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 April 6, 2015 City Council regular session (p. 32)
- b) Consideration of Tax Increment Development Agreement with the Carrington Company for the Mountain Mall urban renewal project (p. 40)
- c) Report and update on six months of experience implementing the False Alarm Ordinance – Chief Dial (p. 58)

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

**Items a and c are administrative matters; 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) 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. 60)

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 corridor plan, which would be an addition to the Growth Policy.

### **Updated Summary**

After receiving direction from the council at the work session on April 6, staff and the consultant have put together a check list of decision points to assist the council during deliberation after the public hearing in an attached memo from WGM Group. Staff recommends the Council go through that check list and make decision points on potential modifications. After the document is approved with the changes, staff and the consultants will have an updated new final draft ready for adoption at the next council meeting.

### **Public Hearings:**

On February 2, 2015, the City Council held a public hearing on the plan. Staff and the consultants gave a presentation. Steering Committee chairman Doug Reed Spoke in favor of the plan. Steering Committee member and Idaho Timber property representative Hunter Homes spoke in favor of the plan. Ann Shaw Moran of the Steering Committee, spoke generally in the favor of the plan, but said the residential neighborhoods were not in favor of the commercial elements of Area B and Idaho Timber in the plan but keeping the zoning the same. Gail Linne (106 Murray) spoke saying keep existing zoning for Area B, no short term rentals, don't increase lot coverage to 70%, set clear standards for Peace Park. Susan Prilliman spoke, echoing Ann Moran and Gail Linne. Ken Stein of the Steering Committee supported the plan and said he would have further comments. Jim Laidlaw of the Steering Committee spoke in support of the work the steering committee did on the plan. Randy Bradley (514 and 526 2<sup>nd</sup> St W) spoke saying he was looking forward to greater development opportunities the plan would create for his property. Mayre Flowers raised several concerns about the plan, notably on the Peace Park, Area B, and short term rentals. The City Council opted to postpone action until a work session could be scheduled and set a new public hearing for April 20.

On January 15, 2015, 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.

**RECOMMENDATION:** Staff respectfully recommends 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).

**This item is a legislative matter.**

#### COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR

- a) Central Avenue Water Line Replacement Project (3<sup>rd</sup> Street to 6<sup>th</sup> Street) – design options and authorization to bid (p. 288)

#### FROM INTERIM PUBLIC WORKS DIRECTOR KARIN HILDING'S STAFF REPORT:

The Public Works Department and our engineering design consultant, WGM Group, are wrapping up the design phase and requesting authorization to move forward with construction bidding for the Central Avenue Water Project. This project includes the replacement of water main from 3<sup>rd</sup> Street to 6<sup>th</sup> Street on Central Avenue. Drawings showing the project overview is attached.

This project includes the replacement of an old cast iron water main with lead joints that has had several leaks in the past few years. It can be difficult to access the water main for repairs since this section of Central Avenue was constructed with a concrete base, similar to the other downtown blocks. This project is considered a priority by our Construction and Maintenance Supervisor, Jay Barranger, because of the history

of water leakage and the poor condition of the asphalt between 3<sup>rd</sup> and 4<sup>th</sup> Street. The public works department has postponed major repairs to the road surface until the water main has been replaced. The poor condition of the block of Central between 3<sup>rd</sup> and 4<sup>th</sup> Street contrasts with the adjacent reconstructed downtown blocks. Construction is planned to take place in the shoulder season. It would either begin in May 2015 and to be completed in June 2015 or begin after Labor Day in the fall.

As part of the 2015 Downtown Business District Master Plan Update process George Crandall and Don Arambula discussed the need to reconstruct the Central Avenue block between 3<sup>rd</sup> and 4<sup>th</sup> Street and the extension of anchor retail to this block. The current 95% design plans do not include a total reconstruction of this block. However, once the water line work is complete we will pave over the driving lanes. The driving lane pavement overlay will either be installed by our city crews or as part of our summer overlay contracted work.

Within the next few years the city may want to consider a total reconstruction of the 3<sup>rd</sup> to 4<sup>th</sup> Street block of Central and possibly also the 4<sup>th</sup> to 5<sup>th</sup> Street block. The Public Works Department recommends that we move forward with the bidding Central Avenue Water Project.

The engineer's pre-bid construction cost estimate of \$ 408,040 includes water main replacement with trench patches on Central Avenue from 3<sup>rd</sup> to 6<sup>th</sup> Street. The work is expected to occur in FY 16. All costs will be paid out of the Water Fund, as proposed in the FY 16 budget.

**RECOMMENDATION:** Staff respectfully recommends the City Council authorize staff to advertise bids for the Central Avenue Water Line Replacement Project (3<sup>rd</sup> Street to 6<sup>th</sup> Street).

**This item is a legislative matter.**

#### COMMUNICATIONS FROM CITY MANAGER

- a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 294)
- b) Other items arising between April 15<sup>th</sup> and April 20<sup>th</sup>
- c) Consideration of authorizing staff to proceed with sale of Tax Increment Refunding Bonds and Tax Increment Bonds for City Hall/Parking Structure (p. 301)

Beginning in 1987 when the Urban Renewal Plan was adopted, a new City Hall was anticipated as an urban renewal project for which Tax Increment Funds (TIF) could be used. Then in the 2005 Downtown Master Plan, the City Hall and Parking Structure projects were identified as catalyst projects for the continued development of downtown. The City Hall and Parking Structure were also identified as key projects in the 2015 Downtown Master Plan update. Both the 2005 Downtown Master Plan and the 2015 Downtown Master Plan were adopted as Growth Policy amendments.

The City Council began setting aside Tax Increment Funds annually in a City Hall Construction Fund on November 17, 2003 when they adopted Resolution No. 03-63. That fund currently has \$1,934,699.29 of funds remaining in it.

On May 20, 2013, the City Council, on a 4-3 vote with the Mayor breaking a 3-3 tie, approved moving forward to build a City Hall and Parking Structure on the current City Hall site of Block 36. Since that time an architectural firm (Mosaic Architects), a General Contractor/Construction Manager (Martel Construction), and an Owner's Representative (Mike Cronquist), have all been selected and work has progressed past the Schematic Design phase. The City Council passed a number of motions at the March 2, 2015 meeting which made the final decisions for the Schematic Design. Design is now in the Design Development phase which fleshes out all of the construction details prior to proceeding to construction drawings.

All of these plans and approvals have anticipated that Tax Increment Funds saved over the years plus a new tax increment bond issue would be the primary funding sources for a new City Hall and Parking Structure. When the City Council approved the City Hall and Parking Structure on May 20, 2013, they also set in motion a process which will result in \$750,000.00 of the cost for the Parking Structure to be paid by downtown businesses and organizations in a 20 year Special Improvement District.

On December 1, 2014, the City Council approved using David MacGillivray of Springsted, Inc. of St. Paul, MN as the city's independent financial advisor for a tax increment bond for the City Hall and Parking Structure and also to refund or refinance the existing tax increment bonds that were issued in 2009.

This new Tax Increment Bond issue (actually two bond issues) will serve two purposes:

1. Refund or refinance our existing Tax Increment Bond that has interest rates between now and 2020 at 4% - 4.625% (refunding principal amount of bonds is approximately \$7,200,000). This bond can be done quickly to lock in low interest rates of approximately 2.5%.
2. Provide new money and funding for the City Hall/Parking Structure – amount of bonds needed approximately \$11,240,000. This issue might not occur until 2016 depending on the timing of the financing for the Stoltze Conservation Easement.

In order to issue Tax Increment Bonds for both the refunding or refinancing (hereinafter called Refunding) and as partial fund for the new City Hall and Parking Structure (hereinafter called New Money) we can either sell the bonds in the national public debt markets (public sale) or we can negotiate directly with underwriters or banks (private sale). In discussions with Mr. MacGillivray, he recommended the City first attempt to place the bonds privately with a local financial institution(s). A private sale is

authorized by Section 7-7-4433 which provides as follows:

**7-7-4433. Sale of bonds.** (1) Bonds authorized to be issued under this part may be sold at a public or private sale as determined by the governing body pursuant to 17-5-107 at a price not less than that prescribed by the governing body, plus interest to the date of delivery of the bonds.

(2) Unless sold at a private sale, the bonds must be sold at public sale after notice of the sale.

**17-5-107. Public or private sale -- procedure for public sale.** (1) The governing body of a political subdivision may sell its bonds at public or private sale as determined by the governing body and, if the bonds are sold at private sale, in denominations and forms approved by the governing body. If the governing body conducts a public sale, those provisions of state law regarding the public sale of bonds that pertain to the political subdivision govern the sale.

(2) The bonds must be sold at not less than 97% of the principal amount of the bonds if the governing body determines that a sale at that price is in the best interests of the political subdivision.

David MacGillivray of Springsted, Inc., Dana Smith, Finance Director, our Bond Counsel with Dorsey and Whitney, and I have had several discussions and meetings with representatives from First Interstate Bank and Glacier Bank to see if they would be interested in and competitive for interest rates in a private sale.

Doing these bond issues with local banks make sense for the following reasons:

1. State law allows us to do negotiated sales on TIF bonds because, as a Revenue Bond, they are often called “story bonds” wherein the “story” of the local economy, local conditions, and growth are part of the selling points and critical to the sale of the bonds. Local banks know the local “story” better than distant public markets.
2. As a five year bond between now and 2020, that is within the typical financing time frame that banks like better than traditional 20 year, fixed interest rate bonds, so banks are even more competitive than usual on short term bonds.
3. Depending on the timing of the bond issues in conjunction with the debt financing of the SRF for the Stoltze Conservation Easement (need \$7,700,000, with debt reserves and issuance costs it will be around \$8,400,000 principal), we can get the refunding bonds and most likely the “new money” bonds deemed as “bank qualified” under federal IRS rules for bonds. That means banks can quote or bid even more competitively for such bonds than “non-bank qualified”.
4. A financing with local banks can be done more quickly without all of the disclosure required of a public market debt issuance and the banks terms are very flexible – for a fee we can draw down funds over time if we want rather than all at once.
5. We don’t have to do disclosure documents, bidding processes, and a bond rating if we do a private sale as compared to those procedures for a public offering, so we save those costs as well.

All of these conditions are contingent upon the local banks being able to purchase the bonds at competitive market interest rate levels and with appropriate terms of sale.

After initially contacting both banks individually, First Interstate Bank and Glacier Bank decided to join together in a proposal because they have done other tax-exempt bond issues together in the recent past (a recent FVCC refunding bond) and for our \$18,000,000 plus of bonds, they likely would need to combine anyway to lower individual bank risk. Their initial proposals to do the financing of both the TIF Refunding and New Money bonds are attached to this report in the packet.

Our Financial Advisor, David MacGillivray of Springsted, Inc. works on debt issuances every week and watches interest rates nationally and regionally on a daily basis. As you can see from his memo and report attached in the packet, he believes the two banks have given us a very competitive proposal on interest rates and his advice is that we obtain authorization to proceed negotiating a private sale with the two banks based on their proposal.

There are still some details to complete, but we wanted to bring this information forward to the Mayor and City Council before proceeding very much further. We all believe that a private sale with the two local banks will not only get us very competitive interest rates, but can be accomplished much more easily and quickly than a public offering and with less expense.

If the Mayor and City Council authorize us to continue negotiating with First Interstate Bank and Glacier Bank on these TIF bond issues, we will likely come forward next with a Resolution outlining the financial parameters of each bond issue and then final resolutions and documents to issue and close on each bond issue. We would likely proceed as soon as possible with the refunding/refinancing TIF bond issue in order to lock in the current low interest rates. The New Money Bond might not be issued until early in 2016, depending on our coordinating the issue of this bond with the SRF financing for the Stoltze Conservation Easement bond, and an estimate of the project's expenditure calendar. We can typically get better interest rates from banks if we issue under \$10,000,000.00 of bonds and SRF loans in any calendar year.

Most of the final details, debt service schedules, and other financial information will come later with future resolutions, but the initial savings estimates from refunding/refinancing of our current Tax Increment Bonds are a net total future value of interest cost savings, after deduction of all expenses, of approximately \$440,000 spread over five years to 2020, with approximately nearly the same amount on a net present value basis.

**RECOMMENDATION:** Staff respectfully recommends the City Council authorize staff to work with our financial advisor, Springsted, Inc. and Bond Counsel, Dorsey and Whitney to proceed with a private sale of both Tax Increment Refunding Bonds and Tax Increment Bonds (New Money) for the City Hall/Parking Structure with First Interstate Bank and Glacier Bank as outlined in the attached proposals and as recommended by Springsted, Inc.

**This item is a legislative matter.**

- d) Consideration of delegating authority for City Hall/Parking Structure Design Development daily or weekly decisions to a sub-committee of the City Hall Steering Committee (p. 313)

COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS

ADJOURNMENT

Sincerely,

A handwritten signature in blue ink that reads "Chuck". The signature is written in a cursive, slightly slanted style.

Chuck Stearns, City Manager

## "Cheat Sheet" for Robert's Rules

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

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# Memo

To: Chuck Stearns  
City Manager, City of Whitefish

From: Mike Cronquist  
Owners Representative, New City Hall / Parking Structure

Date: 14 April 2015  
Re: Status of New City Hall / Parking Structure

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## City Council Decisions at March 2nd Council meeting having Design Impact:

- Approval of design development to include a future third floor - allowing structural framing design and foundation loads to be determined, which in turn controls piling system and depth and footing layouts.
- Approval of Front Entry configuration - releasing the completion of building framing, exterior and building envelop.
- Approval of Schematic Design - Allows the design development effort to move forward.

## Design Development (Mosaic Architects)

- Mosaic has been holding Design Team meetings to clarify and finalize design details.
- Released Morrison & Maierle (M&M) to proceed with structural engineering and load calculations based on the addition of third floor elements at a future date.
- M&M is proceeding with substructure layout.
- M&M is also proceeding with superstructure design and framing.
- M&M moving forward with the evaluation and design of mechanical and electrical systems.
- M&M proceeding with sizing and typing of air handling equipment and electrical switchgear.
- Kimley-Horn has been released to finalize parking structure.
- Martel is pursuing piling layouts, depth and sizes with piling/shoring design installation specialists.

## Schedule and Budget

- Martel has started work on the development of project costs based on design elements currently in hand.
- Martel has also started project scheduling with the following assumptions:
  - City Staff relocating August 1st
  - Targeted completion of drawings by September 1st by mosaic Architects
  - Abatement and demolition of existing structures beginning when City Staff has completed move-out (possibly before GMP is finalized)

- Needs to finalize GMP:
  - Complete structural design and building load calculations
  - Complete mechanical and electrical packages
  - Complete building envelop / framing packages.
  - Piling system.
  - Final Abatement numbers.

#### Hazardous Material Investigation / Removal

- Directed EarthTech to prepare a proposal for completion of testing of roofs.  
(Received 4/14)
- Also requested EarthTech to prepare bid documents for removal and disposal of contaminants.  
Martel will contract the actual work  
(Proposal also received 4/14)

#### Owners Representative Activities

- Travelled to Helena to meet with Mosaics design team members and discuss project status and needs.
- Met with Martel's project management team at their office in Bigfork.
- Participated in Design Team meeting including structural meeting at Martel's office and a meeting of all Design Team members at Morrison & Maierle's offices in Kalispell.

Thank you,

Mike

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**WHITEFISH CITY COUNCIL MINUTES**

**April 6, 2015**

**7:10 P.M.**

**1. CALL TO ORDER**

Mayor Muhlfeld called the meeting to order. Councilors present were Barberis, Frandsen, Hildner, Feury. Absent were Anderson and Sweeney. City Staff present were City Manager Stearns, Assistant City Clerk Woodbeck, City Attorney VanBuskirk, Finance Director Smith, Planning and Building Director Taylor, Interim Public Works Director Hilding, Parks and Recreation Director Butts, Interim Fire Chief Page, Police Chief Dial, Senior Planner Compton-Ring and Planner II Minnich. Approximately 25 people were in the audience.

**2. PLEDGE OF ALLEGIANCE**

Mayor Muhlfeld asked Hunter Homes to lead the audience in the 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)

Judy Hessler, W. 7<sup>th</sup> Street, said with the 7<sup>th</sup> Street project she would like the bike path smaller and less street lights if they have to have them. Judy said in the current Growth Policy it says to try and keep the character of the neighborhood. Judy said from Geddes west the parcels are from ½ to 3 acres in size and she would like for them to tone it down a bit to keep the character.

Doug Hegland, 459 S. Karrow Estate, said he lives directly behind the property at 447 Karrow Avenue. He said he is against any zone change. He feels with the 1.18 acre lot they could put in a duplex so why add 4 additional houses as it is too much density. There is also a lot of drainage from the golf course that goes through the property on where they want to put a house.

Brian Schott, 708 Lupfer Avenue, said on the 7<sup>th</sup> Street project he is against the one-way off of 7<sup>th</sup> Street to O'Brien Ave. He feels this would create other hazards in the neighborhood with the traffic being rerouted.

Rebecca Norton, 530 Scott Avenue, said she wanted to make a correction in the minutes when she spoke on the Iron Horse Gate. It said that she was in favor of making all the roads public but she wanted to clarify that it came from the conditions that were approved by the planning board.

Matt Lawrence, 504 W 4<sup>th</sup> Street, said he is here to speak on the 447 Karrow project for a subdivision. This development does meet the zoning however the density does not fit this area. He believes it is a zoning issue that needs to be addressed. He feels they are doing the minimal impact but still not right for this area. With the river running through the property the high water line is really high and does not permit building on the lot. Matt said he would not recommend this subdivision in this area because of the fabric of the neighborhood and the surrounding homes. He would recommend that the developer take the notes from the planning department and consult experts on the water issue on Lot 4. They offered the developer on making this an open space lot to be shared by the other 4 homes.

Barb Acree, 469 S. Karrow Estates Road, strongly opposes to the 447 Karrow Avenue project. Barb feels that 5 houses are too much and they also have a river that runs through the property. She asked that they not let this happen and to consider how the neighbors feel.

Kirtiye Lohof, owner of Whitefish Hostel at 28 Lupfer Ave, said she would like to see no overnight parking and limit of 2 hour parking on her side of the street. She said a lot of employees from downtown park there all day without moving so it does not leave space for her customers. She does support the Parking Structure. She said they are classified as commercial street but do not get plowed like the other commercial areas do. She feels if it is signed no overnight parking this might help with the snow plowing. She has also had some incidents with the construction next door at 22 Lupfer Avenue with the sewer lines and the power being shut off. She wanted to say on record that it is very disruptive on both sides when a big project is going on in such tight quarters.

Jason Spring, 147 W. Swift Creek Way, is representing Whitefish Chamber of Commerce and they wanted to thank the Mayor and City Manager Stearns for coming to their board meeting and working through the issues and concerns they had regarding the new City Hall/Parking Structure and the Haskill Basin project. It is very helpful to have an open dialog with the City and they have their support in moving forward to improve our City.

#### 4. **COMMUNICATIONS FROM VOLUNTER BOARDS**

a) Annual review and consideration of approval for Whitefish Convention and Visitor Bureau marketing plan and lodging tax budget of \$90,000 for FY16. (p. 153) (CD 19:36)

Erica Terrell is the Chairman from the Whitefish Convention and Visitor Bureau and she represents Glacier Restaurant Group. She introduced the Board members that were in attendance which were Jake Cook, Rhonda Fitzgearld, Jason St. Clair, Nick Polumbus and not in attendance are Zak Anderson, Jennifer Fisher, Scott Ringer and Luke Walrath. In late March they were nominated for the Montana Office of Tourism Outstanding Marketing Campaign award for our cooperative Out of Home and Digital Campaign with Chicago, Whitefish Mountain Resort and the Montana Office of Tourism. This campaign was lodged as they set up a direct flight to Chicago with a revenue guarantee. Although they did not win the reward they are honored to be recognized by the State and extremely pleased with the result of the campaign. Erica introduced Dylan Boyle who will be presenting the FY16 marketing plan and budget.

Dylan Boyle went through the activities of the Whitefish Convention and Visitor Bureau and request that the City Council approve the Whitefish Convention and Visitor Bureau FY16 marketing plan and the public portion of our budget of \$90,000. He said State law does require approval from the City of their budget so they can receive funding from the bed tax. He said that they work with two agencies in Whitefish which are Old Town Creative and LG Communications. They have paid advertising on line, print and out of home. He said they spend 60% advertising for winter, 20% for fall and 20% for spring time. He said they have a plan this year to reach 21 million targeted viewers through the paid advertising.

Dylan said their web site viewing is up 15% from last year and they are expecting to see about a quarter of million visitors to the web site and about 750 thousand paid viewers. The public relations reach 4,000 people for every dollar they spent on our PR program. Dylan said they attend fall ski shows

in different cities. They have been working with the Montana Tourism as well as Glacier Country Regional Tourism and other local partners to showcase Whitefish as a premier destination for groups, meetings and conventions during the fall, winter and the spring seasons. To summarize they know what they are doing is working as our targeting ads are well out performing the industry standards. They base their annual budget projections on this steady growth. They take into consideration Resort Tax collections, Whitefish Bed tax as well as our tourism promotion assessment voluntary collections.

Dylan said Glacier National Park had 2.3 million visitors in 2014 and were up 40% from February 2015 from last February 2014, approximately 613,243 non residence travelers spent at least 1 night in Whitefish which is an increase of 10% over 2013, the tourism promotion assessment is up 3%, 2014 bed tax was up 4% and Resort Tax up over 6%.

**Councilor Hildner made a motion, seconded by Councilor Feury, to approve the Whitefish Convention and Visitor Bureau marketing plan and lodging tax budget of \$90,000 for FY16.** Councilor Frandsen abstained from voting as her company Old Town Creative does work with the Whitefish Convention and Visitor Bureau. **The motion passed unanimously.**

Councilor Hildner reported on the Bike Pedestrian Committee. The path to the boat launch on the BNSF underneath the roundhouse has the wrong material on it so they will be working on that also along with the water diversion, development of the plans for that area in terms of a dock and benches. It has been suggested that the name be called Round House Park. The plan sheets for the Skye Park Bridge, Birch Point Lift Station will be put up on the web site. The Birch Point Lift Station will be first to go out for bid as they wait for DNRC and DEQ for their final review. They are working on the Town Pump path which will be over the culverts as we should be able to see a continuation of the path from Char Rygg's property up to Town Pump. The Stumptown stairway is in review with the Building Department. The Bike/Pedestrian requests the opportunity to review the plans for the bike path for 7<sup>th</sup> Street project and they are in favor of the 10' width on the sidewalk.

**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. Ordinance require 4 votes for passage-Section 1-6-2(E)(3)WCC)(CD 35:36)

- a) Minutes from the March 16, 2015 City Council regular session (p. 189)
- b) Ordinance No. 15-04; Ordinance approving the Whitefish Crossing, fka Deer Tracks Residences Planning Unit Development, to develop a 60-unit apartment project on one parcel comprising approximately 4.493 acres of land to become a part of 6348 Highway 93 South, Whitefish (Second Reading) (p. 201)
- c) Ordinance No 15-05; An Ordinance amending Whitefish City Code Section 2, Chapters 1,6,7,8 and 11, to provide subcommittees, revise the Weed Control Advisory Board as a volunteer Weed Education Outreach Committee, and authorize members, who reside within the School District #44 area for advisory committees to the Board of Park Commissions (Second Reading) (p.206)
- d) Resolution No. 15-07; A Resolution adopting amendments to the Whitefish Downtown Business District Master Plan as an amendment to the 2007 Whitefish City-County Master Plan (2007 Growth Policy) (p. 214)
- e) Consideration of approving application from McIntyre Family Trust for Whitefish Lake Lakeshore Permit (#WLP-15-W07) at 1372 W. Lakeshore Drive to Replace an existing dock

- with a new 'E' shaped EZ dock and gangway. The application also includes 2 EZ Max 2i ports adjacent to the proposed dock subject to 12 conditions. (p. 301)
- f) Consideration of approving application from Cory Izett on behalf of Pinecone San Diego LTD for Whitefish Lake Lakeshore Permit (#WLP-15-W08) at 3500 & 3506 E. Lakeshore Drive to expand on existing dock into a shared dock subject to 14 conditions. (p. 311)
  - g) Consideration of approving application from Paul and Deborah Biolo for Whitefish Lake Lakeshore Permit (#WLP-15-W09) at 432 Dakota Avenue to replace an existing damaged dock with an adjacent neighbors approved dock. The neighbor recently received approval for a new dock for their property subject to 11 conditions. (p. 332)

**Councilor Hildner made a motion, seconded by Councilor Feury, to approve the consent agenda. The motion passed unanimously.**

- 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: **None.**
- 7. **COMMUNICATIONS FROM PARK AND RECREATION DIRECTOR**
  - a. Discuss and give direction on recommendations for regulating commercial use activities on Whitefish Lake and in the City Beach area. (p. 349) (CD 36:43)

Parks and Recreation Director Butts went through her staff report. Based on the Whitefish Lake Commercial Use Work Groups findings they have brought forward a list of recommendations in which she would like the Council to discuss individually.

Councilor Frandsen said she is on the committee and said these are not their recommendations their sole purpose was to identify what the current issues are and explore options for the Council to look at. She said these recommendations are coming from staff based on the feedback from the committee. City Manager Stearns said the committee wanted to get direction from Council before this season begins as some might need to go through the City Attorney. The Council discussed the 8 different bullets in the staff report.

- Regulation of commercial activity on and within 200' of City Beach be established by and recommended to the Council for consideration by the Park Board of Commissioners after the April 14, 2015 Park Board meeting. **The Council agreed for Maria to proceed with this recommendation.**
- Council address patrons' parking concerns by identifying locations within the City Beach neighborhood that would allow for parking spaces on both sides of the street, establishing trailer parking on Edgewood, implementing a time limit for parking at City Beach to allow for more parking availability, and seeking a partnership with a local transportation company to provide shuttling services from other parking locations within the city. **The Council said to strike implementing a time limits for parking and they would like to see a parking plan and to keep looking for more lots for parking. Also look for employee parking so they are not parking in the lot.**
- Address commercial parking by implementing any of the following: not allowing commercial parking, requiring fees for commercial parking and their customers, and/or requiring commercial customers to park at the business' store location and be shuttled in. **Councilor Feury feels this bullet and the next one would fit under the parking plan.**

- In the long-term, address parking concerns by seeking property to purchase for extended parking and seek ways to extend current parking areas. **Councilor Feury said the property is very expensive by the beach and you really do not get many parking spaces with a piece of property.**
- Manage commercial activity on and around the water through a permitting process by establishing an added fee for land-based businesses to do business on the water, requiring both business licenses and vendor permits, capping the number of businesses permitted to do business on the water, establishing guidelines for the types of businesses permitted to do business on the water, requiring a business license for each location of the business, establish permitted hours of operation, establish how violations will be handled, and identify where businesses are permitted to vend in relation to both land as well as other businesses. **The Council does accept this recommendation.**
- Manage the regulation of signs and billboards by establishing a size limit, requiring business owners to identify the owner and business on the sign by including a business identification number, and restricting billboards and political ads. **The Council agreed for Maria to do more research on this matter.**
- Reevaluate all launch, permitting and licensing fees and consider a resident discount for launch fees and a rate increase for all commercial operations. **The council would like for everyone to pay the same for boat launch passes except to look into an increase for the commercial operations.**
- Manage wake zones by adding buoys and restricting vending within wake zones. **The Council suggested handing out brochures with all the rules and regulations.**

Mayor Muhlfeld would like to see some recommendation from staff that includes feedback from the other agencies.

#### **8. COMMUNICATIONS FROM PLANNING AND BUILDING DIRECTOR**

- a. Consideration of an application from Four Forty Seven LLC for a preliminary plat on a five (5) lot, 1.19 acre Minor Subdivision at 447 Karrow Avenue called Whitefish Creek Subdivision (p. 353) (CD 1:03:57)

Planner II Minnich gave her staff report. Minnich said they received 4 letters in opposition with concerns about the storm water conveyance on Lot 4. Minnich said staff did take some pictures of the drainage of the water showing how high it does go up on Lot 4. They have met with the applicants technical representative, their engineer and the Public Works Department. They discussed the boundaries of the conveyance system the proposed building envelope that is located on Lot 4 and the impacts that the boundaries may have on Lot 4. The applicant said they would work with the Public Works Department to make sure they do comply with the water quality protection regulations in order to identify the boundaries of the storm water conveyance which is based off the 25 year storm event. If they could not meet the qualifications they would have to eliminate Lot 4 and reconfigure the other lots prior to final plat submittal which is included in condition #5.

Councilor Hildner asked if they were going to have curb and gutter and where would the water be going. Interim Public Works Director Hilding said it would be included in the engineering plans. Councilor Hildner acknowledged the applicants as he would like to hear from them.

Eric Mulcahy, Sands Surveying, 2 Village Loop-Kalispell, is representing the applicant. Eric said they have proposed a preliminary drainage plan with the project but it has not been submitted to Public Works yet. They are looking at some kind of curb and gutter to catch the run-off and direct it to infiltrators that would escape at the predevelopment rate. Eric wanted to thank Planning and Public Works staff for working with them prior to their submittal. Eric said he feels that condition #5 is the best alternative because they do not have an answer to the question for the stormwater run-off. Councilor Hildner said he did go out to the site and looked at where the water had been and he does not see where Lot 4 would be a liable lot. Interim Public Works Director said infiltrations does not work well in Whitefish because of the high water. She said condition #4 should be changed to reflect that they need to store and treat the run-off.

**Councilor Hildner made a motion, seconded by Councilor Barberis, to deny the application from Four Forty Seven LLC for a preliminary plat on a five (5) lot minor subdivision at 447 Karrow Avenue called the Whitefish Creek Subdivision.** Councilor Hildner said he is not opposed to the subdivision but feels there are some issues to be solved especially the stormwater with condition #4 and #5 and whether it is one or two tracts. **The motion failed with a 2 to 3 vote with Councilors Frandsen & Feury and Mayor Muhlfeld voting in opposition.**

**Councilor Feury made a motion, seconded by Councilor Frandsen, to approve the application from Four Forty Seven LLC for a preliminary plat on a five (5) lot, 1.19 acre Minor Subdivision at 447 Karrow Avenue called Whitefish Creek Subdivision. Subject to the 17 conditions with amending condition #5 striking the first seven lines leaving the last two lines and conditions #5 would now read: Lot 4 shall be eliminated from the preliminary plat, and the remaining lots to be reconfigured. (Whitefish Zoning Regulation 11-3-29; Staff Report, Finding 3). The motion passed with a 3 to 2 vote with Councilors Hildner and Barbaris voting in opposition.**

- b. Consideration of a request from the Iron Horse Homeowners Association for a modification to their subdivision to permit a reconfiguration of their guardhouse on the side of Iron Horse Drive to a welcome center in a median in the center of the road (p. 427)

Senior Planner Compton-Ring said Iron Horse would like to postpone this request until the May 4, 2015 meeting as they are still working on some modification and some reconfigurations.

**Councilor Frandsen made a motion, seconded by Councilor Feury, to postpone the consideration of a request from the Iron Horse Homeowners Association for a modification to their subdivision to permit a reconfiguration of their guardhouse on the side of Iron Horse Drive to a welcome center in a median in the center of the road. The motion passed unanimously.**

## **9. COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR**

- a. Presentation of West 7<sup>th</sup> Street preliminary alignment and typical sections and authorize engineers to proceed to final design. (p.496) (CD 1:33:10)

Interim Public Works Director gave her staff report and turned it over to Ryan Mitchell from Robert Peccia and Associates (RPA) to go thru the slide presentation.

Ryan said they have had 3 public meetings and have had very good turn out and great feedback. He is here tonight to get the go ahead to proceed to final design and at this time they do not need to

make any decision on the one-way as they are still working on that section. Ryan went through some of the concerns with the neighborhood that were brought out in the meetings.

Ryan said they are bringing this to the council as the street designs do not match the city standards because of the type of neighborhood they are working in. The first section which is west of Karrow Avenue the majority of neighbors (63%) chose option 1 “road in same location, no sidewalks”. They typically do put sidewalks in at least on one side but this option does work better for the neighborhood.

Ryan said the 2<sup>nd</sup> section is from Karrow to Geddes with the majority (68%) choosing Option 1 “urban section-curb and gutter” and several comments were received asking that the path width be increased. The width of the driving lanes will be 12’6” instead of 14’. The sidewalk will be 10’ wide the power poles will be behind the sidewalk.

Ryan said the next section is Geddes to O’Brien Avenue with the majority (89%) chose option 1 “sidewalk on north side only” and several comments were received asking that the sidewalk be widened. The power poles will be in the middle of the boulevard so the sidewalk is on the back side.

Ryan said the section from O’Brien to Baker the majority (71%) chose option 2 “sidewalk on both sides, 4’-0” boulevard, landscaped slopes (no retaining wall) and they received several comments stating that only one wider sidewalk was preferred. They are proposing sidewalks on the North side as there are a lot of parallel parking and they would be parking over the sidewalks on the south side. Ryan also went over the one-way option on O’Brien showing that the plan is to remain a 3 way intersection with stop signs with one-way going from south to north along O’Brien Avenue. He said they would like to wait on this as they would like to receive more comments.

Ryan said this plan does not allow for any on street parking along 7<sup>th</sup> Street. Ryan said they would like to finish the design late summer then have another public meeting then come back to council with anything else they might have. The gas company said they want to start their work this fall after Labor Day. They will go out to bid in the spring of 2016 then complete the roadway construction in the summer and fall of 2016. The council had some questions for Ryan on the bike paths/sidewalks and the street lights that would be installed.

**Councilor Feury made a motion, seconded by Councilor Frandsen, to approve to proceed to final design of West 7<sup>th</sup> Street. The motion passed unanimously.**

**10. COMMUNICATIONS FROM CITY MANAGER (CD 2:08:42)**

- a. Written report enclosed with the packet. Questions from Mayor or Council? (p. 510): None
- b. Other items arising between April 1<sup>st</sup> and April 6<sup>th</sup>: None.
- c. Review and possible adoption of FY 16-20 Capital Improvement Program (p. 517)

Financial Director Smith went over her report for the FY 16-20 Capital Improvement Program and said there are no financial requirements. The council said Financial Director Smith did an awesome job on the spreadsheet.

**Councilor Hildner made a motion, seconded by Councilor Feury, to accept the projected FY 16-20 Capital Improvement Program as presented. The motion passed unanimously.**

**11. COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS**

- a. Letter from Paul Carpenter, MD regarding safety of parking on Central Avenue (p. 569) (CD 2:22:04)

Councilor Feury said there is a big dip in the road on E 2<sup>nd</sup> Street in the west bound lane in front of the Barb and Scott Brandt's house. He also said they need to think about a fix at the dog park for the runoff in the spring.

Councilor Hildner gave a shout out to Chief Page for the front page of the Missoulian on a Sunday and above the crease.

Councilor Frandsen said with the Block 46 lot no longer available for parking the employees are now parking downtown we really need to address this. She was thinking maybe this summer using the snow lot if possible. She said she received a complaint about the traffic signal at Edgewood and Wisconsin and the beeping noise it makes and was wondering if somehow it could be turned down some. She said there is a high pipe in the road sticking up on Railway west of Baker. Also the stop sign at Edgewood and Dakota is upside down.

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

Mayor Muhlfeld adjourned the meeting at 9:45 p.m.

---

Mayor John Muhlfeld

Attest:

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Vanice Woodbeck, Assistant City Clerk

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DEVELOPMENT AGREEMENT

between

CITY OF WHITEFISH, MONTANA,

and

THE CARRINGTON COMPANY.

Dated as of April 20, 2015

## DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT, dated as of April 20, 2015 (“Development Agreement”), is entered into between the City of Whitefish, a self-government charter municipal corporation and political subdivision of the State of Montana, whose principal business address is 418 E. 2<sup>nd</sup> Street, P.O. Box 158, Whitefish, Montana 59937 (the “City”), and The Carrington Company, Inc., with an office at 627 H Street, Eureka, CA 95501 (the “Developer”) (collectively the “Parties”).

### WITNESSETH:

#### Section 1. Recitals.

1.01. The City has pursuant to Ordinance No. 87-03 (the “District Proceedings”) created its Urban Renewal District (the “District”) and approved the Urban Renewal Plan for the District (the “Plan”) in accordance with the provisions of Montana Code Annotated (“MCA”), Title 7, Chapter 15, Parts 42 and 43 (the “Act”).

1.02. Pursuant to the Act and a preliminary action taken on June 16, 2014, the City Council of the City (the “Council”) identified a contribution to the façade renovation as a needed inducement overall renovation of the Mountain Mall (the “Carrington Company Project”). At the request of the Developer, the Council also made preliminary findings with respect to the proposed Carrington Company Project. The Council determined that if the expenses incurred by the Developer related to public improvements (Exhibit A) are deemed eligible for tax increment financing under the Act, such costs could be paid directly or reimbursed from tax increment funds, if the Carrington Company Project is approved as an Urban Renewal Project. (See Section 3.01 (b) below for such approvals).

NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION RECITED HEREIN, THE PARTIES AGREE, COVENANT AND REPRESENT AS FOLLOWS:

#### Section 2. Definitions; Rules of Interpretation; Exhibits.

2.01. Definitions. For all purposes of this Agreement, except as otherwise expressly provided or unless the context clearly requires otherwise, the following terms have the meanings assigned to them, respectively:

“Act” has the meaning given to it in the Recitals.

“Actual Taxable Value” means the taxable value of the Taxable Property as shown on or calculated from the assessment roll last equalized before the date of reference.

“Agreement” means this Development Agreement, including any amendment hereof or supplement hereto entered into in accordance with the provisions hereof and of the Bond Resolution.

“Approved Costs” means the actual costs of those improvements described in Exhibit A.

“Available Tax Increment” means the Pledged Developer Tax Increment remaining after the payment from the Tax Increment of the District of (i) the annual payment of principal and interest on the Bonds. For purposes of calculating the Available Tax Increment, all Tax Increment other than the Pledged Developer Tax Increment shall be deemed applied first to the obligations identified in (i) prior to the application of the Pledged Developer Tax Increment to such obligations.

“Bonds” means the City of Whitefish Series 2009 Tax Increment Urban Renewal Revenue Bonds and any Additional Bonds.

“Developer” has the meaning given to it in the preamble.

“Developer Land” means the real property in the District described on Exhibit B.

“Developer Project ” means the property commonly known as the Mountain Mall and related improvements constructed on a portion of the Developer Land (such portion being referred to as the Developer Project Land as more particularly described on Exhibit B).

“Base Taxable Value” means the Actual Taxable Value of the Taxable Property as of January 1, 2014, as such value is adjusted as part of the “base taxable value” of the District from time to time in accordance with the Act.

“City” means the City of Whitefish, Montana.

“City Council” means the governing body of the City.

“Department of Revenue” means the Montana Department of Revenue.

“District” means the Whitefish Urban Renewal District created by the District Proceedings, as described in the Recitals.

“Equipment” means the items of furniture, equipment and other personal property located on the Developer Land.

“Event of Default” has the meaning given to it in Section 8.1.

“Incremental Taxable Value” means the amount, if any, by which the Actual Taxable Value of all Taxable Property, as of the date of reference, exceeds the Base Taxable Value.

“Minimum Tax Obligation” means the annual amount of property tax payable from the Developer Project set forth in Section 8.02 herein.

“Ordinance” has the meaning given to it in the Recitals.

“Person” means any individual, corporation, partnership, joint venture, association, committee, limited liability company, limited liability partnership, joint stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof.

“Pledged Developer Tax Increment” means the amount of Tax Increment attributable to the Developer’s Minimum Tax Obligation, calculated as set forth in Section 5.02.

“Public Improvement Costs” mean the costs associated with the relocation and reconstruction of a sewer line, sidewalks around the Developer Land, and parking spaces and street reconstruction around the Developer Land.

“State” means the State of Montana.

“Tax Increment” means the amount received by the City pursuant to the Act from the extension of levies of Taxes against the Incremental Taxable Value of the Taxable Property and shall include all payments in lieu of Taxes or beneficial use taxes attributable to the Incremental Taxable Value and all payments received by the City designated as replacement revenues for lost Tax Increment.

“Tax Increment Obligations” means the Bonds, as long as and to the extent each is outstanding.

“Taxable Property” means all real and personal property located in the District and subject to Taxes, including land, improvements and equipment.

“Taxes” means all taxes levied on an ad valorem basis by any Taxing Jurisdiction against the Taxable Property and includes all payments in lieu of taxes or beneficial use taxes received by the City with respect to the Incremental Taxable Value of the Taxable Property.

“Taxing Jurisdiction” means the State, the City, any school district, local government, municipal corporation, political subdivision or other government entity that levies, during any Fiscal Year during which the tax increment provision of the District is effective under the Act, ad valorem taxes against real or personal property in the District.

“Unavoidable Delay” means a delay resulting from a cause over which the party required to perform does not have control and which cannot or could not have been avoided by the exercise of reasonable care, including but not limited to acts of God, accidents, war, civil unrest, embargoes, strikes, unavailability of raw materials or manufactured goods, litigation and the delays of the other party or its contractors, agents or employees in the performance of their duties under or incident to this Agreement.

## 2.02. Rules of Interpretation.

(a) This Agreement shall be interpreted in accordance with and governed by the laws of the State without giving effect to the conflicts-of-laws principles thereof.

(b) The words “herein,” “hereof” and words of similar import, without reference to any particular section or subdivision, refer to this Agreement as a whole rather than to any particular section or subdivision hereof.

(c) References herein to any particular section or subdivision hereof are to the section or subdivision of this Agreement as originally executed unless otherwise indicated.

(d) Any capitalized terms not defined herein but defined in the Bond Resolution shall have the same meanings herein unless the context hereof clearly requires otherwise.

2.03. Exhibits. The following Exhibits are attached to and by reference made a part of this Agreement:

Exhibit A—Approved Costs

Exhibit B—Legal Description of the Developer Land and Developer Project Land

### Section 3. Representations.

3.01. City Representations. The City hereby represents to the Developer as follows:

(a) The City is authorized by law to enter into this Agreement and to adopt the Urban Renewal Project Resolution and to carry out its obligations hereunder and thereunder. This Agreement is the valid and binding obligation of the City enforceable in accordance with its terms.

(b) City staff has recommended that the City use the Pledged Developer Tax Increment to pay for approved costs, subject to the limitations of Section 6 herein. The City Council hereby designate the Developer Project as:

1. blighted pursuant to Section 7-15-4206 (a), MCA;
2. an Urban Renewal Project pursuant to the March 1987 City of Whitefish Urban Renewal Plan;
3. eligible for approved infrastructure costs in accordance with Section 7-15-4288 (5) and 7-15-4233 (i) MCA;
4. encouraging private enterprise consistent with Section 7-15-4208 MCA.

(c) The Department of Revenue has advised the City that the Taxable Value of the District was, as of January 1, 2014, \$12,585,421.

(d) The Department of Revenue has advised the City that the Base Taxable Value of the District was, as of January 1, 2014, \$4,185,352.

(h) The Department of Revenue has advised the City that the Incremental Taxable Value of the District was, as of January 1, 2014, \$8,400,069.

(i) Assuming an annual tax increment portion of the tax bill of \$42,002 (increase in tax increment taxable value of \$76,505.89) per annum with respect to the Developer Project, the City estimates the following are the values for the District:

- (i) Taxable Value of the District as of January 1, 2016: \$ 12,661,927
- (ii) Base Taxable Value of the District as of January 1, 2016: \$ 4,261,858
- (iii) Incremental Taxable Value of the District as of January 1, 2016: \$ 8,476,575

(i) The City has preliminarily determined, based on the levy of 550 mills, that the annual Tax Increment will provide sufficient revenue to pay the principal of and interest on the Bonds, and will result in Available Tax Increment sufficient to pay the Public Improvement Costs in accordance with Section 7 as shown in Exhibit A.

(j) The City makes no representation for the benefit of the Developer as to the amount of Tax Increment the Developer Project will generate. Based on the Developer's Tax Year 2015 base taxable value of TBD (was \$90,192.00 in Tax Year 2014) for the Developer Project, proposed tax increment portion of annual tax liability for the Developer Project of \$ TBD in 2015 Tax Year (was \$42,002 in Tax Year 2014) and the Incremental Taxable Value of the District, the City has estimated a taxable market value of \$ TBD (was \$7,886,178 in Tax Year 2014) and an incremental taxable value of \$ TBD (was \$76,270.89 in Tax Year 2014) for the Developer Project resulting in estimated annual additional Tax Increment of \$ TBD (was \$42,002.00 in Tax Year 2014) attributable to the Developer Project.

(k) The City Council has duly authorized the execution and delivery of this Agreement.

3.02. Developer Representations. The Developer hereby represents to the City as follows:

(a) The Developer is in good standing under the laws of the State and is duly qualified to do business in the State. The Developer has the power to enter into this Agreement and by all necessary corporate action has duly authorized the execution and delivery of this Agreement. This Agreement is the valid and binding obligation of the Developer enforceable in accordance with its terms.

(b) As of the date of this agreement, the Developer owns the Developer Project in the records of the Clerk and Recorder of Flathead County, Montana.

(c) The Developer has proposed the City use annual tax payments of not less than an estimated \$42,002.00 attributed to the Developer Project in calculating the amount of Tax Increment generated by the Developer Project.

(e) Using an estimated \$42,002.00 as the taxes attributable to the Developer Project, the City has made the following calculations with respect to values: the taxable market value, and the taxable value of the Developer Project as of January 1, 2014 are \$3,651,509.00 and \$90,192.00 respectively, that the Developer understands these numbers will be initially used to estimate the incremental taxable value of the Developer Project. Notwithstanding the foregoing, it is the intent of the Parties that the actual taxable market value, and the taxable value of the Developer Project that will ultimately be used to determine the incremental taxable value of the Developer Project will be the lesser of (i) the 2014 Tax Year values referenced in this paragraph, or (ii) the reassessed values as determined for the 2015 Tax Year.

(f) The Developer agrees to present the architectural design proposal that is submitted to the City of Whitefish Architectural Review Committee for their consent and approval.

#### Section 4. Approved Costs.

4.01. Eligible Costs. The City staff has determined that \$200,000.00 of costs are eligible for payment from the Tax Increment Fund (the "Project Costs" as shown on Exhibit A), which shall be funded within 30 days following the mutual execution of this Agreement.

#### Section 5. Covenants of the Developer and City With Respect to Tax Increment.

5.01. Taxes. The Developer shall pay or cause to be paid when due and prior to the imposition of penalty all Taxes and all installments of any special assessments payable with respect to that portion of the Developer Project owned by the Developer from time to time; provided, however, nothing in this Agreement is intended to, or shall be interpreted to, limit or impair the Developer's right to appeal any imposition of Taxes.

5.02. Guaranty. The Developer represents that the estimated increase in annual tax increment from the improvements to the Developer Project will be \$42,002 per year. If the aggregate, actual property tax increment received by the City from the Developer Project (above 2014 base value) from Tax Year 2016 (Fiscal Year 2017) through Tax Year 2019 (Fiscal Year 2020) is less than \$200,000.00, Developer agrees to reimburse the City the negative difference between the aggregate, actual property tax increment for the Developer Project and \$200,000.00, if any by July 1, 2020.

5.03. Maintenance of Developer Project Incremental Taxable Value. The Developer acknowledges the interest of the City that the Developer Project should be so maintained and operated so that the Incremental Taxable Value of the District, so long as there are any outstanding Tax Increment Obligations, will generate Tax Increment sufficient to pay the principal of and interest on outstanding Tax Increment Obligations. Accordingly, the Developer agrees to use its commercially reasonable best efforts to maintain and operate that portion of the Developer Project owned by the Developer from time to time so as to be able at all times to pay

promptly and when due all property taxes and assessments levied with respect to that portion of the Developer Project owned by the Developer from time to time.

5.04. City Not To Take Action To Reduce Tax Increment. The City agrees that it will take no action that would limit the amount of Tax Increment below the amount that would be generated absent such actions. In the event that at any time following the date hereof: (i) either (A) the Act is amended in such a manner as to reduce Tax Increment, or (B) Tax Increment is reduced as a result of changes in the law regarding the privilege of public entities to levy real property taxes; and (ii) in lieu of such reduced Tax Increment, the City is authorized to receive and receives revenues in any form in substitution for the lost Tax Increment which additional revenues the City is authorized to spend for the same purposes and under the same conditions that apply to Tax Increment, then the share of such additional revenues attributable to the reduced Tax Increment shall be deemed to be Tax Increment for all purposes of this Agreement.

5.05. Injunction; Specific Performance. The Parties agree that, in the event of a breach of Sections 5.03 or 5.04 by any party or its successors or assigns, the non-breaching party would suffer irreparable harm. Therefore, in the event any party or its successors or assigns fails to comply with the provisions of Sections 5.03 or 5.04 the Parties expressly agree that the non-breaching party may pursue any remedy at law or in equity, including without limitation, the remedies of injunction and specific performance.

## Section 6. Release and Indemnification Covenants.

6.01. The Developer releases the City officers, agents, servants and employees thereof (the "Indemnified Parties") from, and covenants and agrees that the Indemnified Parties shall not be liable for, and agrees to indemnify and hold harmless the Indemnified Parties against, any loss or damage to property or any injury to or death of any person arising out of or resulting from the construction, installation, operation, ownership or maintenance of that portion of the Developer Project owned by the Developer from time to time and which is proximately caused by the Developer; provided that, subject to Section 6.03 below, the indemnity shall not apply if and to the extent such loss or damage is caused by the gross negligence, willful misconduct or willful misrepresentation of the City, its agents or employees.

6.02. Except for any willful misrepresentation or any willful or wanton misconduct of the Indemnified Parties, subject to Section 6.03 below, the Developer agrees to protect, indemnify and defend the Indemnified Parties and further agrees to hold the Indemnified Parties harmless from and against, any loss, damage, cost (including reasonable attorneys' fees), claim, demand, suit, action or other proceeding arising out of (i) violation by the Developer of any agreement or condition of this Agreement (except with respect to any suit, action, demand or other proceeding relating to default by Developer of the nature described in Section 5.03 or brought by the Developer against another Party to enforce its rights under this Agreement), or (ii) the acquisition, construction, installation, ownership, maintenance and operation by the

Developer of the proportion of the Developer Project owned by the Developer from time to time, or (iii) from direct and proximate damage actually incurred by the City by reason of the presence on any portion of the Developer Land owned by the Developer from time to time or that portion of the Developer Project owned by the Developer from time to time, of any dangerous, toxic or hazardous pollutants, contaminants, chemicals, waste, materials or substances, as defined in or governed by the provisions of any federal, state or local law, statute, code, ordinance, regulation, requirement or rule relating thereto, and also including ureaformaldehyde, polychlorinated biphenyls, asbestos, asbestos containing materials, nuclear fuel or waste, radioactive materials, explosives, carcinogens and petroleum products, or any other waste, material, substance, pollutant or contaminant; provided, however, the indemnification obligation shall not extend to the effect of any decrease in tax liability or obligation or Tax Increment arising out of or related to the Developer Project, whether by reason of loss, damage, destruction of the Developer Project or decrease in the value of the Developer Project or otherwise.

6.03. The City shall indemnify and hold harmless the Developer, its directors, officers, employees and agents from any actions, claims or damages (i) arising solely out of and solely directly attributable to the City's negligent performance of this Agreement through its employees or (ii) violation by the City of any agreement or condition of this Agreement.

Section 7. Mutual Obligations. The Parties agree that each party's obligations under this Agreement are dependent on the fulfillment of the obligations of each of the respective Parties' obligations.

#### Section 8. General Provisions.

8.01. Conflicts of Interest; City's Representatives Not Individually Liable. No member, officer or employee of the City shall have any personal interest, direct or indirect, in this Agreement or the Developer Project, nor shall any such member, officer or employee participate in any decision relating to this Agreement which affects his or her personal interests or the interests of any corporation, partnership, or association in which he or she is, directly or indirectly, interested. No member, officer or employee of the City shall be personally liable to the Developer in the event of any default under or breach of this Agreement by the City, or for any amount which may become due to the Developer for any obligation issued under or arising from the terms of this Agreement, except for any fraudulent misrepresentation made by any such member, officer or employee in violation of the first sentence of this Section 8.01.

8.02. Rights Cumulative. The Parties agree that all rights and remedies of the Parties of this Agreement, whether provided by law or by this Agreement, shall be available to the Parties and shall be cumulative, and the exercise by either party of any one or more of such remedies shall not preclude the exercise by such party, at the same or different times, of any other remedy for the same default or breach or of any of its remedies for any other default or breach of the party. No waiver made by such party with respect to the performance or the manner or time

thereof, of any obligation under this Agreement, shall be considered a waiver with respect to the particular obligation of the other party or a condition to its own obligation beyond those expressly waived in writing and to the extent thereof, or a waiver in any respect in regard to any other rights of the party making the waiver of any obligations of the other party. Delay by a party hereto instituting or prosecuting any cause of action or claim hereunder shall not be deemed a waiver of any rights hereunder.

8.03. Term of Agreement. This Agreement shall remain in effect until July 1, 2020 (unless the Developer is then in default hereunder), or such earlier date upon which no Tax Increment Notes or Bonds are outstanding and all obligations of the City under the Bond Resolution and the Bond Resolution if additional bonds have been issued, have been satisfied or discharged. Notwithstanding the foregoing, Developer shall have the right to terminate this agreement at any time and for any reason upon written notice to the City (“Notice of Termination”). Upon delivery of any such Notice of Termination, Developer shall promptly reimburse the City for any negative difference between the aggregate actual property tax increment for the Developer Project and \$200,000 (if any may still exist). Upon receipt by the City of any such reimbursement difference, this Agreement shall automatically terminate, and have no further force or effect.

8.04. Limitation on City Liability. No agreements or provisions contained in this Agreement nor any agreement, covenant or undertaking by the City contained in any document executed by the City in connection with the Approved Reimbursement Costs or the Public Improvement Costs shall give rise to any pecuniary liability of the City or a charge against its general credit or taxing powers, or shall obligate the City financially in any way except with respect to the Pledged Developer Tax Increment. No failure of the City to comply with any term, condition, covenant or agreement herein shall subject the City to liability for any claim for damages, costs or other financial or pecuniary charge except to the extent that the same can be paid or recovered from the Pledged Developer Tax Increment; and no execution on any claim, demand, cause of action or judgment shall be levied upon or collected from the general credit, general funds or taxing powers of the City (except as such constitute Pledged Developer Tax Increment). Nothing herein shall preclude a proper party in interest from seeking and obtaining specific performance against the City for any failure to comply with any term, condition, covenant or agreement herein; provided that no costs, expenses or other monetary relief shall be recoverable from the City except as may be payable from the Pledged Developer Tax Increment.

8.05. Notices. All notices, certificates or other communications required to be given to the City and the Developer hereunder shall be sufficiently given and shall be deemed given when delivered or deposited in the United States mail in certified form with postage fully prepaid and addressed as follows:

If to the City:

City of Whitefish  
Attn: City Manager  
P.O. Box 158  
Whitefish, MT 59937-0158

If to the Developer:

The Carrington Company

Attn: Gabe Hagemann  
627 H Street  
Eureka, CA 95501

A Party, by notice given hereunder, may designate different addresses to which subsequent notices, certificates or other communications should be sent.

8.06. Binding Effect. The right and obligations set forth in this Agreement shall inure to the benefit of and shall be binding upon the Parties and their respective successors and assigns.

8.07. Severability. If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

8.08. Amendments, Changes and Modifications. This Agreement may be amended or any of its terms modified only by written amendment authorized and executed by each of the Parties.

8.09. Further Assurances and Corrective Instruments. The Parties agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may reasonably be required for correcting any inadequate or incorrect description of the Developer Project or for carrying out the expressed intention of this Agreement.

8.10. Execution Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

8.11. Captions. The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope of intent of any provisions or Sections of this Agreement.

[Signature Page to Development Agreement]

CITY OF WHITEFISH

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

THE CARRINGTON COMPANY

By: \_\_\_\_\_  
Its: \_\_\_\_\_

EXHIBIT A

APPROVED REIMBURSABLE COSTS

Description of eligible work: Contribution towards cost of renovating exterior façade of the middle portion of the Mountain Mall that is owned by the Carrington Company as allowed by Section 7-15-4233 (i) MCA.

Total Approved Reimbursable Costs

\$ 200,000.00

EXHIBIT B

LEGAL DESCRIPTION OF THE DEVELOPER LAND AND DEVELOPER PROJECT LAND

Developer Project Land:

Certificate of Survey:17248

Subdivision:

Legal Description:

S01, T30 N, R22 W, C.O.S. 17248, PARCEL 2, TR 1LA IN SE4NE4, ASSR# 0000404972

and

Certificate of Survey:16666-1

Subdivision:

Legal Description:

S01, T30 N, R22 W, 16666-1, PARCEL N/A, TR 1-O IN SE4NE4  
ASSR# 072

Minutes from meeting where City Council approved Mountain Mall TIF project.

**WHITEFISH CITY COUNCIL MINUTES**  
**JUNE 16, 2014**  
**7:10 P.M.**

**1) CALL TO ORDER**

Mayor Muhlfeld called the meeting to order. Councilors present were Barberis, Frandsen, Anderson, Feury, Hildner and Sweeney. City Staff present were City Manager Stearns, City Clerk Lorang, City Attorney VanBuskirk, Planning and Building Director Taylor, Senior Planner Compton-Ring, Planner II Minnich, Parks and Recreation Director Butts, Fire Marshall Page, and Police Chief Dial. Approximately 25 people were in the audience.

**2) PLEDGE OF ALLEGIANCE**

Mayor Muhlfeld asked Charlie Abell to lead the audience in the 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) (CD 0:47)

Don Kaltschmidt, 230 JP Road, spoke in favor of using Tax Increment Funds (TIF) for the renovation project at Mountain Mall (Mall) for a ShopKo. He said it would be a good investment and show good will towards the Hwy 93 South business district. He said TIF had been spent wisely in the downtown improvements, and this would be a good start for improvements along Hwy 93 South.

Erica Wirtala, Government Affairs Director, Northwest Montana Association of Realtors, 110 Cooperative Way in Kalispell, spoke in favor of using TIF for the Mall renovation project. She had attended the four Chamber of Commerce Open Houses that were held in the first two weeks of June and heard about business issues in Whitefish. She felt that an updated façade at the mall will be a boon to that highway corridor, to better attract shoppers and other businesses. The addition of a ShopKo will offer small household needs to shoppers.

Janet Collins lives at 7<sup>th</sup> and Karrow; and said it would be nice to have a ShopKo here and good to have the Mall updated. She said she agreed with the others who have spoken in support of it.

David Boye, 1040 E. 2<sup>nd</sup> Street, and a member of the Whitefish Chamber Board of Directors, thanked Councilors Hildner, Sweeney and Frandsen and Mayor Muhlfeld for attending the Chamber’s open houses. He said speaking for himself personally, he disagrees with those who say that adding a ShopKo would be adding another box store in town; because this will be a store in the Mall, which already exists. He said the renovation project will improve the Mall’s appearance.

SueAnn Grogan, North Valley Food Bank, thanked the Council on their request of the street name change to June’s Way. She gave an open invitation to the Grand Opening to be held on Monday, June 23<sup>rd</sup> from 4:30 to 6:30 p.m.

**c) Consideration of approving request from Whitefish Theatre Company (WTC) to proceed with an addition to the I.A. O'Shaughnessy Cultural Arts Center (p. 416)**

Manager Stearns said there are members from the Whitefish Theatre Company here in the audience tonight that could answer questions from Council if needed. Their request that is in the packet explains their renovation and expansion plans of the O'Shaughnessy Center (Center). They are requesting Council approval, that would be subject to ARC review, building plan review and approval of and payment for all necessary permits, for an addition to the northwest side of the Center. The lease that the WTC has with the City requires City approval of all expansion plans. The site plans start on page 420 of the packet.

**Councilor Anderson offered a motion, second by Councilor Frandsen, to approve the proposed addition to the northwest side of the O'Shaughnessy Center subject to ARC review, building plan review, and approval of and payment for all necessary permits.**

Councilor Hilder clarified some design details with Architect Ross Anderson who explained the elevations on packet page 421 are conceptual only; final design follows Council's approval of the concept.

**The motion passed unanimously.**

**d) Consideration of a revised request for \$200,000 of Tax Increment Funds to assist an exterior façade renovation at the Mountain Mall, 6475 Hwy 93 South (p. 430)**

Mountain Mall Manager Tom Kraus said he and the owners of the Mountain Mall have reworked their previous request in hopes to received \$200,000 of Tax Increment Funds for the exterior façade renovation; their team reworked the plan, going through it piece by piece to scale down their request. Their brick façade has fallen into disrepair, has been described as "blighted" and fits the definition of blighted in the Montana Code Annotated. In an answer to a question from Council they reworked the plans, saving rather than replacing where they could, trying to save on materials and systems where they could; and between that and some kick-in from the owners, they think this reduced request will let them accomplish their goal. There still is the guarantee from the owner, the Carrington Company, that if the Tax Increment revenues do not equal the \$200,000 by 2020, they will pay a check back to the City for the balance. Mr. Kraus said that it will also all be subject to the full execution of a lease agreement with the ShopKo Stores, subject to ARC Review, the bidding process, and details worked out in a future development agreement. The Council conducted more discussion with Mr. Kraus regarding the project.

**Councilor Barberis offered a motion, second by Councilor Sweeney, to approve the request of \$200,000 of Tax Increment Funds towards the exterior improvements at the Mountain Mall and direct staff to work with the applicant on a development agreement. The motion passed on a vote of four (4) to two (2), Councilors Anderson and Frandsen voting in the negative.**

**e) Resolution No. 14-16; 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 (Fire Engine) (p. 444)**

Manager Stearns said this was a standard INTERCAP (Board of Investments of the State of Montana, financing program) loan that is for short term financing with a current interest rate of 1.00% for the purchase

# MEMORANDUM

#2014-022



To: Mayor John Muhlfield  
City Councilors

From: Chuck Stearns, City Manager

A handwritten signature in blue ink that reads "Chuck Stearns".

Re: Staff Report – Mountain Mall revised request for \$200,000 of Tax Increment Fund Assistance for an exterior renovation at the Mountain Mall

Date: June 10, 2014

## Introduction/History

Tom Kraus, manager of the Mountain Mall for the Carrington Company, called and met with me several times since last October regarding a project he was working on to remodel the Mall and attract a new large tenant. Included in the project would be an exterior renovation to complement the exterior renovation recently completed by Sportsman & Ski Haus. (FYI - Super 1 Foods and Sportsman & Ski Haus own their portion of the building – The Carrington Company owns everything in between them). Tom has worked and re-worked his project to the point where he presented it to the Mayor and City Council for consideration at the May 21<sup>st</sup> City Council meeting. The City Council denied the request for Tax Increment Fund (TIF) assistance at that meeting (see attached minutes of the May 21<sup>st</sup> meeting).

## Current Report

Attached in the packet is a letter of request with attachments from Tom Kraus describing the project and the revised request for \$200,000 of Tax Increment Funds. I have worked with Tom to refine the property tax and valuation calculations and his TIF calculations are done correctly, given his assumptions. He assumes a 6% growth in the annual valuation which assumes that the 2015 Legislature would again phase in increased valuations over a 6 year period. Moreover, in his proposal, he says that if Tax Increment revenues do not equal the \$200,000 by 2020, they will pay a check back to the City for the balance. The details of this aspect and other aspects would be defined and detailed in a future development agreement.

The Tax Increment Fund is where this sort of project belongs and we have funded exterior renovations historically through an interest rate buy-down program (see the brochure in the packet). Early on, Tom said that a loan or interest rate buy-down would not work for their

project and he said he did not get much interest in a loan for the exterior façade improvements when he approached a local bank. Thus, they proposed their request as a grant which would be returned to the City via increased Tax Increment property tax payments and increased Resort Tax.

### Financial Requirement

The funding contribution would not likely come until the FY15 budget after July 1<sup>st</sup> as we would not make any payment until after construction was complete. The Tax Increment Fund can afford this contribution in FY15. Given that Mr. Kraus and the Carrington Company are guaranteeing full repayment of the \$200,000, there is no long term cost to the Tax Increment Fund. I am also including in the packet a copy of the most recent spreadsheet showing the future cash flow projections for the Tax Increment Fund.

### Recommendation

City staff respectfully recommends that the City Council consider approving the request of \$200,000 of Tax Increment Funds towards the exterior improvements at the Mountain Mall and direct staff to work with the applicant on a development agreement. I personally feel it is an appropriate request for several reasons:

- It is approximately 4.3% of one year's worth of TIF revenue (\$4,635,214 budgeted for FY15), so it is not a huge impact.
- TIF repayments by 2020 are guaranteed by the company. Additional Resort Tax revenue would be an added bonus.
- We have put a lot of Tax Increment Funds into the downtown area in recent years and propose to do so with the City Hall/Parking Structure project and it would be good to provide some assistance on Hwy 93 South (even if there are more blighted properties out there than the mall – however, owners of those properties have not come forward with redevelopment proposals).
- The proposed business might diminish the leakage of retail sales out of Whitefish for the products they sell.

## MEMORANDUM

To: Mayor John Muhlfeld

City Councilors

From: Bill Dial, Chief of Police

Re: False Alarm Ordinance Update

Date: April 14, 2015

### Introduction/History

In 2014 the City Council adopted ordinance #14-9, an ordinance establishing requirements for alarm companies and their clients, and setting penalties for false alarms. The ordinance became law on January 1, 2015. It was adopted due to the large number of false alarms the Fire and Police Departments were experiencing. False alarms expose the city, its emergency responders and the public to potential liability and are a waste of resources. This report is provided to the City Council to demonstrate the effectiveness of the ordinance.

### Current Report

Since January 1, 2015 81 residential customers have registered with the city and 20 businesses. In addition 6 alarm companies have registered. The registration provides emergency responders and dispatch with owner contact information and is used to hold those who have false alarms accountable.

In the first quarter of 2015 there have been 47 false burglar/hold-up alarms. For the same time period in 2014 there were 92 false burglar/hold-up alarms. This represents a decrease of 49%.

There have been 22 false fire alarms in the first quarter of 2015 compared to 32 alarms in the same time period in 2014. This represents a 31% decrease. No stakeholders have met the criteria to impose penalties.

### Financial requirement

None

### Recommendation

Staff recommends that the ordinance remain in force.

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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 postpone action until a work session could be scheduled with the consultant; and

WHEREAS, on April 6, 2015, at a lawfully noticed work session, the Whitefish City Council got a detailed presentation on the plan from the consultant and staff, took public comment, and provided further direction on the plan; and

WHEREAS, on April 20, 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 approve the plan; 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**



April 20, 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 corridor plan, which would be an addition to the Growth Policy.

**Updated Summary**

After receiving direction from the council at the work session on April 6, staff and the consultant have put together a check list of decision points to assist the council during deliberation after the public hearing in an attached memo from WGM Group. Staff recommends the Council go through that check list and make decision points on potential modifications. After the document is approved with the changes, staff and the consultants will have an updated new final draft ready for adoption at the next council meeting.

**Public Hearings:**

On February 2, 2015, the City Council held a public hearing on the plan. Staff and the consultants gave a presentation. Steering Committee chairman Doug Reed Spoke in favor of the plan. Steering Committee member and Idaho Timber property representative Hunter Homes spoke in favor of the plan. Ann Shaw Moran of the Steering Committee, spoke generally in the favor of the plan, but said the residential neighborhoods were not in favor of the commercial elements of Area B and Idaho Timber in the plan but keeping the zoning the same. Gail Linne (106 Murray) spoke saying keep existing zoning for Area B, no short term rentals, don't increase lot coverage to 70%, set clear standards for Peace Park. Susan Prilliman spoke, echoing Ann Moran and Gail Linne. Ken Stein of the Steering Committee supported the plan and said he would have further comments. Jim Laidlaw of the Steering Committee spoke in

support of the work the steering committee did on the plan. Randy Bradley (514 and 526 2<sup>nd</sup> St W) spoke saying he was looking forward to greater development opportunities the plan would create for his property. Mayre Flowers raised several concerns about the plan, notably on the Peace Park, Area B, and short term rentals. The City Council opted to postpone action until a work session could be scheduled and set a new public hearing for April 20.

On January 15, 2015, 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 April 20, 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:

Memo from WGM Group 4-14-15  
Email from Hunter Homes 4-8-15  
Flathead Beacon Article on Corridor Plan  
Letter from Gail Linne and Susan Prilliman  
City Council minutes from 2-2-15  
Planning Board minutes from 1-15-15  
Written comments from Mayre Flowers submitted at 1-15-15 Planning  
Board meeting  
Whitefish Highway 93 West Corridor Plan, 3-30-15 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

## MEMORANDUM

**DATE:** April 14, 2015  
**TO:** Whitefish City Council  
**FROM:** WGM Group Inc.  
**RE:** Whitefish City Council Highway 93 Planning Workshop, April 6, 2015

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This memorandum highlights the city council discussion, questions and direction relative to the planning document. Attached to this Memo is a copy of the slide show that was presented at the Workshop. The workshop ended before all of the questions at the end of the slide show were addressed by the council members. Once the Whitefish City Council has provided direction on the plan, WGM and the Whitefish Planning Staff can make the appropriate amendments to the plan and provide a final draft.

### **Attendees:**

**City of Whitefish:** Mayor John Muhlfeld, Richard Hildner, Andy Feury, Pam Barberis, City Manager, Chuck Stearns, Planning Director, Dave Taylor Planner, Wendy Compton Ring.

**WGM Group Inc.:** Nick Kaufman, Bruce Lutz (SiteScape Associates), Kate Dinsmore

**Members of the Public:** A variety of members of the Steering Committee and general public were in attendance and spoke at the workshop.

On April 6, 2015, the Whitefish City Council held a public workshop. The council members present had questions and provided direction on a number of issues. The questions asked and the direction given is shown below:

- Short Term Rentals: The general feeling was to remove short term rentals from Area B proposed WT-3 zoning. We can easily make that change
- In Area B, should the area south of Highway 93 and between the Whitefish River and Good Avenue be part of Area A? There was discussion and the council wanted to take a closer look at this area.

Steering Committee and consultant reasoning for inclusion into Area B:

- While the subject area east of Good Avenue is south of Highway 93, as is Area A, the area is more similar to Area B in that it has frontage on the Whitefish River.
- The lots in the subject area are more similar in size with the lots in Area B.

- Retaining this area in Area B provides a consistent planning designation on both sides of the highway before you cross the Whitefish River Bridge providing consistency for the gateway.
- Coffee Shops and Sandwich Shops: Should they be limited, should they be in WI-T and not in WT-3? There was no consensus during discussion.
- Artisan Manufacturing: Is it OK as a conditional use in the WT-3? WI-T? Should alcohol production be removed from definition? No direction was given during work session.
- Should the Sample Zoning Districts be retained in the appendix of the document? There was consensus to keep them in the appendix of the document.
- Should the Sample Zoning Districts be specific to Area B and to the recommended portion of the Idaho Timber site? There was consensus to add language to make the Sample Zoning Districts specific to the respective areas defined in the plan.

Staff Comment:

WT-3 Intent could be modified as follows:

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 the recreational amenity of the Whitefish River along the western community gateway where adaptive use areas which are transitioning from their traditional uses and lots primarily border either the Whitefish River or industrial zoned property. The boundary of this district is along the north side of Highway 93 from both sides of north Karrow Avenue to the Veteran's Bridge, or are on the south side of Highway 93 east of Good Avenue to the Veteran's Bridge . This zoning classification is not intended for general application throughout the Whitefish area.

We do not recommend adding that level of area application specific to the WI-T in the case that portions of the Peace Park or other adjacent industrial BNSF property want to annex and become part of the WI-T in the future. However, if the council requests a specific land area description for this district, we could specifically define the area of application similar to our proposal for the WT-3.

- Should Area A have the same opportunity to transition as Area B? Consensus is to protect Area A by setting clear boundaries for Area B.
- Short Term Occupation of the rail spurs for passenger cars?
  - Add language: "Private railway cars with living accommodations are allowed to park on rail lines."
- Should 'Nursing and Retirement Homes, Personal Care Facilities, Community Residential Facilities, Types I and II' be added to permitted or conditional uses of WI-T?

- Should we add “Professional Artist Studio and Gallery” to WT-3 as a conditional use?
- Are the shipping hours in Artisan Special Provisions too restrictive for rail shipping?
  - Special Provisions
    - C. Shipping and receiving shall be limited to 7am to 7pm except for rail-related shipments.
- We recommend adding the following bulk and scale provision for the proposed WT-3 to alleviate concerns for strip development or buildings out of scale with residential context:
  - Property Development Standards:
    - Bulk and scale: All new structures with a building footprint of 7,500 square feet or greater, existing structures where an addition causes the total footprint to be 7,500 square feet or greater, and additions to structures where the footprint is already 7,500 square feet or greater, are subject to a conditional use permit pursuant to section 11-7-8 of this title.
  - We recommend reducing proposed lot coverage provision WT-3 from 70% to 50%.

Additional Questions:

Hunter Holmes (see attached email) asked for the following uses to be added to the WI-T:

- Grocery store, not exceeding 4,000 sq ft. (same as the WB-1 Neighborhood Commercial zone standard)
- Colleges, business, and trade schools (conditional use?)
- Assisted living facility (covered by Nursing and retirement homes, personal care facilities, community residential facilities)

# WHITEFISH HIGHWAY 93 WEST CORRIDOR PLAN-



PREPARED BY:




April 6, 2015

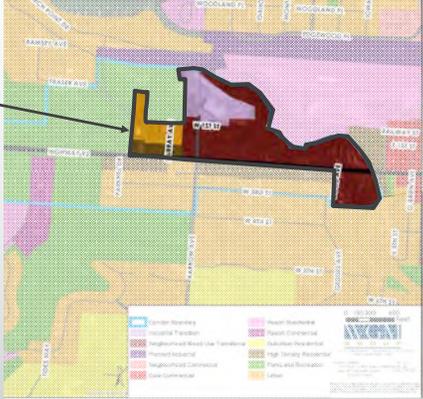
## Highway 93 West Corridor

Corridor Plan authorized under MCA



## Highway 93 West Corridor

**Area B & Idaho Timber**



## Area B

Public Involvement Feedback

- Existing mixed use
  - Run down rental properties
  - Multi-family
  - Professional offices
- Close to highway, rail, industrial
- Properties south of Idaho Timber and 1st St. right-of-way are key to redevelopment of Idaho Timber




### Area B

Public Involvement Feedback

- Entry sequence into town
- Potential for specific non-residential uses
  - Professional Offices
  - Personal Services
  - Resort Residential
  - Artisan Manufacturing
  - Coffee Shops and Sandwich Shops
- Concerns
  - Impacts to Murray Avenue residents
  - Traffic, noise, light, hours of operation
  - For-rent impacts to residential character
  - Commercial uses outside of downtown
  - Appropriate timing of transitional uses



### Idaho Timber

Public Involvement Feedback

- Potential
  - Employment Center
  - Adaptive Use
  - Rail Access – Freight/Passenger
  - Riverfront Parks/Trails/1st Street
  - Wildlife Protection
  - Connectivity to Community
  - Sustainable Development
- Concerns
  - Noise
  - Hours of Operation
  - Impacts to Surrounding Area
  - Access
  - Screening/Buffering of Manufacturing
  - Traffic



### Idaho Timber

Public Involvement Feedback

- Many ideas envisioned at charrette:
  - Utilization of railroad spur
  - Green belt zone by the river
  - Multi-family workforce housing
  - Trail along the river
  - Retain industrial uses
  - Resort/mixed-use along river
  - Business incubator
  - Light manufacturing
  - River access –1st Street




### Purpose & Intent

- Create opportunities for underutilized or vacant land to transition to contemporary uses





View of Idaho Timber property from across the river

### Purpose & Intent

- Drive economic development
  - Diversify
  - Flexibility
  - Support small, local businesses
  - Foster community's entrepreneurial climate
  - Allow for industrial
- Capitalize on natural amenities





### Clark Fork River

Missoula

- Trails
- Parks
- River access

**Whitefish**

- New Pedestrian Bridge
- 1st Street






### Little Red Wagon Coffee Roasters

Bozeman

- Small-scale business operated out of a food trailer for the summer and fall as it began wholesaling its single-origin coffee beans
- Utilized artisan manufacturing ordinance to set up brick-and-mortar location
- Customers test different types of coffee and try different brewing methods



Adrian Sanchez-Gonzales/Chronicle



Adrian Sanchez-Gonzales/Chronicle

“It was an idea born out of curiosity,” Meredith said. “We’re still on this journey and want people to come along.”

### Little Red Wagon Coffee Roasters

Bozeman

- Use space for roasting
- Sell product in other stores





Adrian Sanchez-Gonzales/Chronicle

“Little Red Wagon is a perfect example of a business... that’ll really bring some life to that stretch of alley.”  
 –Chris Naumann, executive director of the Downtown Bozeman Partnership

**Whitefish**

- 1st Street

## Gallatin Valley Vineyards

Bozeman

- Wine bottling operation and tasting room
- Bring in wine and bottle it in Bozeman

"We have had a lot of support from not only the community, but also the city of Bozeman, I think it is a new idea for Bozeman and we thought we'd try it out here."  
 -Wes Stewart, business owner

Business owners Wes Stewart and Brett Archer watched the wine culture explode on the West Coast and start to move east; they "wanted to be on the leading edge of that."



## A.L. Swanson Gallery & Craftsman Studio

Helena

Swanson's wood working studio sits in the heart of downtown within the walking mall, an unusual place for a wood working shop. "Logistically it was difficult; normally workshops have a lot of dust, and noise. We wanted to create a homey and clean atmosphere that is easily accessible and people can come and watch us work, see the process unfold before their eyes."



## What happens with the adoption of the plan?

- New land uses are adopted
  - **Neighborhood Mixed Use Transitional**
  - **Industrial Transition**
  - **Resort Commercial**
- Proposed zoning districts are *sample* districts.
  - Guide for future zoning in Area B and Idaho Timber.
- Proposed sample zoning districts will **not** be adopted in the Municipal Code with the adoption of the US Highway 93 Corridor Plan.
- Proposed sample zoning districts will likely be modified to meet the contemporary situation before any re-zoning is initiated.

## Future Proposed Land Use Map



## Proposed Land Use Designations

### 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, and opportunity for adaptive use or zoning that allows for a variety of uses and within walking distance of shopping in downtown.



## Proposed Land Use Designations

### 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. Transitional areas can be the catalyst that generates new jobs and new economic development as businesses achieve success and relocate appropriately in the community.



## Sample Zoning Districts

### WI-T

The WI-T District is intended to allow for the gradual transition of 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.



## Sample Zoning Districts

### WT-3

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.



## Sample Zoning Districts

### WT-3

**CONDITIONAL USES:**

- 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.



## Sample Zoning Districts

### Artisan Manufacturing Performance Standards

- Hours of operation for activities or services open to the public shall be limited to 8 am to 8 pm.
- Uses that create any excessive, objectionable byproducts such as dirt, glare, heat, odor, smoke, waste material, dust, gas, atmospheric pollutants, excessive noise or that have the potential for increased danger by reason of fire, explosion or other physical hazards are prohibited.
- Shipping and receiving shall be limited to 7 am to 7 pm.
- All outdoor storage shall be enclosed and screened from adjacent properties and public streets.
- All outdoor seating and outdoor display shall be screened from adjacent residential uses by fencing or landscaping.
- All outdoor lighting shall be compliant with 11-3-25: OUTDOOR LIGHTING STANDARDS.
- 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).

## Criticisms of Plan

### Short-term Rentals

- Added by Steering Committee
- Forces out the people who are looking for a long-term rental
- Options
  - Add additional limitations
  - Remove from plan

## Criticisms of Plan

### Strip Development/Commercial Development

- Limited by lot size & topography
- Options
  - Already limited through design standards
    - Artisan Manufacturing size restriction – 3,500 SF
  - Add additional standards or modify current standards
    - Limit size of professional offices

## Criticisms of Plan

Coffee Shops & Sandwich Shops

- Majority of Steering Committee in favor of coffee shops and sandwich shops
- Limited by design standards
  - No formula businesses
  - Size restriction – 2,000 SF
- Options
  - Add additional standards or modify current standards
  - Remove from WT-3
  - Remove from WT-3 and add to WI-T

## Criticisms of Plan

Artisan Manufacturing

- Key visionary element of plan providing a place for entrepreneurs on a conditional, case-by-case basis with limitations
- Limited by design standards
  - Size restriction – 3,500 SF
- Options
  - Add additional standards or modify current standards
  - Remove from sample zoning districts
  - Remove alcohol production
  - Remove alcohol production and add micro-breweries and distilleries to allowed uses in WI-T

## Criticisms of Plan

Minimizes available industrial land opportunities

- Plan does not change zoning which preserves existing industrial zoning on Idaho Timber
  - Any use allowed as a permitted use under WI District is a conditional use in WI-T
- Sample zoning districts continue to allow light industrial uses

## Criticisms of Plan

Sample Zoning Districts

- Options
  - Add additional standards or modify current standards and uses
  - Remove sample zoning districts from plan

## Criticisms of Plan

Impacts to Murray Avenue Residential Neighborhood

- Options
  - Add additional standards or modify current standards and uses
  - Remove sample zoning districts from plan

## Criticisms of Plan

Impacts to 3<sup>rd</sup> Avenue Residential Neighborhood

- Options
  - Add additional standards or modify current standards and uses
  - Remove sample zoning districts from plan

## Questions

Area B

- Do you want to keep the proposed land use and sample zoning district boundaries?
- Do you want to amend the sample zoning?
  - Coffee shops and sandwich shops
  - Short-term rentals

## Questions

Idaho Timber

- Do you want to keep the proposed land use and sample zoning district boundaries?
- Do you want more discussion on trail connectivity on the north side?
- Do you want to amend the sample zoning? If so, how?
- Is a hotel appropriate on Idaho Timber?

## Questions

Peace Park

- Are there additional suggestions for implementation strategies?

## Questions

- Do you want any change in the corridor?




Adrian Sanchez-Gonzales/Chronicle



Independent Record

END

## Zoning Districts

### Idaho Timber Land Use Comparison Chart

Land Uses	Current WI Zoning	Proposed WI-T Zoning	
A. Automobile and Boat Service	P	C	P=PERMITTED USE BY RIGHT
B. Boat and RV Storage	P	C	
C. Building Supply outlets	P	P	C=CONDITIONAL USE
D. Contractors yards	P	C	
E. Heavy equipment service	P	C	X=PROHIBITED USE
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	
J. Manufacturing, Artisan	X	P	
K. Parcel delivery	P	P	

## Zoning Districts

Idaho Timber Land Use Comparison Chart

Land Uses	Current WI Zoning	Proposed WI-T Zoning	
L. Petroleum products, retail	P	C	P=PERMITTED USE BY RIGHT
M. Public utility buildings, publically owned buildings, public parks	P	P	
N. Open space parks, public or private	X	P	C=CONDITIONAL USE
O. Railroad yards	P	C	X=PROHIBITED USE
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	

## Zoning Districts

Idaho Timber Land Use Comparison Chart

Land Uses	Current WI Zoning	Proposed WI-T Zoning	
W. Heavy equipment sales, rentals and service	C	C	P=PERMITTED USE BY RIGHT
X. Colleges business and trade schools	X	C	
Y. Junkyards	C	X	C=CONDITIONAL USE
Z. Outdoor amusements	C	X	X=PROHIBITED USE
AA. Sexually oriented businesses	C	X	
BB. Tire retreading and recapping	C	X	

Any use allowed as a permitted use under WI District is a conditional use in WI-T

## Zoning Districts

Area B Land Use Comparison Chart

Land Uses	Current WR-3 Zoning	Proposed WT-3 Zoning	
A. Bed and breakfasts	C	P	P=PERMITTED USE BY RIGHT
B. Home occupations	P	P	
C. Public utility buildings and facilities	P	P	C=CONDITIONAL USE
D. Publically owned or operated buildings, uses, parks	P	P	X=PROHIBITED USE
E. Open space for active or passive, public or private	C	P	
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	

## Zoning Districts

Area B Land Use Comparison Chart

Land Uses	Current WR-3 Zoning	Proposed WT-3 Zoning	
J. Residential one family through four-plex dwellings	P	P	P=PERMITTED USE BY RIGHT
K. Residential short-term rentals and fractional ownership	X	P	
L. Accessory apartments	C	C	C=CONDITIONAL USE
M. Caretaker unit	X	C	X=PROHIBITED USE
N. Churches	C	C	
O. Clubs, private, semi-private recreational facilities	C	C	
P. Coffee shops and sandwich shops (no "formula" businesses)	X	C	
Q. Daycare centers (12 or more kids)	C	C	
R. Dwelling groups or clusters	C	C	
S. Guesthouses	C	C	

## Zoning Districts

### Area B Land Use Comparison Chart

Land Uses	Current WR-3 Zoning	Proposed WT-3 Zoning	
T. Hostels	C	X	P=PERMITTED USE BY RIGHT
U. Livestock	C	X	
V. Nursing or retirement homes	C	X	C=CONDITIONAL USE
W. Personal services	C	C	
X. Professional artist studio or gallery	C	X	X=PROHIBITED USE
Y. Professional offices and clinics	C	C	
Z. Residential five-plex and larger multifamily	C	C	Along WF River north of 1st Street only
AA. Schools	C	X	
BB. Type I and II community residential facilities	C	X	
CC. Hotels and motels	X	C	
DD. Manufacturing, artisan	X	C	

**From:** [hunter.rmre@gmail.com](mailto:hunter.rmre@gmail.com) on behalf of [Hunter Homes](#)  
**To:** [nlorang@cityofwhitefish.org](mailto:nlorang@cityofwhitefish.org)  
**Cc:** [cstearns@cityofwhitefish.org](mailto:cstearns@cityofwhitefish.org); [dtaylor@cityofwhitefish.org](mailto:dtaylor@cityofwhitefish.org)  
**Date:** Wednesday, April 08, 2015 1:24:12 PM

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Good Afternoon Necile,

I attended the work session regarding the Hwy 93 Corridor Plan on Monday April 6<sup>th</sup>. After the meeting and talking with my client

the development group that owns the Idaho Timber site would respectfully like the city council to consider adding the following

permitted uses to the list you are considering for the WI-T 'sample' zoning district:

These are just ideas we have discussed and would like to have these options available

to us if they fit into our overall conceptual design for the Idaho Timber site.

1. Market similar in scale to the Alpine Village Market: There are no services of this nature west of the Veterans Bridge to accommodate all these residents. We believe this would also

alleviate some vehicle traffic thru town by folks needing some minimal necessities.

2. Assisted Living facility: I have been approached by advocates to consider this idea to be incorporated into this site.

3. Brewery/ Distillery "school" : Have the ability to offer training to potential folks interested in learning the trade.

Thank You,

Hunter



Hunter Homes  
Realtor  
Clearwater Montana Properties, Inc  
903 Spokane Ave.  
Whitefish, MT 59937  
Cell: 406.314.1417  
Office: 406.863.1090

# Where Does Whitefish Grow From Here?

## In a town where small businesses are the heart of what drives the community, merchants struggle to find infrastructure

By [Tristan Scott](#) // Mar 31, 2015

When plans to open a Shopko department store in Whitefish's Mountain Mall displaced eight small businesses, a swell of orphaned merchants rippled through the community in search of a new home. What they found – or didn't find – underscores the plight of small businesses here – although they are the heart of what drives the community, there is a dearth of affordable locations in Whitefish for small business owners to lease. Other mall retailers have stood firm, but when the department store opens in September, the business owners anticipate an increase in rent that will make it untenable.

"They'll probably bump it up out of my range," said Stu Say, owner of Montana Olive Oil Inc. and SenSAYetional Golf, both located in the mall. "Right now I'm just making rent."

Whitefish Dance Studio, the Flying Fish Kids' Gym, Nature Baby Outfitter, Taco Del Sol, Club Bed Tanning, Bonsai Brewing Project and Ben Franklin are among the other businesses affected by the construction of Shopko.

"It was an unfortunate thing," said Say, who is moving Montana Olive Oil Inc. to a Kalispell location in June. "They call this the Mall Morgue but those businesses were kicking tail. The brewery did a wonderful job, and so did Taco Del Sol."

Graham Hart opened Bonsai Brewing Project in the mall in January 2014 to tremendous fanfare. But when Hart learned he'd have to move the nascent brewery, he found his options were limited.

He was considering building or leasing a marketplace that could accommodate all of the errant businesses when, through a stroke of luck, he found his current location at 549 Wisconsin Ave., in a location he could not have afforded without the help of a family friend, who purchased the property and agreed to lease it to Hart.

"There's the demand for new small business in Whitefish. There's just not the infrastructure," Hart said recently from behind the bar of his bustling new brewery, which re-opened last month.

Lauren Oscilowski recently applied for and received a conditional use permit to open a distillery and tasting room called Spotted Bear Spirits in a location on Railway Street, across from Depot Park in downtown Whitefish. Although it costs more to lease the downtown space, she opted for the location because of the foot traffic inherent to the city center, as well as the proximity to the Whitefish Farmers Market.

"That was the balance," she said. "I looked at a number of different commercial spaces on the outskirts of town and ultimately decided to pay more per square foot to be downtown. I feel incredibly fortunate that I found this location because there weren't many options."

The shortage of real estate in Whitefish is a familiar stumbling block for the owners of Hurraw!, a vegan lip balm company.

When Neil Stuber and Corrie Colbert set their sights on expanding the home-based Whitefish business, they asked the city for property tax incentives and financial help with utility fees.

Unable to find a viable existing building for their light-manufacturing operation, city officials advised them that they could receive assistance with costs associated with building a new facility, and they've since constructed a facility in the Baker Commons business park.

"Many companies, including ours, choose to remain in Whitefish despite the lack of infrastructure and support, not because of it," Stuber said. "It becomes a personal decision as opposed to a business decision. That being said, entrepreneurial spirit thrives on possibility, not availability. We're interested in what Whitefish can become."

Conversely, Kalispell and Columbia Falls have a glut of available storefronts and open-space opportunities in prominent locations, but attracting long-term tenants has proven problematic.

The question of what Whitefish can and will become has been at the fore of discussions about how to develop the Highway 93 West corridor, particularly in a section of the corridor that extends from Ramsey Avenue to the Whitefish River Veteran's Memorial Bridge. The corridor land-use plan's steering committee identified that area for "creative future planning" to promote economic development and entrepreneurship as the area transitions.

In 2007, the city's growth policy recommended that a corridor plan be developed with specific goals and recommended actions for the area that consider land use, scale, transportation, landscaping, urban design and commercial development.

But in Whitefish, phrases like "creative future planning" draw intense scrutiny, and while much of the corridor plan does not recommend any land-use changes, one aspect recommends a zone change to a residential area north of Highway 93 and adjacent to the Idaho Timber property.

The committee didn't recommend full-scale commercial development in the area, and is sensitive to new retail that might compete with downtown. But small business opportunities such as artisan manufacturing in small buildings, allowed as conditional uses, were deemed appropriate in the plan on a case-by-case basis, as were sandwich or coffee shops. The committee also discussed the potential for a rail link, business incubators, and mixed use on the Idaho Timber site and adjacent residential area known as "Area B" that fronts the river.

"They felt that area could be an ideal complement to downtown," Whitefish Planning Director David Taylor wrote in his staff report. "Ideas such as a riverfront paddle board manufacturing business with accessory sales or rentals, an adjacent microbrewery or coffee shop with second floor residential uses were discussed as a way to better link the Whitefish River with the downtown and trail system."

But the plan has received pushback from residents who worry that any changes to the zoning will compromise the residential integrity of the area.

Anne Shaw Moran serves on the steering committee and represents the owner-occupied residential district of the corridor, and said while she agrees with 90 percent of the plan she objects to any changes to zoning.

"What's being proposed in this plan that is concerning to residents is a whole new zoning district or classification," Moran said. "Changing zoning is one of the most impactful things you can do to impact

neighboring properties. People have made huge residential investments based on the current zoning. We need to take a very careful look at some of these things like artisan manufacturing and think about what they would really impose on the neighborhood.”

The plan also calls for “development standards” for artisan manufacturing that would limit hours of operation, outdoor storage, the amount of retail space allowed. The Whitefish Planning Board has recommended the corridor plan for approval and the Whitefish City Council will vote on whether to adopt it later this month, but rezoning does not occur automatically with the adoption of the plan.

Nick Kaufman of the Missoula-based WGM Group is a principal consultant on the Highway 93 West plan, and said the steering committee and the planning process were tailored to Whitefish’s singular qualities and characteristics.

“Whitefish is unique. And the corridor planning strategy that was used for this recognizes the uniqueness of Whitefish and so the planning process was uniquely designed for this corridor,” he said. “The model zoning for Area B and Idaho Timber represents change. And Whitefish is really sensitive to change. They really are. And the three things that Whitefish is desperately protective of is downtown, its tax base and the residential character of the Highway 93 corridor. So when you introduce change to those three things then you are going to get a lot of public interest.”

And while it’s improbable, Idaho Timber could spring back to life at any point, imposing a stronger industrial impact on the residential integrity of the neighborhoods than small scale, light manufacturing, said realtor and steering committee member Hunter Homes, who represents the owner of the Idaho Timber property, which is zoned for industrial use.

“The owners could put in a tire recycling plant or a pig farm if they wanted, but that is not the best use for that property. It needs to be rezoned,” Homes said. “Old timers hate to see progress. I got here in 1976 before McDonald’s opened here and when we heard McDonald’s was opening we thought Whitefish was going to go to hell in a hand basket. But it’s still a great place and it will continue to progress, and it will continue to draw more and more people here.”

“Idaho Timber is a 15-acre artist’s palette that has not been developed. There hasn’t been a picture drawn yet but whatever you can think of has the potential to go in there,” Homes continued. “There is no other property like this anywhere in Whitefish that has beautiful views of the mountains. It has 1,000 feet of river frontage. It would be a five-star op for Idaho Timber and for Whitefish.”

Kaufman said the steering committee represented a diverse cross section of Whitefish, and ultimately identified the Idaho Timber site and adjacent neighborhood as the best option to accommodate growth in Whitefish at a scale that does not infringe on the community’s downtown or residential integrity.

“I think they are learning from the past and preparing for the future,” Kaufman said. “Can you, by looking at the community and the way it is emerging, achieve a greater value in a way that allows entrepreneurs and businesses to grow and expand in a community that has a great quality of life, at a location next to a river, right next to downtown, next to a residential neighborhood, near police and emergency services and a library? I think you can.”

Whitefish City Council  
Whitefish, Montana 59937

March 23, 2015

Dear Mayor Muhlfeld and Whitefish City Council members,

A lot of good work has been done to develop the Highway 93 West Corridor Plan, and while we agree with most of the plan as proposed, we do not agree with the proposal for Area B. The signatures of fifty Whitefish residents who join us in our concerns were submitted to you at the February 2, 2015 council meeting.

Please address the following issues:

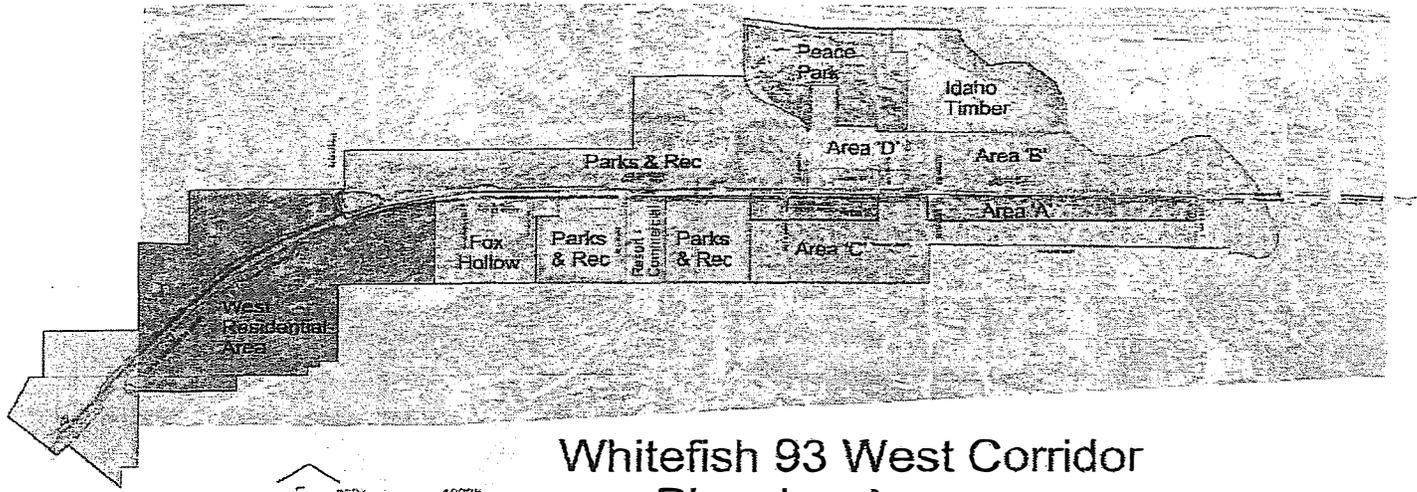
- Keep existing zoning for Area B.
- Don't allow short-term and overnight rentals or five or more multi-unit rentals in Area B.
- Limit commercial uses along the highway corridor and in Area B, i.e., "Manufacturing Artisan."
- Limit commercial uses along the river corridor.
- Don't allow the Highway 93 West Corridor to become lined with commercial uses which would create strip development patterns and traffic issues.
- Don't allow lot coverage in Area B to increase from 40% to 70%.
- Set clear standards now for private parks like the Peace Park area.

Attached please find a summary sheet of these concerns and a copy of the signature form.

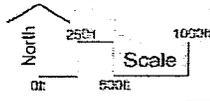
Thank you for your full consideration.

Sincerely,  
Susan Prilliman  
334 W 3<sup>rd</sup> Street  
Whitefish, MT

Gail Shay Linne  
106 Murray Avenue  
Whitefish, MT



## Whitefish 93 West Corridor Planning Areas



Date: 12-9-2013



See Page 39 of Plan [http://www.cityofwhitefish.org/large-files/pdf/Planning/Corridor%20Plan DRAFT 11-25-2014.pdf](http://www.cityofwhitefish.org/large-files/pdf/Planning/Corridor%20Plan%20DRAFT%2011-25-2014.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 1<sup>st</sup> 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 1<sup>st</sup> 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.

POB, 158  
59932-0158

3-24-15

Hello Neale,

Here is the Summary sheet to  
copy for the Council's 4-6-15  
work session. This will accompany info I emailed you 3/23.  
A Thanks for the  
help?

Best,  
Jaid Lennie



**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

This petition will be collected and presented to the Whitefish City Council when they schedule this Whitefish Hwy 93 West Corridor Plan for a public hearing, which we expect will be in February. Please contact Susan Prilliman at 862-2207, Gail Linne at 862-1835, or Mayre Flowers with Citizens for a Better Flathead at 756-8993 with questions or for petition collection. Adoption of the Corridor Plan as proposed provides the legal framework for zone changes to the area over time. The full plan is posted on the City of Whitefish's web site under long range plans at <http://www.cityofwhitefish.org/planning-and-building/long-range-plans.php> You are encouraged to attend future workshops and public hearings on this plan. Call the City of Whitefish at 863-2400 to confirm future workshop and hearing times. This draft plan has been developed by planning consultants under contract with the city and with the direction of a city appointed steering committee of local residents. This process began in summer of 2013.

**February 2015 Petition**

Some of the Council had questions answered by both applicants and staff. Councilor Anderson said he was recusing himself both from the discussion and the decision on this project.

**Councilor Sweeney made a motion, second by Councilor Feury, to approve 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 86 rooms with 74 parking spaces along with the Findings of Fact in the staff report (WCUP 14-11) and the amended twenty conditions of approval as recommended by the Whitefish Planning Board, and with the addition of Condition 21 to read: “The hotel shall be required to maintain employee parking at an off-site location in order to ensure the hotel parking lot is used for hotel guests.”**

**Councilor Sweeney made an amendment to the original motion, second by Councilor Frandsen, to add a Condition 22 to read: “Under no circumstances shall the roof top facilities be used as a bar, for music or other entertainment or for anything other than a patio.” The amendment passed with five aye votes, Councilor Anderson abstaining.**

**Councilor Frandsen made an amendment to the original motion, second by Councilor Sweeney, to amend Condition #1 to reference the most recent site plan dated 2-2-15. The amendment passed with five aye votes, Councilor Anderson abstaining.**

At this point part of the Council asked the Public Works to have a viable parking plan in place at the time construction begins to address issues of this project impacting the parking in the adjacent residential area. Manager Stearns advised that is an extra task assigned to an already busy and short-staffed department; it may come to the point staff has to pick and choose what projects they have time to work on.

**Councilor Sweeney made an amendment to the original motion, second by Councilor Hildner, to add a Condition 23 to read: “The hotel shall not be a chain or formula hotel.” The amendment passed with five aye votes, Councilor Anderson abstaining.**

**Councilor Hildner made an amendment to the original motion, second by Councilor Frandsen, to add a Condition 24 to read: “Mass, scale and character of the building shall be consistent with the Architectural Review Standards and the building shall be sensitive to the residential neighborhood to the east. No building wash lighting shall be permitted.” The amendment passed with five aye votes, Councilor Anderson abstaining.**

**The original motion, as amended, was approved with five aye votes, Councilor Anderson abstaining.**

- 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) (WPGA 15-02) (p. 240) (CD 2:45:08)**

Planning and Building Director Taylor introduced the staff report presentation saying that with the consultant, the WGM Group, staff and a Steering Committee have worked together on a land-use plan for this area over a period of time in nine meetings, four public outreach sessions, 2 work sessions with the Planning Board followed by a public hearing at the Planning Board to bring forward the recommendation for the intent to adopt the Whitefish Highway 93 West Corridor Plan. Bruce Lutz,

Sitescape Associates and the local support to the WGM Group, continued with the staff report, referring to the Project Description that starts on packet page 258 – an expanse of land from Whitefish River west to the western boundary of the Whitefish city limits. Members of the steering committee are listed on page 263 in the packet, and the process undertaken is described in the packet starting on page 262 through 264. Starting on packet page 265 is the detailed description of their process of analysis of existing conditions including uses, character, and zoning of each parcel and the descriptions of the public sessions and the outcome of those sessions, which was summarized by Mr. Lutz.

Director Taylor added to the presentation by going into detail of the Visioning for the Future and Development Policy as described starting on packet page 294 and Proposed Zoning Districts which started on packet page 361.

Due to the lateness of the hour and the impact and importance of this project; the Mayor said the Council had indicated to him that they would like to keep the public hearing open and schedule a work session to review this in depth.

Consultant Nick Kaufman, Land Use Planner from WGM Group out of Missoula, addressed the Council and requested to schedule a work session early in the day, and to include enough time to allow for public input and staff presentation time. Steering Committee Chair, Doug Reed, said Area B and the Idaho Timber sections are the areas with a lot of changes proposed and seems to be the sticking point with most people.

**Councilor Hildner made a motion, second by Councilor Feury, to extend the meeting to 11:30 p.m. The motion passed unanimously.**

Steering Committee member Hunter Holmes said he represents the new owner of the Idaho Timber property who is waiting for the zoning to be set in place before he decides which direction he will go with development of his new property.

Mayor Muhlfeld opened the public hearing. (CD 3:25:04)

Anne Shaw Moran, member of the Steering Committee representing residential owners, said even though the staff had been contemplating a corridor plan, the catalyst was Ryan Zinke's application for a non-zoning-compliant micro-brewery, which was eventually withdrawn because of what she called a successful neighborhood protest. At any rate, the decision was made to proceed with a public process to decide what would be best for the neighborhood in the future. She thanked all those that worked hard on this process and said her constituents are sending her with the message – don't approve this proposal - - the recommendations for Area B are highly contentious. The current proposed zoning showed up in a late version of this plan and does not have total consensus and has caused neighborhood polarity. It comes down to a corridor study versus a neighborhood plan. She said her constituents are more in favor of using existing zones for consistency and not creating new zones.

Gail Linne, 106 Murray Avenue, said she lives in Area D and agrees Area B is most contentious. Tonight she submitted 50 signatures on a petition asking the Council to not adopt the proposed Draft Whitefish Hwy 93 West Corridor Plan for one or more of the reasons cited by a report submitted by Mayre Flowers of the Citizens for a Better Flathead (CFBF) along with two pages that she (Gail Linne) submitted from that same report (submittals have been appended to the February 2, 2015 Council packet as after-packet materials). Points of concern on that CFBF memo are 1) Keep existing zoning for Area

B., 2) Don't allow short-term and overnight rentals or five or more multi-unit rentals in Area B, 3) Limit commercial uses along the highway corridor and in Area B, 4) Limit commercial uses along the river corridor, 5) Don't allow the 93 West Corridor to become lined with commercial uses which would create strip development patterns and traffic issues, 6) Don't allow lot coverage in Area B to increase from 40% to 70%, and 7) Set clear standards now for private parks like the Peace Park area.

Susan Prilliman, 334 W. 3<sup>rd</sup> Street, said she agreed with all of what Gail Linne and Anne Moran just said. She thanked the Council for their time and asked them to give this proposal their full consideration.

Ken Stein, 44 Fairway View, said he looks forward to having a work session and discussing his comments at that time.

Jim Laidlaw, 1230 Lion Mountain Drive and member of the Steering Committee, and also a property owner in Area B. He said they worked hard for 1½ years, gathered lots of public input, and agreed that yes, Area B is a problem area. Time needs to be taken to see what is going to happen with the Idaho Timber property as well as what is going to happen in that whole area and not just what can happen in the "right now", so he would like to see the transitional language to be carefully considered. He said the river is a very important aspect, and he didn't think that all options for that river frontage has not been fully considered. He said he'll address it further during a work session.

Randy Bradley, owns 514 and 526 W. 2<sup>nd</sup> Street, (part of Area B) and said he had a 10-condo project approved by Council but held off proceeding with that development because he thinks there might be better opportunities coming forward for that property.

Mayre Flowers, Citizens for a Better Flathead, 35 4<sup>th</sup> Street West in Kalispell, said her email sent earlier includes a consolidation of maps that she thinks will help both the Council and the public to see the changes that are proposed (submittals have been appended to the February 2, 2015 Council packet as after-packet materials). She called attention to comments regarding private parks like the Peace Park area, a traffic and travel plan for Area B, affordable housing and long-term rentals not short-term rentals. She stressed retaining the residential neighborhood of this area.

The Mayor asked if there was any further public comment and there was none, so he said the public hearing would be left open, and turned it back over to the Council for direction or action. The Mayor thanked the WGM Group and team, staff and Steering Committee for their work on this project.

**Councilor Anderson made a motion, second by Councilor Frandsen, to continue the public hearing to the Council meeting on April 20, 2015, and to have a work session scheduled for earlier that same day, April 20, 2015.**

Manager Stearns handed out a current city zoning map to point out existing industrial zones; he said it is rapidly shrinking. He said we have the former Idaho Timber lot, the city's snow lot plus a couple small lots that are Burlington Northern lots; and further east is the industrial park site. A couple industrial lots down on Baker Avenue but one cannot be used because it is dedicated as a stormwater drainage site, and the 40-acre parcel at the west end of 18<sup>th</sup> Street that is the City's shop site. He said he was just alerting the Council of this situation – industrial lands will enter into the City's options to offer lands with industrial zoning to help provide jobs for the community. He said it might enter into the final

decision regarding the proposed “transitional industrial zone” proposed in the Plan that was continued tonight.

**The motion passed unanimously.**

**Councilor Hildner made a motion, second by Councilor Barberis, to extend the meeting to midnight. The motion passed on a five to one vote, Councilor Anderson voting in the negative.**

**7) COMMUNICATIONS FROM CITY MANAGER (CD 3:51:55)**

**a) Written report enclosed with the packet. Questions from Mayor or Council? (p. 440) – None.**

**b) Other items arising between January 28<sup>th</sup> and February 2<sup>nd</sup>**

Manager Stearns said the annual evaluations for the City Attorney and the City Manager are due and should be scheduled for one of the open sessions as listed on his report in packet page 440.

**c) Resolution No. 15-03; 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)**

Finance Director Smith submitted her staff report to the Council and said approval of this resolution will establish compliance with reimbursement bond regulations under the Internal Revenue Code regarding financing for the new City Hall/Parking Structure construction project, and she was available to answer questions if the Council had any.

**Councilor Feury made a motion, second by Councilor Anderson, to adopt Resolution No. 15-03; 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). The motion passed unanimously.**

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

Finance Director Smith submitted her staff report and said the City is in good financial standing. Revenues and Expenditures are tracking as expected with only minor deviations. She mentioned some highlights as set out on packet page 448 and she called attention to; the Columbia Falls Building Inspection revenues are 28% higher than at this time last year and 104% of 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 for the year; The Resort Tax collections are up \$65,704 or 5.23% compared to the prior year’s second quarter. She gave an overview of the Expenditure Review which followed on packet pages 448 and 449, which are generally tracking as expected. She said she would be happy to answer questions at this time or anyone is always welcome to drop into her office with questions. Councilor Hildner and Mayor Muhlfeld both complimented Director Smith for her clear and concise report.

**8) COMMUNICATIONS FROM MAYOR AND CITY COUNCILORS (CD 3:56:06)**

**a) Letter from Mark Van Everen of Bridgewater Innovative Builders, Inc. regarding subdivision payment-in-lieu of fees for parkland dedication requirements (p. 457)**

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 17<sup>th</sup>. 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)  
PUBLIC COMMENT  
and  
BOART DISCUSSION**

Staff recommended adoption of the findings of fact within staff report WGPA 15-01 and for **approval** to the Whitefish City Council.

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 **any** parking structure on Kalispell Avenue/
- Page 2 of Staff Report WGPA 15-01 states "[a] recommendation for three major parking structures downtown"



**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 as set forth in 76-1-601(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”

- 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 extent 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.

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# WHITEFISH HIGHWAY 93 WEST CORRIDOR PLAN



PREPARED BY:



MARCH 30, 2015  
PROJECT NO. 130303

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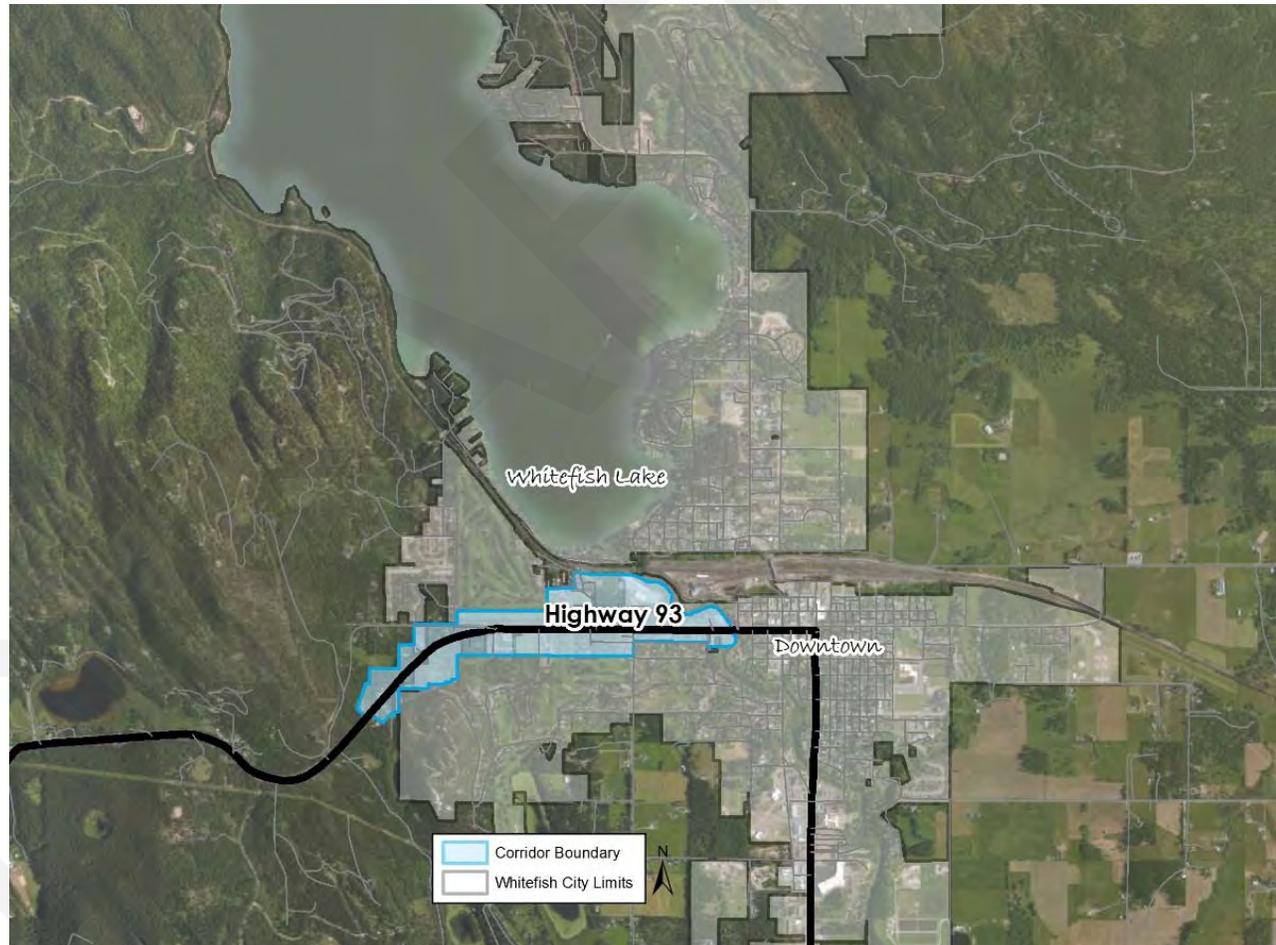
# PROJECT DESCRIPTION

## 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. 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.

## 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.

## Project Description

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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.

## 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



## Project Description

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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

## Project Description

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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.

# I. CORRIDOR CONTEXT: ANALYSIS OF EXISTING CONDITIONS

## 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.

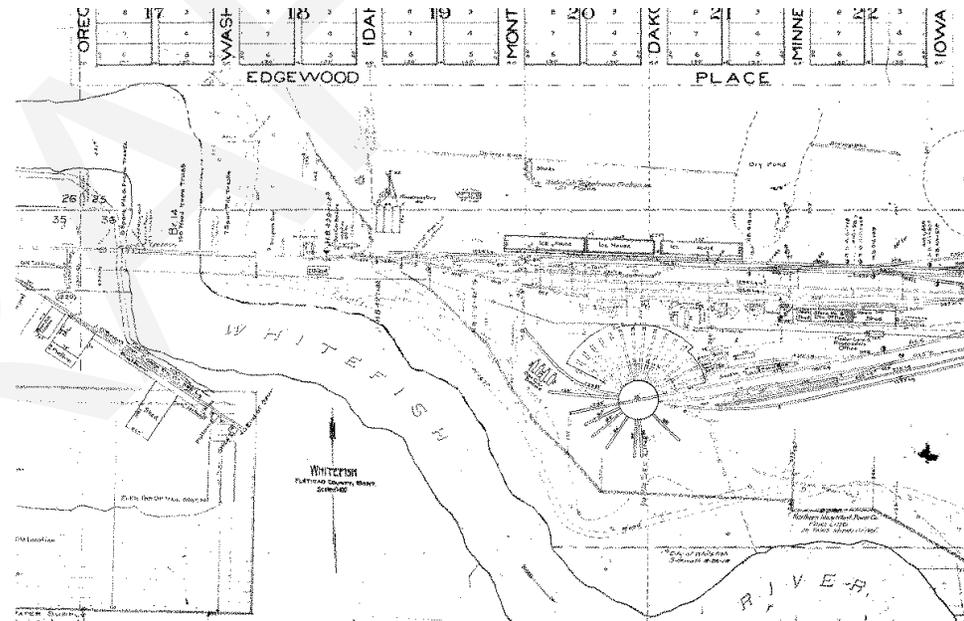
## IMPORTANT LAND USES

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

## I. Corridor Context: Analysis of Existing Conditions

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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.<sup>1</sup>

### 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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<sup>1</sup> Candace Chase, "Land donation gets peace park rolling," <http://dailyinterlake.com>, (February 3, 2008).

## I. Corridor Context: Analysis of Existing Conditions

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Source: Lacy's Photography, May 15, 1948, "Whitefish Lumber Yard"

## I. Corridor Context: Analysis of Existing Conditions

### 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.

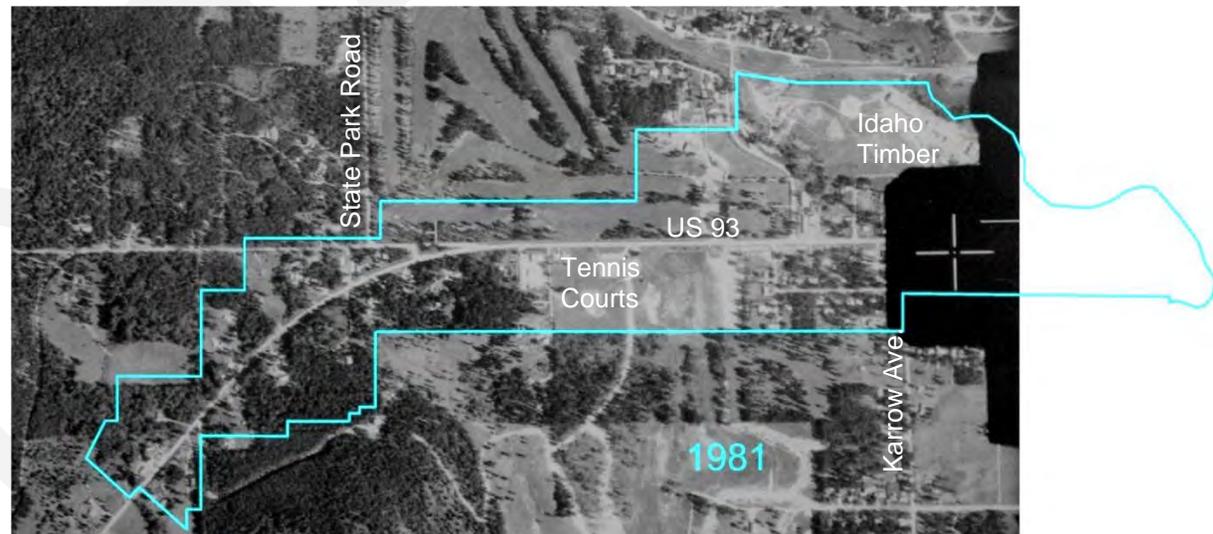


## I. Corridor Context: Analysis of Existing Conditions

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.



## I. Corridor Context: Analysis of Existing Conditions

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.



## I. Corridor Context: Analysis of Existing Conditions

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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

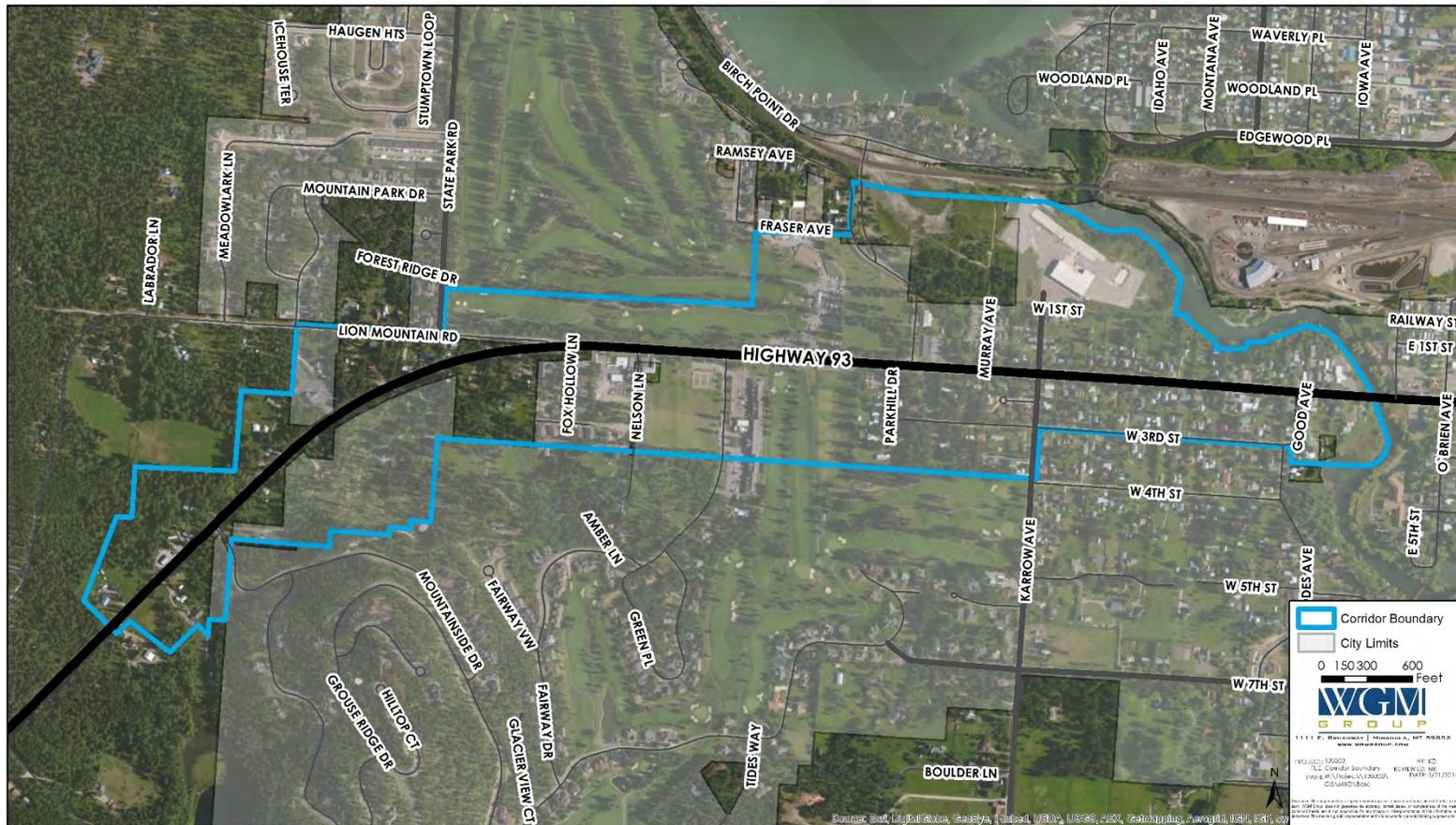
One of the most important attributes of the US Highway 93 West Corridor is its position as a gateway into the community of Whitefish and the Flathead Valley for travelers coming into the area from Canada and northwestern Montana. Tourists flock to Whitefish for skiing and other outdoor recreation as 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.

# I. Corridor Context: Analysis of Existing Conditions

## 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.

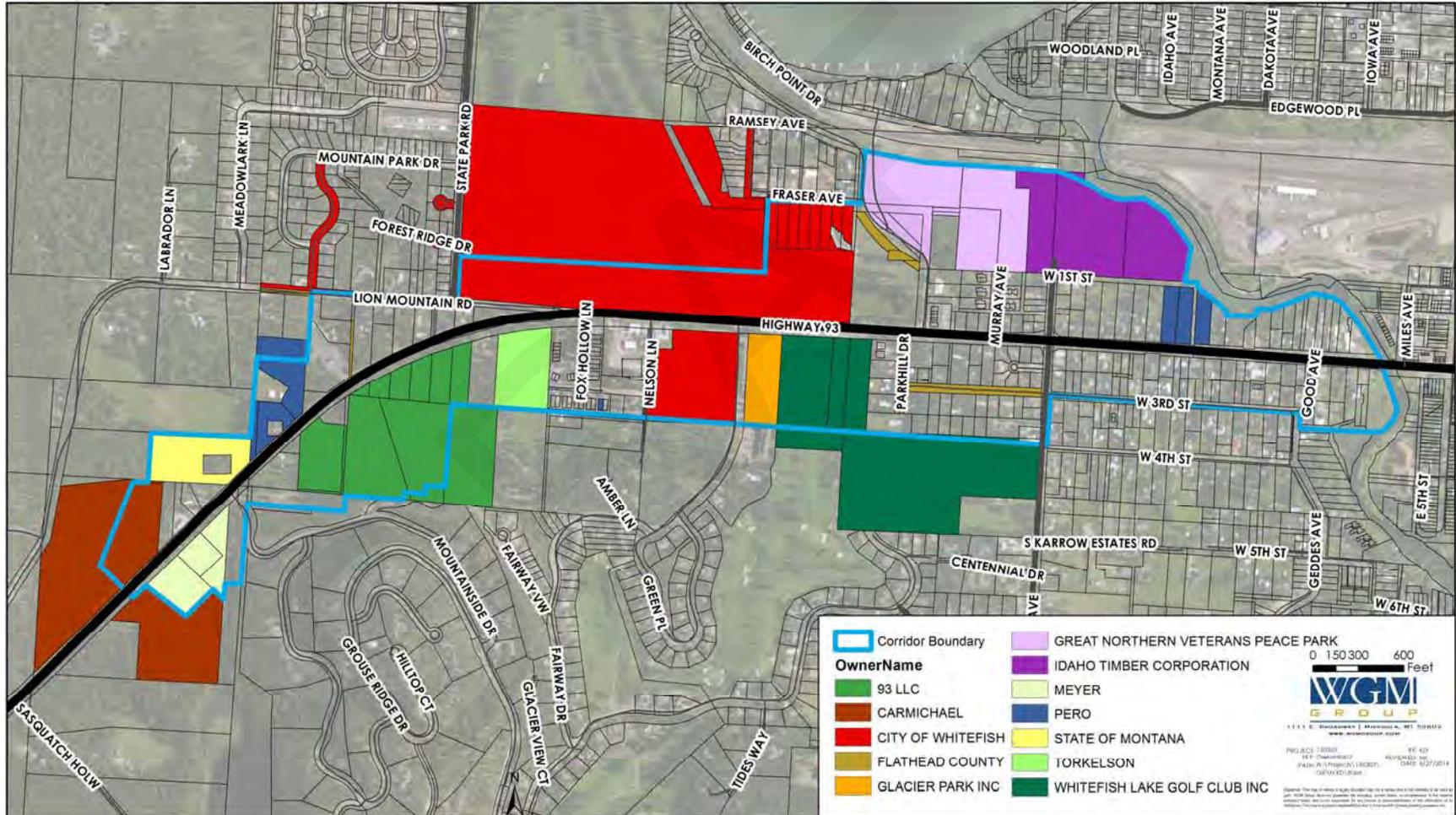


WHITEFISH HIGHWAY 93 WEST CORRIDOR PLAN

# I. Corridor Context: Analysis of Existing Conditions

## Ownership

Major property owners with over three acres of property within or adjacent to the corridor are identified in the map below.



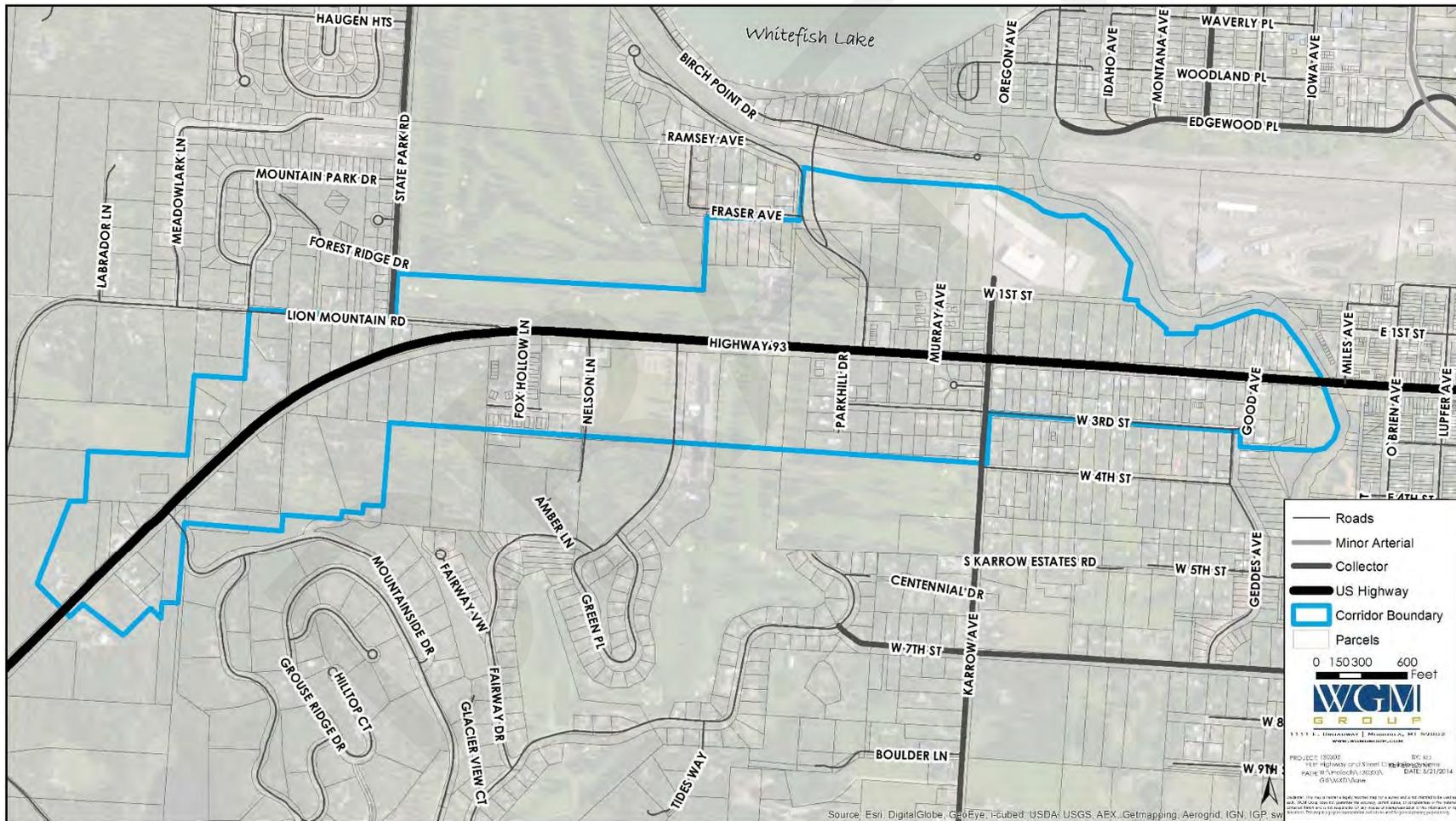


# I. Corridor Context: Analysis of Existing Conditions

## 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.

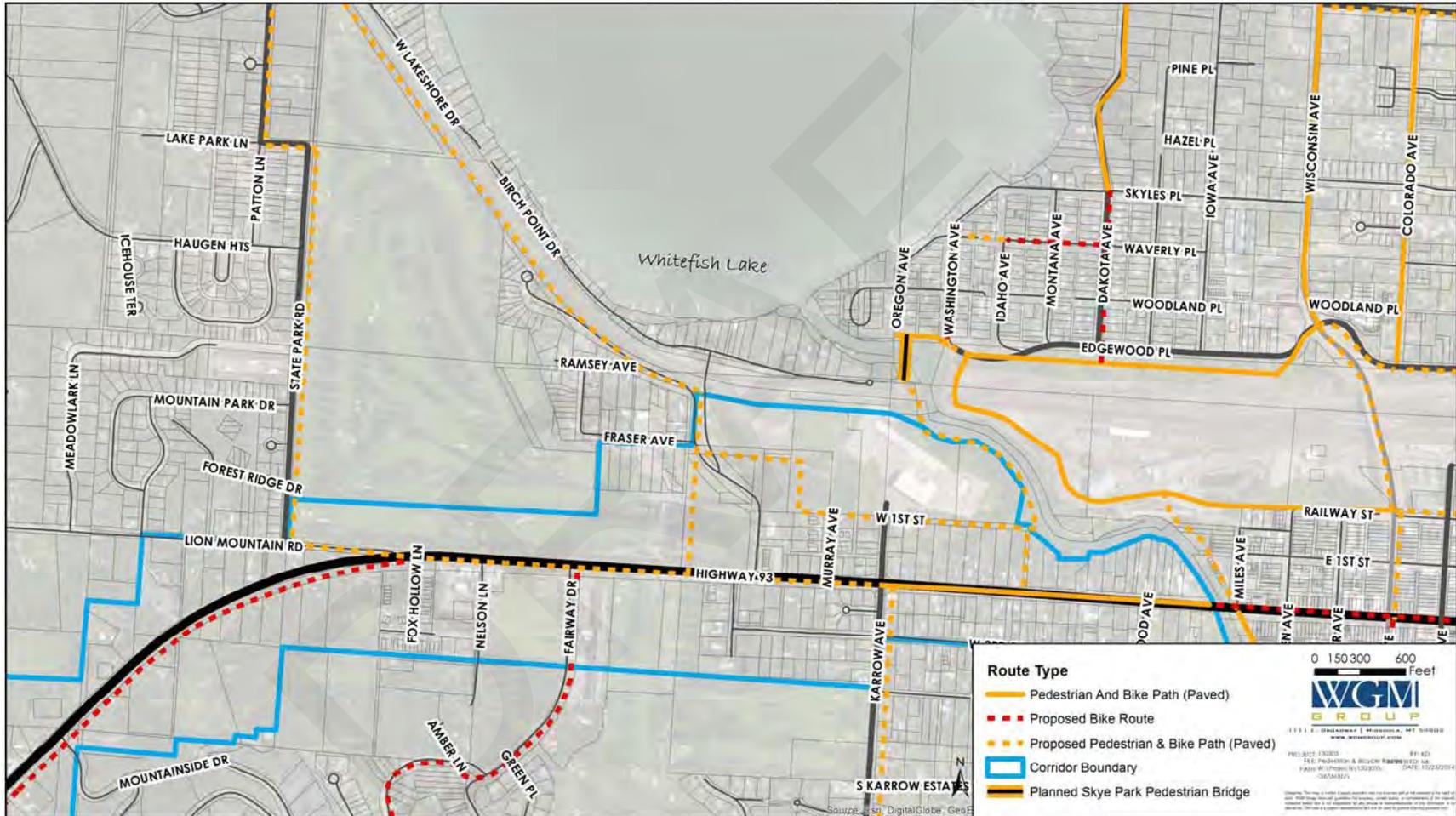


WHITEFISH HIGHWAY 93 WEST CORRIDOR PLAN

# I. Corridor Context: Analysis of Existing Conditions

## Non-motorized Circulation

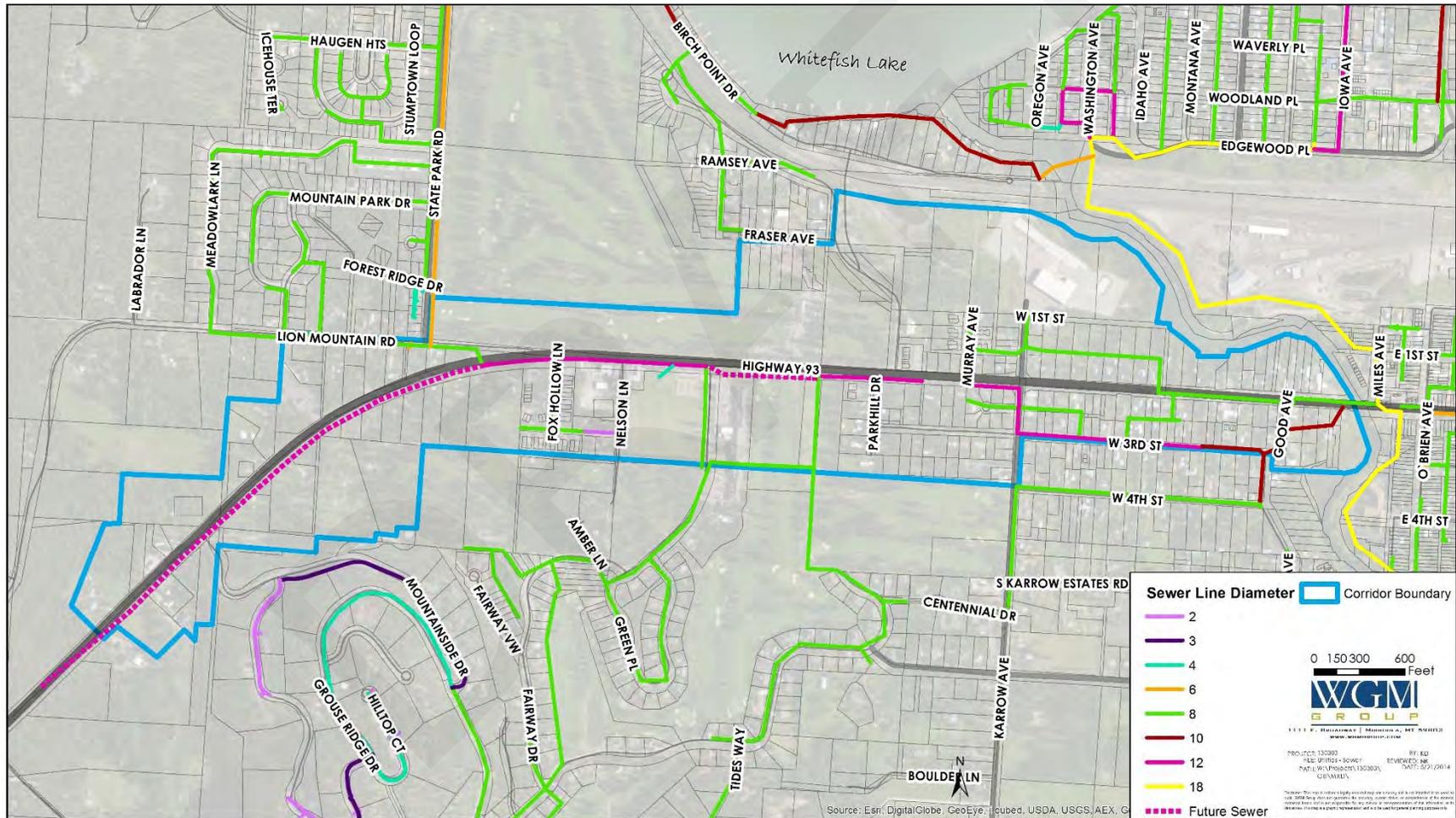
There are pedestrian and bike paths, proposed bike routes and proposed pedestrian and bike paths proposed within the corridor. A multi-use path and sidewalk system is being constructed along US Highway 93 West as part of the MDT reconstruction project. The proposed bike route through Grouse Mountain may not be feasible since these are private roads.



# I. Corridor Context: Analysis of Existing Conditions

## Sewer

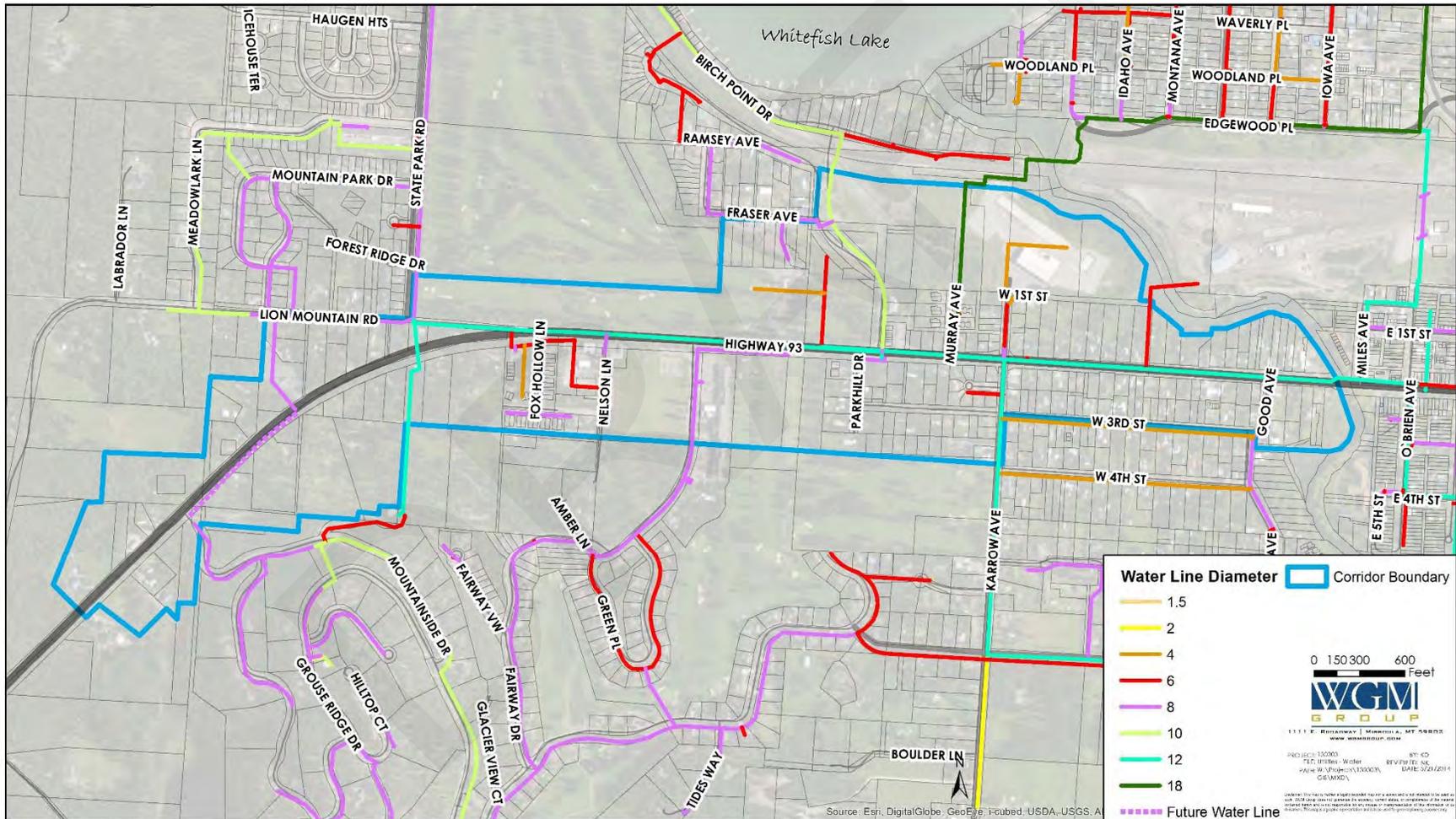
Land within the corridor is generally served by public sanitary sewer east of State Park Road. The City is replacing and upsizing the existing 8-inch mains to 12-inch mains along US Highway 93 West with the reconstruction project to accommodate future growth. Sewer is expected to be extended west of State Park Road with the proposed 93 LLC subdivision.



# I. Corridor Context: Analysis of Existing Conditions

## Water

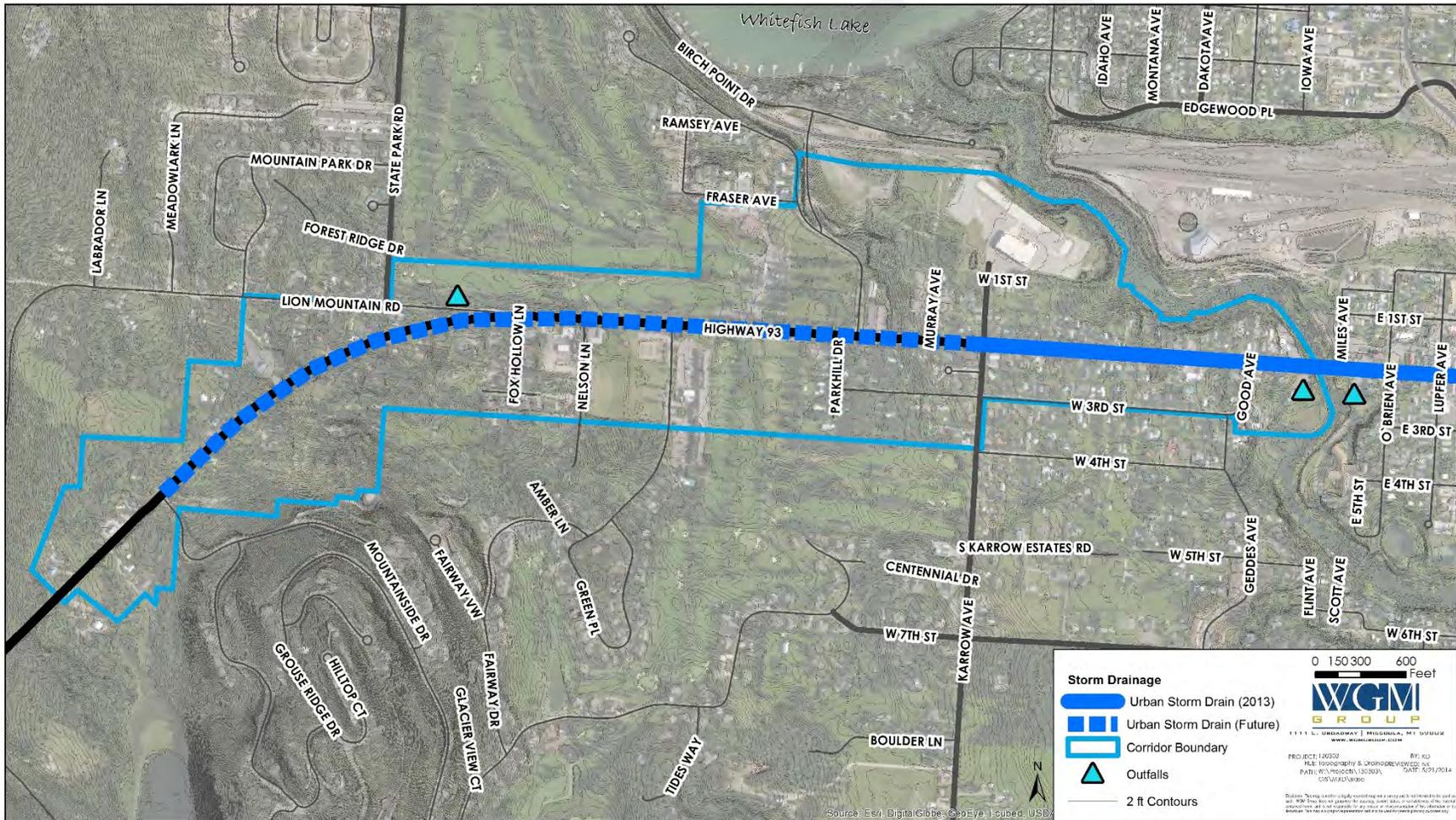
A public water system serves land within the corridor extending to Mountain View Drive. The City is replacing and upsizing the existing 6-inch mains to 12-inch mains along US Highway 93 West to accommodate future growth. West of State Park Road, a new water line will be installed along US Highway 93 West as part of the MDT US Highway 93 West reconstruction project.



# I. Corridor Context: Analysis of Existing Conditions

## Topography and Drainage

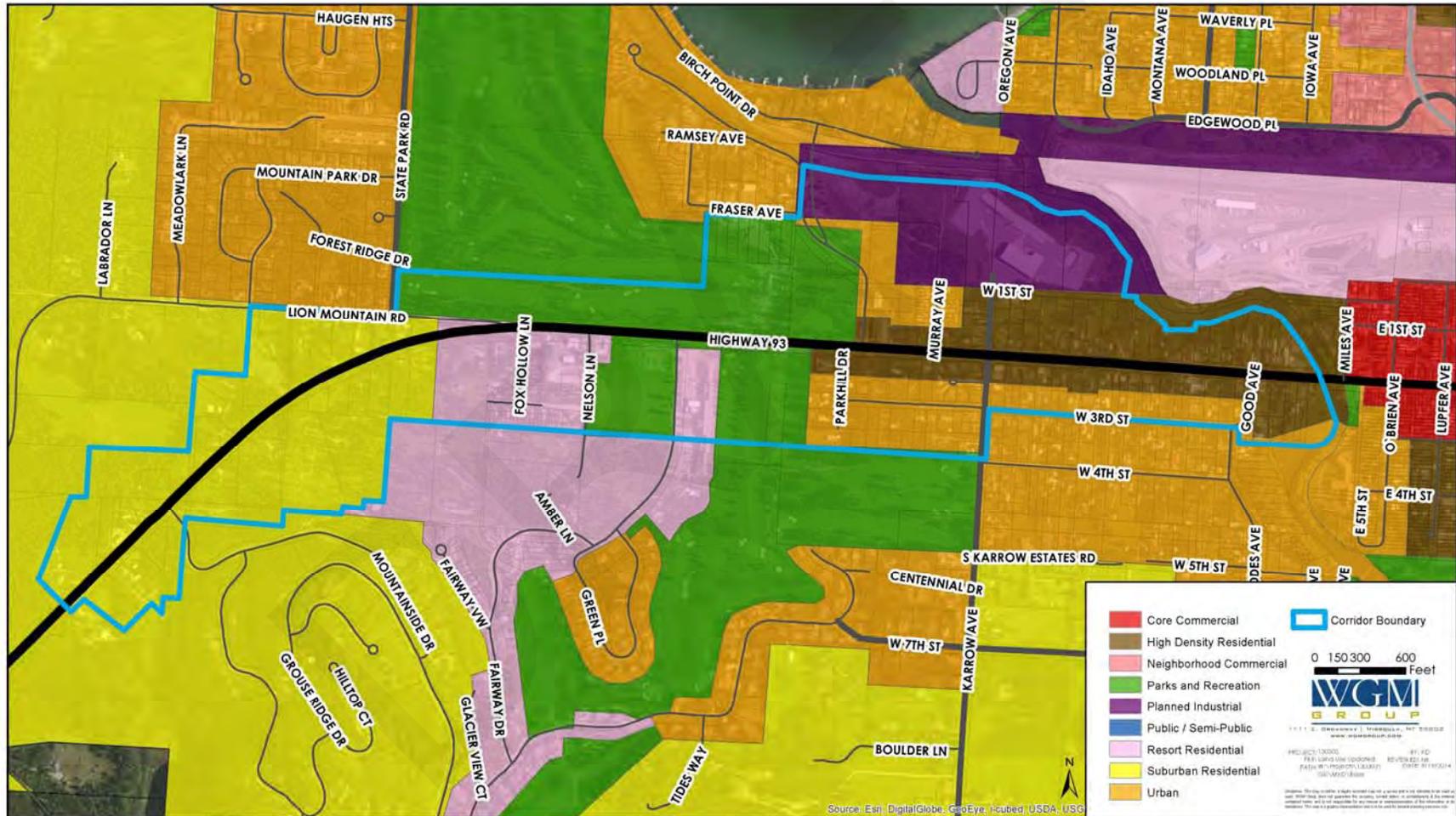
Topography within the corridor is generally rolling terrain sloping toward the Whitefish River. The land begins to climb steeply west of State Park Road. Soils are generally poor-draining silts and clays, necessitating storm drain infrastructure. Existing drainage facilities are limited to roadside ditches 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.



# I. Corridor Context: Analysis of Existing Conditions

## 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.

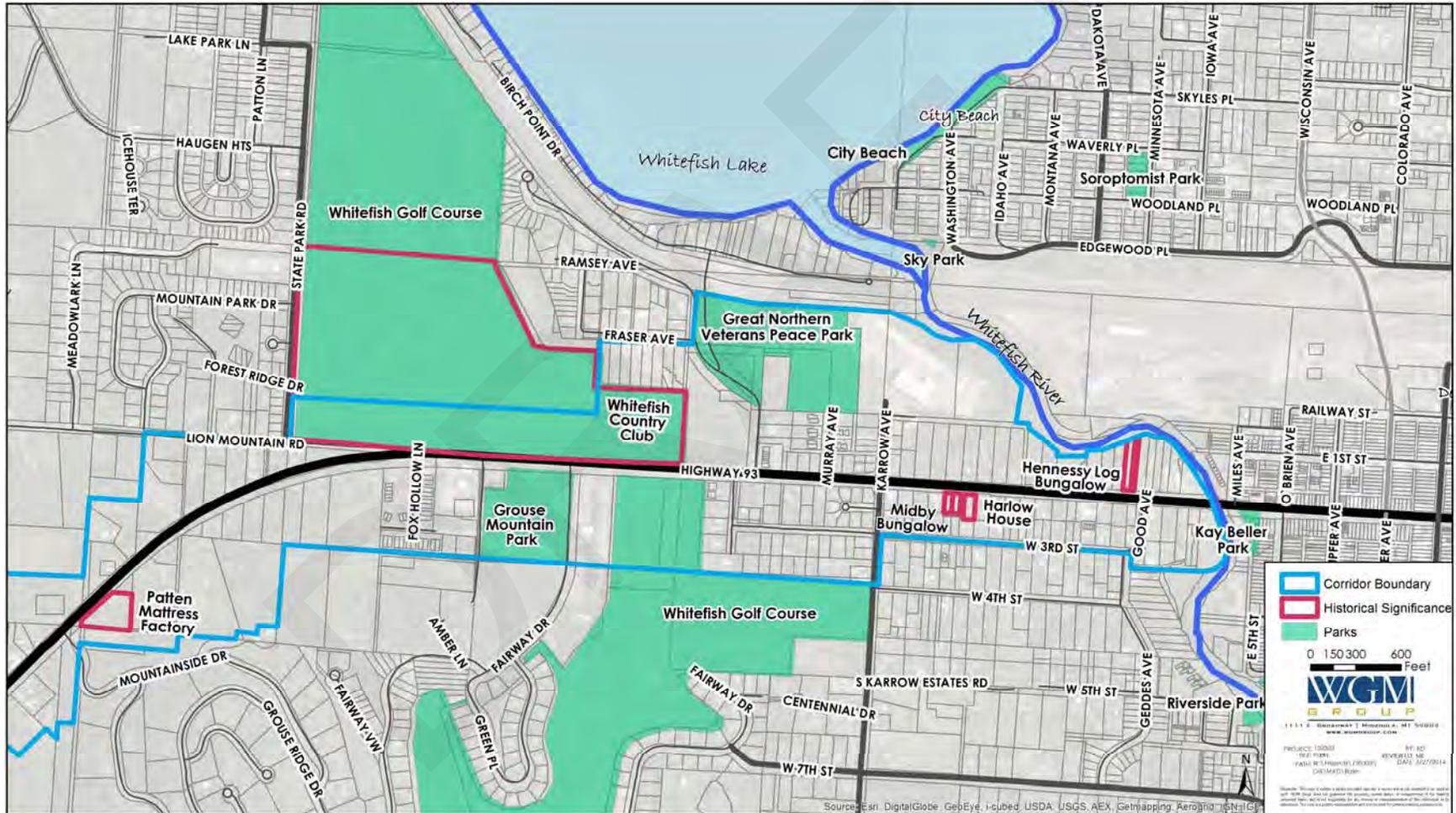




# I. Corridor Context: Analysis of Existing Conditions

## 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.





### 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.

## I. Corridor Context: Analysis of Existing Conditions

### Building Regulations

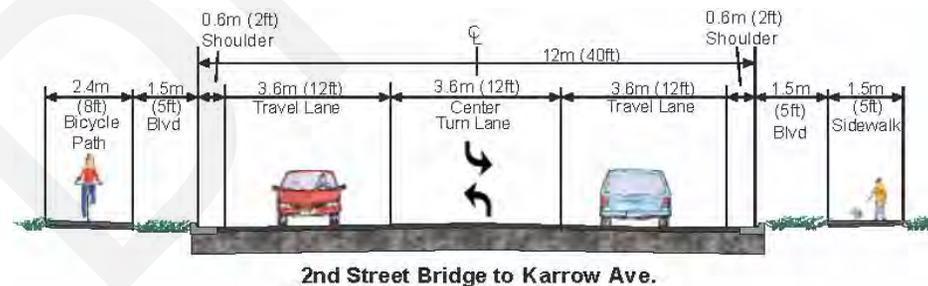
The City of Whitefish's building regulations state the current editions of the building, electrical, plumbing and mechanical codes and all accompanying appendices, amendments and modifications adopted by the Building Codes Bureau, Montana Department of Labor and Industry (or its successor), as set out 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

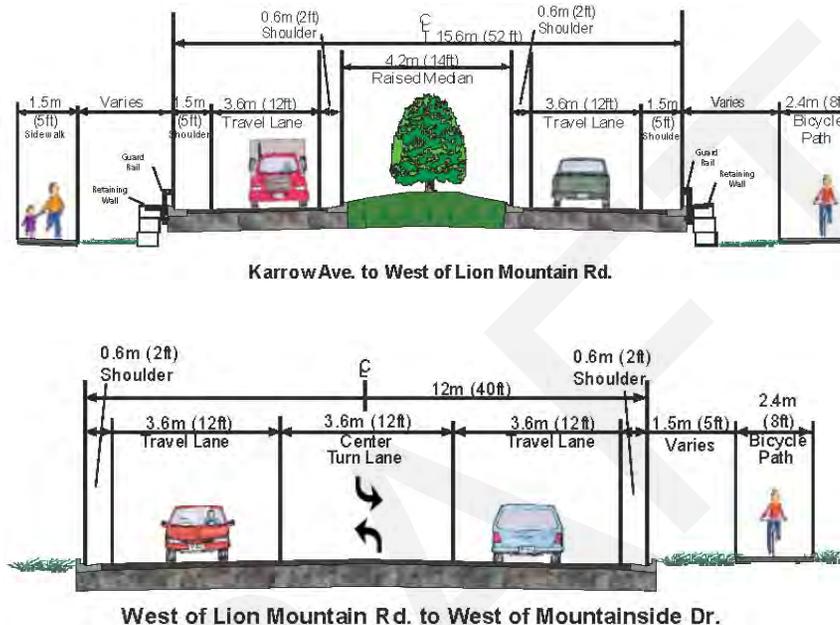
The Whitefish Downtown Business District Master Plan (to be updated in 2015) identifies opportunities to increase the vitality of the downtown business district. It builds upon existing assets and historic character, capitalizes on significant land uses and features the natural environment. The plan 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.



## I. Corridor Context: Analysis of Existing Conditions



### 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 7<sup>th</sup> 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.

# 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.

## II. Public Involvement

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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 3<sup>rd</sup> Street neighborhood
  - Maintain the residential character of the 3<sup>rd</sup> Street neighborhood
  - Surrounding land uses shouldn't impact the character of the 3<sup>rd</sup> Street neighborhood
- Recreation and parks
- Redevelopment of the Idaho Timber site
- Commercial uses fronting the Whitefish River
- Vehicular circulation



## II. Public Involvement

### 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.

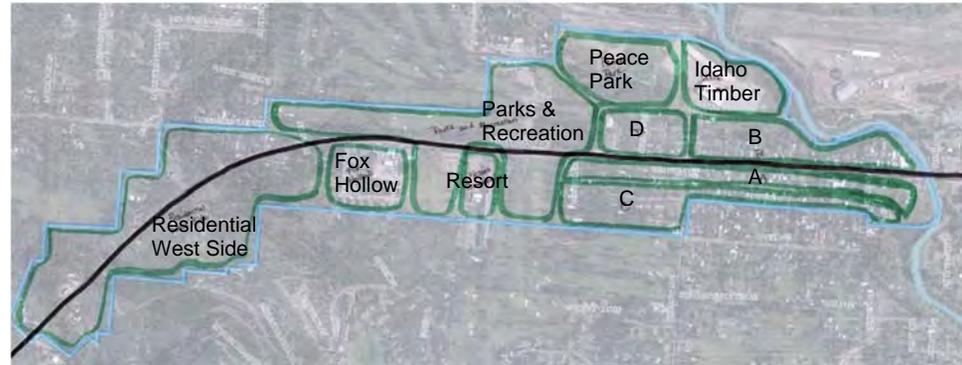
#### 1. Residential West Side Character & Concerns

	Extremely Important	Moderately Important	Slightly Important	Not Important
Rural Character				
Trees & Vegetation				
Trails & Recreation				
Privacy				
Access				
Comment				

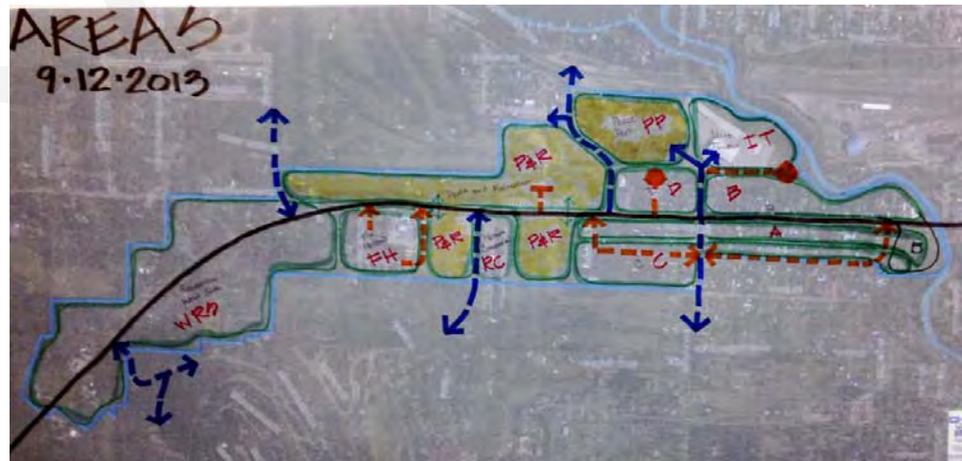
#### 2. Residential West Side Land Use

	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

## II. Public Involvement

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

Character and Concerns	Importance				TOTAL Votes	Average Rating
	Extremely	Moderate	Slightly	None		
<b>Recreation/Resort Character</b>	67%	33%	0%	0%		
Votes	6	3	0	0	9	1.33
<b>Connectivity with Rds &amp; Trails</b>	80%	20%	0%	0%		
Votes	8	2	0	0	10	1.200
<b>Access</b>	70%	30%	0%	0%		
Votes	7	3	0	0	10	1.30
<b>Traffic</b>	30%	50%	20%	0%		
Votes	3	5	2	0	10	1.90

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>Parks/Open Space</b>	78%	22%	0%	0%			Approved
Votes	7	2	0	0	9	1.22	
<b>Passive Open Space</b>	76%	12%	0%	12%			Approved
Votes	6	1	0	1	8	1.50	
<b>Recreational Open Space</b>	88%	12%	0%	0%			Approved
Votes	7	1	0	0	8	1.13	
<b>Public/Quasi-Public</b>	38%	38%	12%	12%			Approved
Votes	3	3	1	1	8	2.00	
<b>View Protection Area</b>	28%	44%	28%	0%			Approved
Votes	2	3	2	0	7	2.00	
<b>Resort Commercial</b>	38%	50%	12%	0%			Approved
Votes	3	4	1	0	8	1.75	



**Whitefish 93 West Corridor  
Planning Areas**

Initial Draft, Land Use Map

### Survey Result Example

(Complete survey results can be found in Appendix C.)

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.



# III. VISIONING FOR THE FUTURE & DEVELOPMENT POLICY

## 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.<sup>2</sup>

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.

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<sup>2</sup> Sonoran Institute, RESTORE, 2014.

### III. Visioning for the Future & Development Policy

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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.<sup>3</sup>

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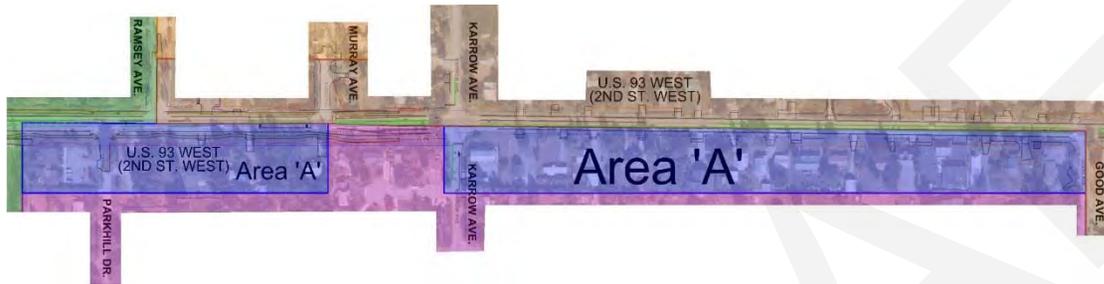
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<sup>3</sup> Sonoran Institute, RESTORE, 2014.

### III. Visioning for the Future & Development Policy

#### 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** - 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

#### 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

### III. Visioning for the Future & Development Policy

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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	<u>Current Designation:</u> High Density Residential	<u>Existing Zoning:</u> WR-3
	<u>Recommended Designation:</u> High Density Residential	<u>Recommended Zoning:</u> WR-3

### III. Visioning for the Future & Development Policy

#### 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.



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

#### 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

### III. Visioning for the Future & Development Policy

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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

### III. Visioning for the Future & Development Policy

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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	<u>Current Designation:</u> High Density Residential	<u>Existing Zoning:</u> WR-3, WR-3 W/PUD
	<u>Recommended Designation:</u> Neighborhood Mixed-Use Transitional and High Density Residential	<u>Recommended Zoning:</u> WT-3 and WR-3

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#### Area C

**Character** - Area C runs from Good Avenue to the Whitefish Golf Course surrounding 3<sup>rd</sup> 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-

### III. Visioning for the Future & Development Policy

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**

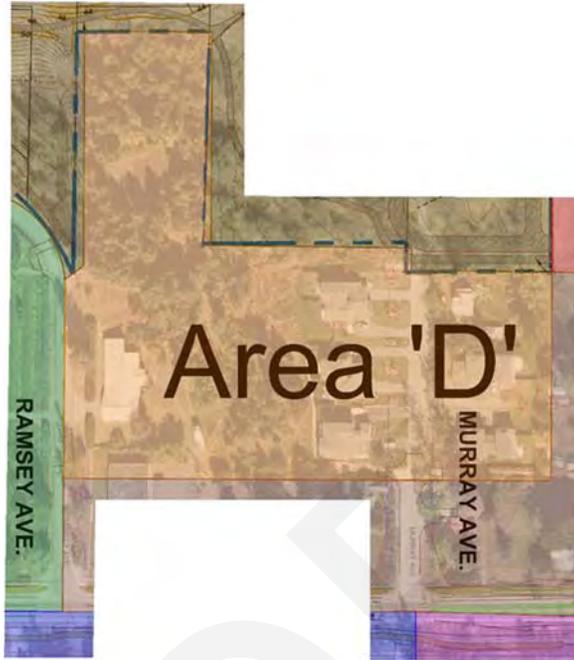
1. No action needed.

Recommended Land Uses	Growth Policy Land Use	Zoning
Single-family Residential Two-Family Residential	<u>Current Designation:</u> Urban	<u>Existing Zoning:</u> WR-1, WR-2, WR-3
	<u>Recommended Designation:</u> Urban	<u>Recommended Zoning:</u> 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**

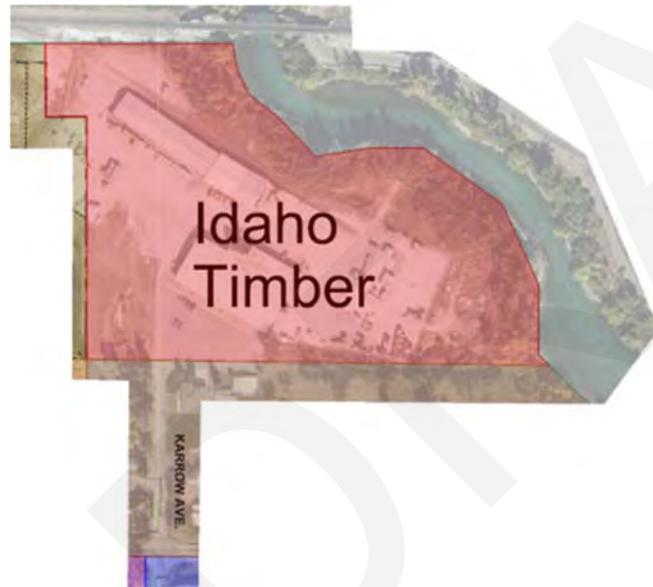
1. No action needed.

Recommended Land Uses	Growth Policy Land Use	Zoning
Single Family Residential Two-Family Residential	<u>Current Designation:</u> Urban	<u>Existing Zoning:</u> WR-2
	<u>Recommended Designation:</u> Urban	<u>Recommended Zoning:</u> 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.

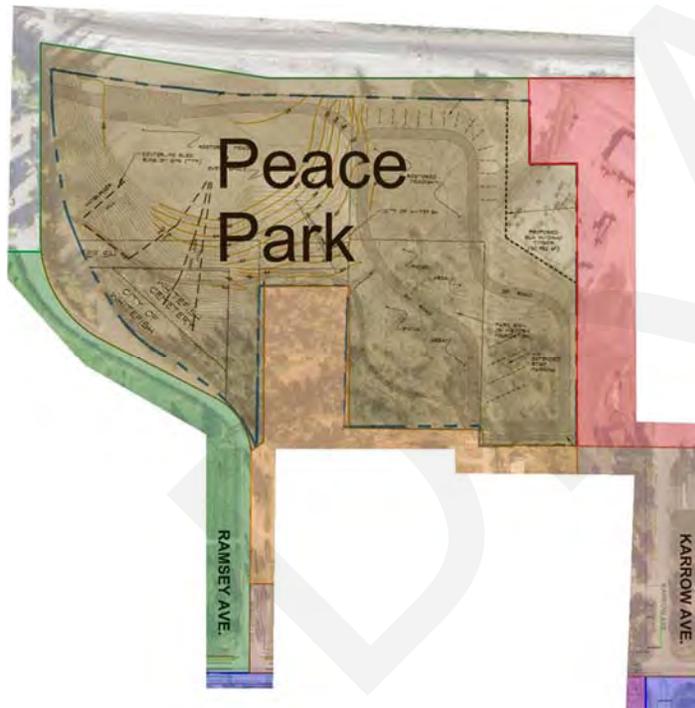
#### Implementation Steps

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	<u>Existing Designation:</u> Planned Industrial	<u>Existing Zoning:</u> WI
	<u>Recommended Designation:</u> Industrial Transitional & Neighborhood Mixed-Use Transitional	<u>Recommended Zoning:</u> WT-3 & WI-T

## 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**

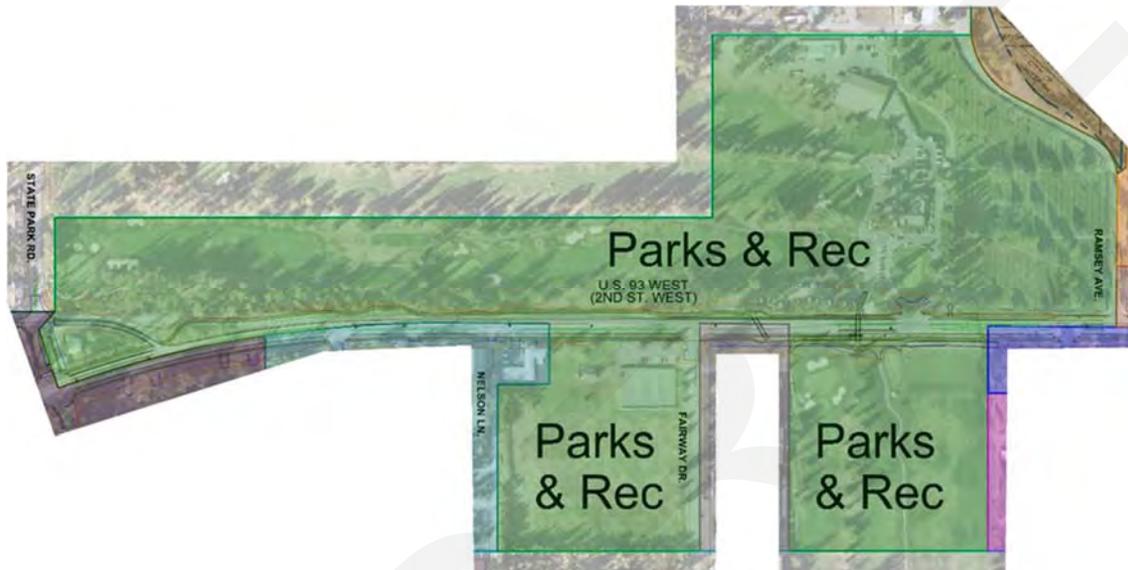
1. Change the growth policy land use designation from Planned Industrial to Parks & Recreation.
2. Request the founders of the Great Northern Veterans Peace Park to work with the City for a management plan for the park.
3. Re-zone the property to a Parks & Recreation Zoning District.

<b>Recommended Land Uses</b>	<b>Growth Policy Land Use</b>	<b>Zoning</b>
Parks/Open Space Recreational Open Space	<u>Current Designation:</u> Planned Industrial	<u>Existing Zoning:</u> WI
	<u>Recommended Designation:</u> Parks & Recreation	<u>Recommended Zoning:</u> 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	<u>Existing Designation:</u> Parks & Recreation	<u>Existing Zoning:</u> WSR
	<u>Recommended Designation:</u> Parks & Recreation	<u>Recommended Zoning:</u> 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.

<b>Recommended Land Uses</b>	<b>Growth Policy Land Use</b>	<b>Zoning</b>
Resort Commercial Resort Residential	<u>Existing Designation:</u> Resort Residential	<u>Existing Zoning:</u> WRB-1
	<u>Recommended Designation:</u> Resort-Commercial	<u>Recommended Zoning:</u> 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.

## II. Visioning for the Future & Development Policy

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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

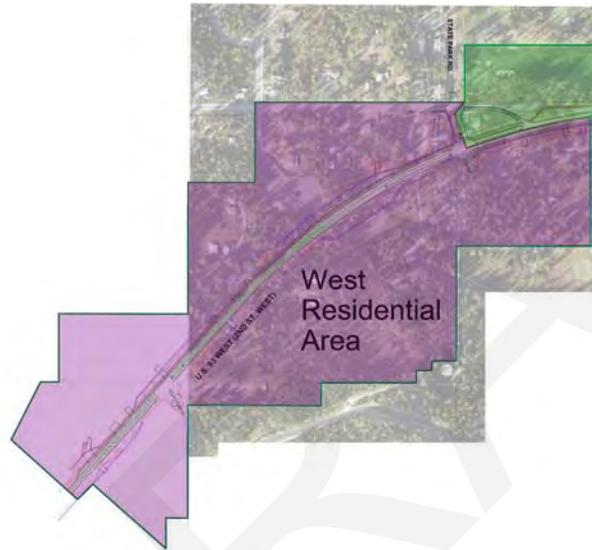
1. No action needed.

Recommended Land Uses	Growth Policy Land Use	Zoning
Single-Family Residential Multi-Family Residential Resort Residential	<u>Existing Designation:</u> Resort Residential	<u>Existing Zoning:</u> WRR-1
	<u>Recommended Designation:</u> Resort Residential	<u>Recommended Zoning:</u> WRR-1

## II. Visioning for the Future & Development Policy

### 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.

## II. Visioning for the Future & Development Policy

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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	<u>Existing Designation:</u> Suburban Residential	<u>Existing Zoning:</u> WSR, WLR, and WRR-1
	<u>Recommended Designation:</u> Suburban Residential	<u>Recommended Zoning:</u> WSR, WLR and WRR-1

# IV. IMPLEMENTATION

### 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.

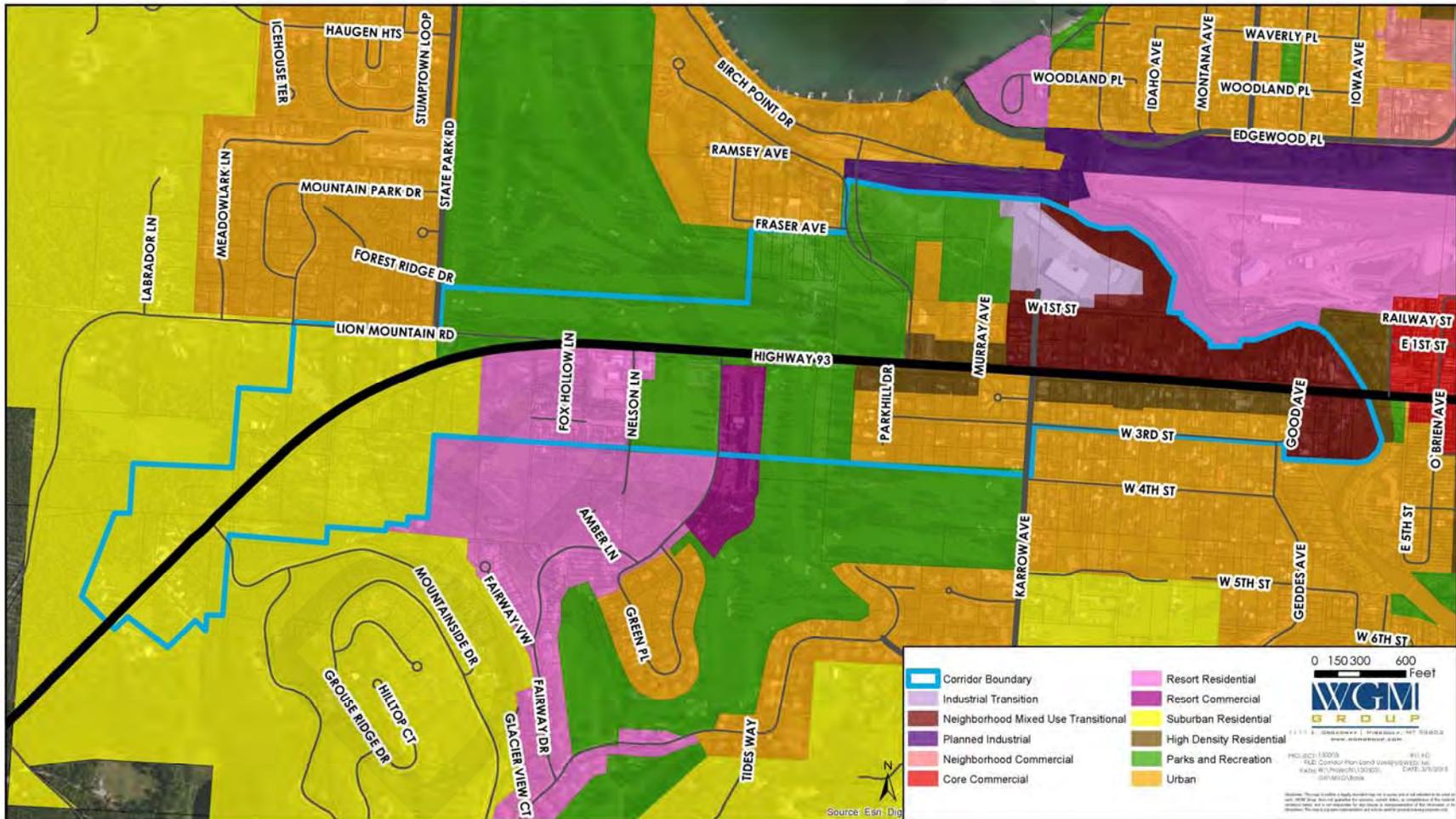


## IV. Implementation

# 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.



## IV. Implementation

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### 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.

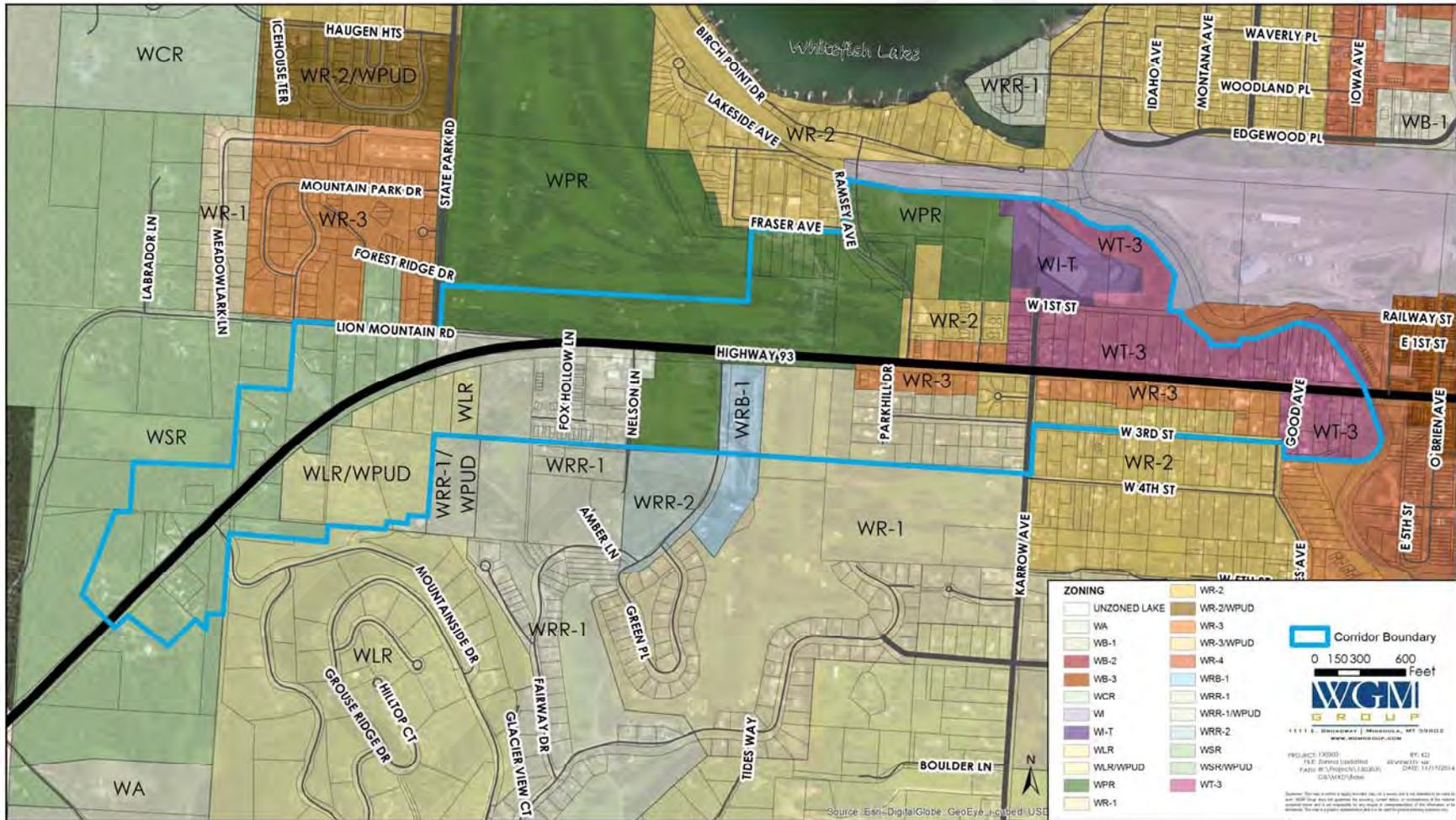
In addition to the proposed land use designations, it is recommended that the Peace Park Sub-District land use designation be changed from Planned Industrial to Parks & Recreation to reflect the vision for this area.

## IV. Implementation

# ZONING CHANGES

## Proposed Future Zoning Map

The zoning recommendations for the Highway 93 West Corridor are shown in the Proposed Future Zoning Map below.



## IV. Implementation

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### 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.

## IV. Implementation

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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.

## IV. Implementation

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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.

## IV. Implementation

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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.

## IV. Implementation

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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.

## IV. Implementation

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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.

# APPENDIX A: PUBLIC INPUT SESSION #1 COMMENTS

## 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 3<sup>rd</sup> 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 3<sup>rd</sup> – 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
- 3<sup>rd</sup> 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

## Appendix A: Public Input Session #1 Comments

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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 2<sup>nd</sup> St.) – not a lot of permitted uses
- Maintain residential houses along corridor – still should be predominate
- South & North of W 2<sup>nd</sup> 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

### 3rd St. Character & Concerns

- Median a concern for Park Hill neighborhood. Feeling that nobody would drive up to the State Park Road turnaround
- Impact on Park Hill and 3<sup>rd</sup> due to new median diverting traffic into residential neighborhood
- 3<sup>rd</sup> 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)

## Appendix A: Public Input Session #1 Comments

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- W. 3<sup>rd</sup> St. prime location for families/walk to school/kids bike riding/skateboarding/etc.
  - This is why we moved here.
- Impacts of traffic on W 3<sup>rd</sup> St. – W 3<sup>rd</sup> St. & Parkhill is quiet – low traffic now without Hwy project – State Park/Hwy 93 S zoning from s.t.r. to m.t.
- 3<sup>rd</sup> Street – Keep it the way it is, B&B quiet like they say they'll be
- W. 3<sup>rd</sup> 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. 3<sup>rd</sup> 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 3<sup>rd</sup> St. will stay residential need to protect this area
- Resident on S. 3<sup>rd</sup> 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 listed 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.)

## Appendix A: Public Input Session #1 Comments

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### WF River

- Commercial uses fronting WF River
- WF River: front the amenity

DRAFT

# APPENDIX B: SURVEY RESULTS & SUMMARY

## Appendix B: Survey Results & Summary

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

## Appendix B: Survey Results & Summary

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	Cemetery
Public/Quasi-Public	Occasional	NA	varies	varies	varies	varies	Church/Institutional
Protection Areas	Very Low	NA	varies	varies	varies	varies	Conservation/Preservation

## Appendix B: Survey Results & Summary

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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.

## Appendix B: Survey Results & Summary

### AREA A - SUMMARY

Character and Concerns	Importance				TOTAL Votes	Average Rating
	Extremely	Moderate	Slightly	None		
<b>Noise</b>	78%	0%	22%	0%		
Votes	7	0	2	0	9	1.44
<b>Hrs of Operation</b>	67%	11%	11%	11%		
Votes	6	1	1	1	9	1.67
<b>Traffic</b>	78%	11%	11%	0%		
Votes	7	1	1	0	9	1.33
<b>Consistent Shape &amp; Form</b>	45%	44%	0%	11%		
Votes	4	4	0	1	9	1.78
<b>Historic Buildings</b>	25%	25%	25%	25%		
Votes	2	2	2	2	8	2.5
<b>Residential Character</b>	22%	56%	11%	11%		
Votes	2	5	1	1	9	2.11

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>Community Commercial</b>	11%	22%	22%	45%			<i>Mostly No</i>
Votes	1	2	2	4	9	3.00	
<b>Neighborhood Commercial</b>	45%	33%	22%	0%			<i>Approved</i>
Votes	4	3	2	0	9	1.78	
<b>High Density Mixed Use</b>	11%	11%	45%	33%			<i>Mostly Yes</i>
Votes	1	1	4	3	9	3.00	
<b>Low Density Mixed Use</b>	11%	67%	22%	0%			<i>Approved</i>
Votes	1	6	2	0	9	2.11	
<b>Sing. Fam. Residential High</b>	26%	13%	13%	50%			<i>Not Approved</i>
Votes	2	1	1	4	8	2.88	
<b>Sing. Fam. Residential Medium</b>	45%	22%	22%	11%			<i>Approved</i>
Votes	4	2	2	1	9	2.00	
<b>Sing. Fam. Residential Low</b>	22%	22%	22%	34%			<i>Mostly Yes</i>
Votes	2	2	2	3	9	2.67	
<b>Med. Density Multi-Family</b>	33%	34%	11%	22%			<i>Mostly Yes</i>
Votes	3	3	1	2	9	2.22	
<b>Resort Residential Medium</b>	22%	45%	0%	33%			<i>Mostly Yes</i>
Votes	2	4	0	3	9	2.44	
<b>Resort Residential High</b>	11%	11%	11%	67%			<i>Not Approved</i>
Votes	1	1	1	6	9	3.33	
<b>View protection Area</b>	44%	0%	28%	28%			<i>Mostly Yes</i>
Votes	3	0	2	2	7	2.43	

## Appendix B: Survey Results & Summary

### AREA B - SUMMARY

Character and Concerns	Importance				TOTAL Votes	Average Rating
	Extremely	Moderate	Slightly	None		
<b>Noise</b>	45%	44%	22%	0%		
Votes	4	3	2	0	9	1.78
<b>Hrs of Operation</b>	45%	22%	22%	11%		
Votes	4	2	2	1	9	2.00
<b>Traffic</b>	56%	33%	0%	11%		
Votes	5	3	2	1	9	1.67
<b>Consistent Shape &amp; Form</b>	56%	22%	22%	0%		
Votes	5	2	2	0	9	1.67
<b>Historic Buildings</b>	44%	22%	11%	22%		
Votes	4	2	1	2	9	2.11
<b>For-Rent Residential Character</b>	56%	33%	0%	11%		
Votes	5	3	0	1	9	1.67
<b>Professional Office Character</b>	67%	33%	0%	0%		
Votes	9	3	0	0	9	1.33

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>Community Commercial</b>	11%	33%	45%	11%			<i>Approved</i>
Votes	1	3	4	1	9	2.56	
<b>Neighborhood Commercial</b>	22%	56%	22%	0%			<i>Mostly Yes</i>
Votes	2	5	2	0	9	2.00	
<b>High Density Mixed Use</b>	11%	22%	45%	22%			<i>Mostly Yes</i>
Votes	1	2	4	2	9	2.78	
<b>Low Density Mixed Use</b>	33%	45%	22%	0%			<i>Approved</i>
Votes	3	4	2	0	9	1.89	
<b>Sing. Fam. Residential High</b>	22%	44%	22%	11%			<i>Approved</i>
Votes	2	4	2	1	9	2.22	
<b>Med. Density multi-Family</b>	33%	22%	45%	0%			<i>Approved</i>
Votes	3	2	4	0	9	2.11	
<b>High Density Multi-Family</b>	0%	56%	22%	22%			<i>Mostly Yes</i>
Votes	0	5	2	2	9	2.67	
<b>Resort Residential Medium</b>	56%	33%	0%	11%			<i>Approved</i>
Votes	5	3	0	1	9	1.67	
<b>Resort Residential High</b>	0%	45%	22%	33%			<i>Mostly Yes</i>
Votes	0	4	2	3	9	2.89	
<b>River/Vegetation Protection</b>	78%	22%	0%	0%			<i>Approved</i>
Votes	7	2	0	0	9	1.22	
<b>View protection Area</b>	57%	0%	29%	14%			<i>Approved</i>
Votes	4	0	2	1	7	2.00	

## Appendix B: Survey Results & Summary

### AREA C - SUMMARY

Character and Concerns	Importance				TOTAL Votes	Average Rating
	Extremely	Moderate	Slightly	None		
<b>Noise</b>	43%	14%	29%	14%		
Votes	3	1	2	1	7	2.14
<b>Hrs of Operation</b>	37%	26%	0%	37%		
Votes	3	2	0	3	8	2.38
<b>Traffic Diversion Due To Medians</b>	50%	50%	0%	0%		
Votes	4	4	0	0	8	1.50
<b>Kid Walking and Biking</b>	88%	12%	0%	0%		
Votes	7	1	0	0	8	1.13
<b>Rural Character</b>	62%	38%	0%	0%		
Votes	5	3	0	0	8	1.38
<b>Narrow Street</b>	76%	12%	12%	0%		
Votes	6	1	1	0	8	1.38

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>Sing. Fam. Residential High</b>	11%	33%	11%	45%			<i>Not Approved</i>
Votes	1	3	1	4	9	2.89	
<b>Sing. Fam. Residential Medium</b>	33%	22%	33%	11%			<i>Approved</i>
Votes	3	2	3	1	9	2.22	
<b>Sing. Fam. Residential Low</b>	45%	33%	22%	0%			<i>Approved</i>
Votes	4	3	2	0	9	1.78	
<b>Med. Density Multi-Family</b>	22%	45%	11%	22%			<i>Mostly Yes</i>
Votes	2	4	1	2	9	2.33	
<b>Community Commercial</b>	0%	22%	11%	67%			<i>Not Approved</i>
Votes	0	2	1	6	9	3.44	
<b>Neighborhood Commercial</b>	0%	22%	11%	67%			<i>Not Approved</i>
Votes	0	2	1	6	9	3.44	
<b>View protection Area</b>	38%	25%	25%	12%			<i>Approved</i>
Votes	3	2	2	1	8	2.13	

## Appendix B: Survey Results & Summary

### AREA D - SUMMARY

Character and Concerns	Importance				TOTAL Votes	Average Rating
	Extremely	Moderate	Slightly	None		
<b>Noise</b>	67%	11%	0%	22%		
Votes	6	1	0	2	9	1.78
<b>Hrs of Operation</b>	56%	0%	11%	33%		
Votes	5	0	1	3	9	2.22
<b>Traffic Diversion Due To Medians</b>	33%	67%	0%	0%		
Votes	3	6	0	0	9	1.67
<b>Professional Office Character</b>	67%	11%	0%	22%		
Votes	6	1	0	2	9	1.78
<b>For-Rent Residential Character</b>	72%	14%	0%	14%		
Votes	5	1	0	1	7	1.57

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>Sing. Fam. Residential High</b>	22%	56%	0%	22%			<i>Mostly Yes</i>
Votes	2	5	0	2	9	2.22	
<b>Sing. Fam. Residential Medium</b>	56%	33%	11%	0%			<i>Approved</i>
Votes	5	3	1	0	9	1.56	
<b>Sing. Fam. Residential Low</b>	56%	33%	11%	0%			<i>Approved</i>
Votes	5	3	1	0	9	1.56	
<b>Med. Density Multi-Family</b>	22%	44%	33%	0%			<i>Approved</i>
Votes	2	4	3	0	9	2.11	
<b>Community Commercial</b>	0%	45%	11%	44%			<i>Mostly No</i>
Votes	0	4	1	4	9	3.00	
<b>Neighborhood Commercial</b>	11%	56%	11%	22%			<i>Mostly Yes</i>
Votes	1	5	1	2	9	2.44	
<b>View protection Area</b>	25%	38%	12%	25%			<i>Mostly Yes</i>
Votes	2	3	1	2	8	2.38	

Appendix B: Survey Results & Summary

SUMMARY - RESORT COMMERCIAL AREA

Character and Concerns	Importance				TOTAL Votes	Average Rating
	Extremely	Moderate	Slightly	None		
<b>Recreation</b>	90%	10%	0%	0%		
Votes	9	1	0	0	10	1.10
<b>Resort</b>	70%	30%	0%	0%		
Votes	7	3	0	0	10	1.30

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>Resort Commercial</b>	70%	30%	0%	0%			<i>Approved</i>
Votes	7	3	0	0	10	1.30	
<b>Resort Residential Medium</b>	40%	60%	0%	0%			<i>Approved</i>
Votes	4	6	0	0	10	1.60	
<b>Resort Residential High</b>	22%	33%	12%	33%			<i>Mostly Yes</i>
Votes	2	3	1	3	9	2.56	
<b>View protection Area</b>	38%	38%	12%	12%			<i>Approved</i>
Votes	3	3	1	1	8	2.00	

## Appendix B: Survey Results & Summary

### SUMMARY - IDAHO TIMBER AREA

Character and Concerns	Importance				TOTAL Votes	Average Rating
	Extremely	Moderate	Slightly	None		
<b>Industrial Character</b>	10%	0%	10%	80%		
Votes	1	0	1	8	10	3.60
<b>Riverfront</b>	90%	10%	0%	0%		
Votes	9	1	0	0	10	1.10
<b>Wildlife</b>	30%	50%	20%	0%		
Votes	3	5	2	0	10	1.90
<b>Parks/Trails</b>	50%	40%	10%	0%		
Votes	5	4	1	0	10	1.60
<b>Complement &amp; Protect River</b>	80%	20%	0%	0%		
Votes	8	2	0	0	10	1.20
<b>Sustainable Development</b>	56%	33%	11%	0%		
Votes	5	3	1	0	9	1.56
<b>Access</b>	56%	33%	11%	0%		
Votes	5	3	1	0	9	1.56
<b>Connectivity</b>	67%	22%	11%	0%		
Votes	6	2	1	0	9	1.44

## Appendix B: Survey Results & Summary

### SUMMARY - IDAHO TIMBER AREA

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>High Density Mixed Use</b>	34%	44%	22%	0%			<i>Approved</i>
Votes	3	4	2	0	9	1.89	
<b>Low Density Mixed Use</b>	22%	56%	22%	0%			<i>Approved</i>
Votes	2	5	2	0	9	2.00	
<b>Sing. Fam. Residential High</b>	0%	67%	11%	22%			<i>Mostly Yes</i>
Votes	0	6	1	2	9	2.56	
<b>Sing. Fam. Residential Medium</b>	22%	45%	11%	22%			<i>Mostly Yes</i>
Votes	2	4	1	2	9	2.33	
<b>Sing. Fam. Residential Low</b>	11%	44%	0%	45%			<i>Mostly No</i>
Votes	1	4	0	4	9	2.78	
<b>Med. Density Multi-Family</b>	11%	89%	0%	0%			<i>Approved</i>
Votes	1	8	0	0	9	1.89	
<b>High Density Multi-Family</b>	11%	57%	33%	0%			<i>Approved</i>
Votes	1	5	3	0	9	2.22	
<b>Community Commercial</b>	22%	11%	67%	0%			<i>Approved</i>
Votes	2	1	6	0	9	2.44	
<b>Neighborhood Commercial</b>	22%	45%	22%	11%			<i>Approved</i>
Votes	2	4	2	1	9	2.22	
<b>Resort Residential Medium</b>	45%	33%	11%	11%			<i>Approved</i>
Votes	4	3	1	1	9	1.89	
<b>Resort Residential High</b>	11%	67%	11%	11%			<i>Approved</i>
Votes	1	6	1	1	9	2.22	
<b>Light Industrial</b>	0%	56%	11%	33%			<i>Mostly Yes</i>
Votes	0	5	1	3	9	2.78	
<b>Cottage Scale Manufacturing</b>	26%	50%	12%	12%			<i>Approved</i>
Votes	2	4	1	1	8	2.13	
<b>Parks/Open Space</b>	56%	11%	11%	22%			<i>Mostly Yes</i>
Votes	5	1	1	2	9	2.00	
<b>Passive Open Space</b>	50%	0%	13%	37%			<i>Mostly Yes</i>
Votes	4	0	1	3	8	2.38	
<b>Recreational Open Space</b>	22%	22%	22%	34%			<i>Mostly Yes</i>
Votes	2	2	2	3	9	2.67	
<b>Public/Quasi-Public</b>	13%	25%	37%	25%			<i>Mostly Yes</i>
Votes	1	2	3	2	8	2.75	
<b>River/Vegetation Protection</b>	78%	11%	11%	0%			<i>Approved</i>
Votes	7	1	1	0	9	1.33	
<b>View protection Area</b>	29%	42%	29%	0%			<i>Approved</i>
Votes	2	3	2		7		

## Appendix B: Survey Results & Summary

### SUMMARY - WEST SIDE RESIDENTIAL AREA

Character and Concerns	Importance				TOTAL Votes	Average Rating	
	Extremely	Moderate	Slightly	None			
<b>Rural Character</b>	30%	60%	10%	0%			
Votes	3	6	1	0	10	1.80	
<b>Trees and Vegetation</b>	70%	30%	0%	0%			
Votes	7	3	0	0	10	1.30	
<b>Trails and Recreation</b>	40%	40%	20%	0%			
Votes	4	4	2	0	10	1.80	
<b>Privacy</b>	20%	50%	30%	0%			
Votes	2	5	3	0	10	2.10	
<b>Access</b>	33%	57%	12%				
Votes	3	5	1	0	9	1.78	

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>Sing. Fam. Residential High</b>	10%	30%	10%	50%			<i>Not Approved</i>
Votes	1	3	1	5	10	3.00	
<b>Sing. Fam. Residential Medium</b>	33%	11%	56%	0%			<i>Mostly Yes</i>
Votes	3	1	5	0	9	2.22	
<b>Sing. Fam. Residential Low</b>	33%	11%	45%	11%			<i>Approved</i>
Votes	3	1	4	1	9	2.33	
<b>Sing. Fam. Residential Rural</b>	20%	20%	30%	30%			<i>Mostly Yes</i>
Votes	2	2	3	3	10	2.70	
<b>Community Commercial</b>	10%	40%	10%	40%			<i>Not Approved</i>
Votes	1	4	1	4	10	2.80	
<b>Neighborhood Commercial</b>	20%	40%	10%	30%			<i>Mostly Yes</i>
Votes	2	4	1	3	10	2.50	
<b>Public/Quasi-Public</b>	22%	56%	22%	0%			<i>Approved</i>
Votes	2	5	2	0	9	2.00	

## Appendix B: Survey Results & Summary

### SUMMARY - PEACE PARK AREA

Character and Concerns	Importance				TOTAL Votes	Average Rating
	Extremely	Moderate	Slightly	None		
<b>Noise</b>	60%	10%	30%	0%		
Votes	6	1	3	0	10	1.70
<b>Access</b>	70%	20%	10%	0%		
Votes	7	2	1	0	10	1.40
<b>Traffic</b>	70%	20%	10%	0%		
Votes	7	2	1	0	10	1.40
<b>Connectivity</b>	78%	11%	11%	0%		
Votes	7	1	1	1	9	1.33

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>Parks/Open Space</b>	80%	20%	0%	0%			Approved
Votes	8	2	0	0	10	1.20	
<b>Passive Open Space</b>	56%	22%	0%	22%			Mostly Yes
Votes	5	2	0	2	9	1.89	
<b>Recreational Open Space</b>	70%	10%	20%	0%			Approved
Votes	7	1	2	0	10	1.50	
<b>Public/Quasi-Public</b>	56%	11%	11%	22%			Mostly Yes
Votes	5	1	1	2	9	2.00	
<b>View Protection Area</b>	22%	44%	22%	12%			Approved
Votes	2	4	2	1	9	2.22	

Appendix B: Survey Results & Summary

SUMMARY - PARKS and RECREATION

Character and Concerns	Importance				TOTAL Votes	Average Rating
	Extremely	Moderate	Slightly	None		
<b>Recreation/Resort Character</b>	67%	33%	0%	0%		
Votes	6	3	0	0	9	1.33
<b>Connectivity with Rds &amp; Trails</b>	80%	20%	0%	0%		
Votes	8	2	0	0	10	1.200
<b>Access</b>	70%	30%	0%	0%		
Votes	7	3	0	0	10	1.30
<b>Traffic</b>	30%	50%	20%	0%		
Votes	3	5	2	0	10	1.90

Land Use	Appropriate				TOTAL Votes	Average Rating	APPROVAL
	Extremely	Moderate	Slightly	Not			
<b>Parks/Open Space</b>	78%	22%	0%	0%			<i>Approved</i>
Votes	7	2	0	0	9	1.22	
<b>Passive Open Space</b>	76%	12%	0%	12%			<i>Approved</i>
Votes	6	1	0	1	8	1.50	
<b>Recreational Open Space</b>	88%	12%	0%	0%			<i>Approved</i>
Votes	7	1	0	0	8	1.13	
<b>Public/Quasi-Public</b>	38%	38%	12%	12%			<i>Approved</i>
Votes	3	3	1	1	8	2.00	
<b>View Protection Area</b>	28%	44%	28%	0%			<i>Approved</i>
Votes	2	3	2	0	7	2.00	
<b>Resort Commercial</b>	38%	50%	12%	0%			<i>Approved</i>
Votes	3	4	1	0	8	1.75	

## Appendix B: Survey Results & Summary

### SUMMARY - FOX HOLLOW AREA

Character and Concerns	Importance				TOTAL Votes	Average Rating	
	Extremely	Moderate	Slightly	None			
<b>N O N E</b> Expressed							

Land Use	Appropriate				TOTAL Votes	Average Rating	<b>APPROVAL</b>
	Extremely	Moderate	Slightly	Not			
<b>Sing. Fam. Residential High</b>	0%	38%	38%	24%			<i>Mostly Yes</i>
Votes	0	3	3	2	8	2.88	
<b>Sing. Fam. Residential Medium</b>	38%	12%	50%	0%			<i>Approved</i>
Votes	3	1	4	0	8	2.13	
<b>Sing. Fam. Residential Low</b>	12%	50%	26%	12%			<i>Approved</i>
Votes	1	4	2	1	8	2.38	
<b>Med. Density Multi-Family</b>	12%	76%	12%	0%			<i>Approved</i>
Votes	1	6	1	0	8	2.00	
<b>High Density Multi-Family</b>	0%	63%	25%	12%			<i>Approved</i>
Votes	0	5	2	1	8	2.5	
<b>Community Commercial</b>	22%	11%	22%	45%			<i>Mostly No</i>
Votes	2	1	2	4	9	2.89	
<b>Neighborhood Commercial</b>	22%	11%	22%	45%			<i>Mostly No</i>
Votes	2	1	2	4	9	2.89	
<b>Resort Commercial</b>	33%	11%	11%	44%			<i>Mostly Yes</i>
Votes	3	1	1	4	9	2.67	

# APPENDIX C: CHARRETTE SUMMARY

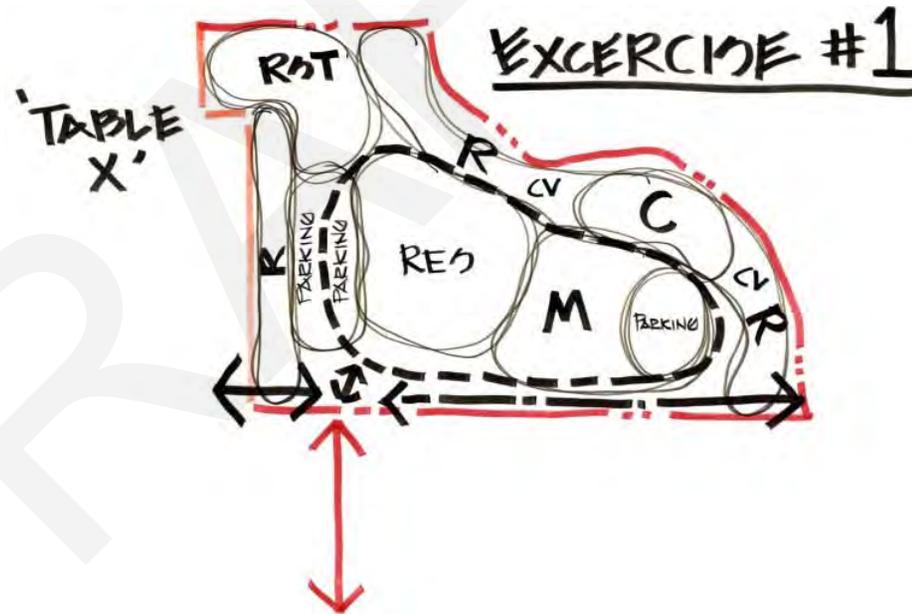
## Appendix C: Charrette Summary

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.

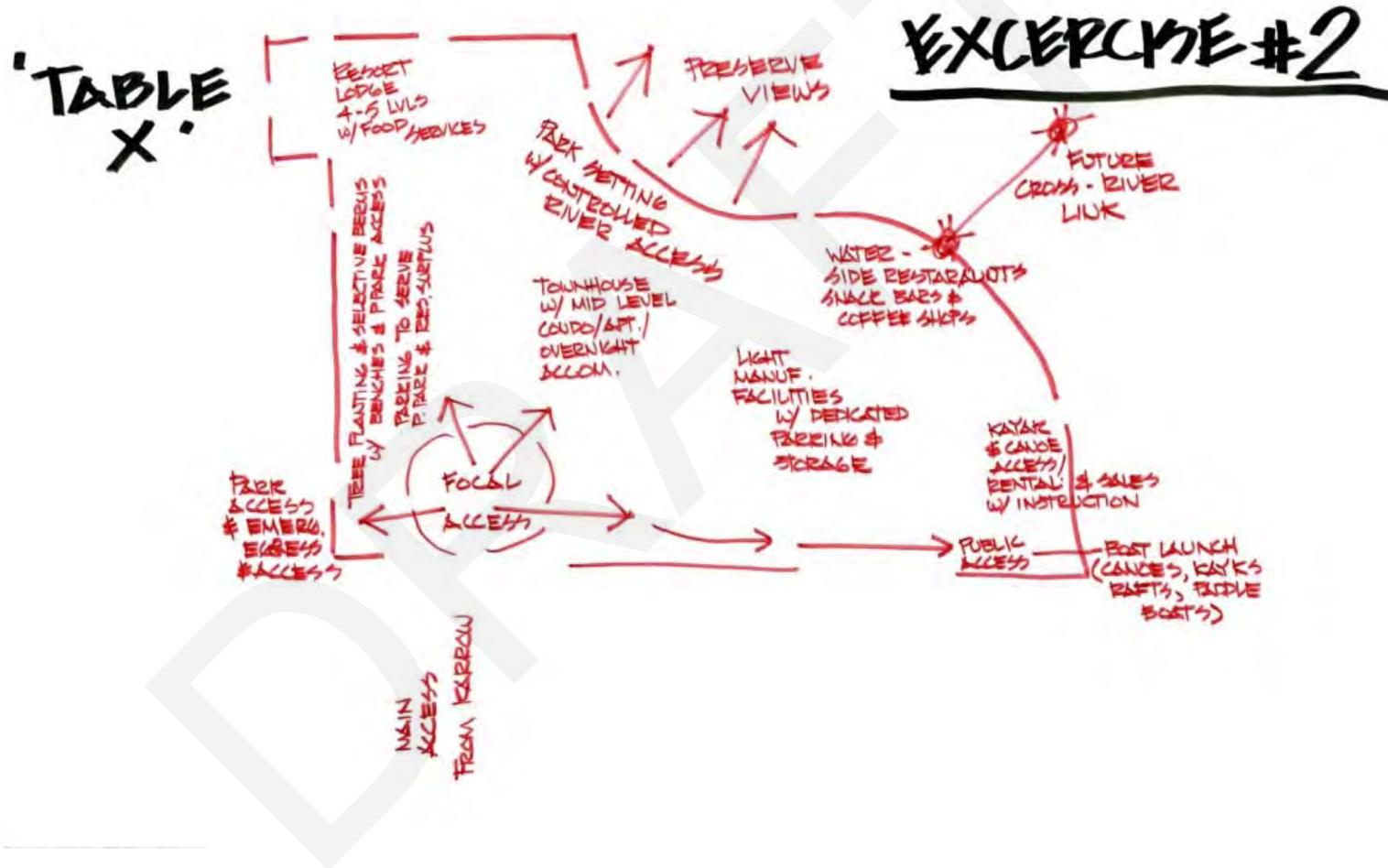
- Manufacturing (M)
- Recreational (R)
- Commercial (C)
- Residential (RES)
- Resort (RST)
- Conservation (CV)



Exercise One: Categorizing site into general land uses.

## Appendix C: Charrette Summary

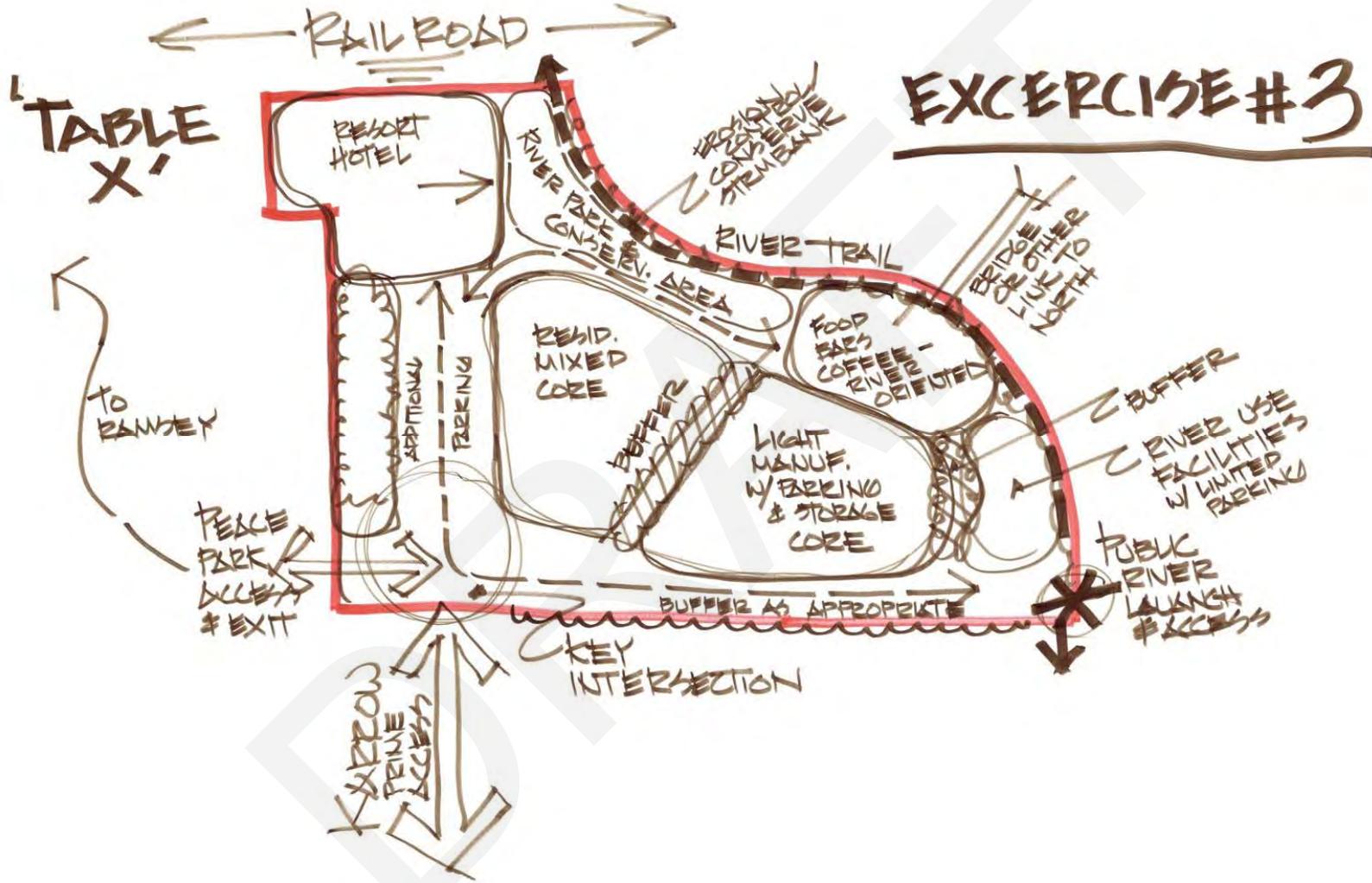
- 2) Brainstorming specific uses (i.e. trail, hotel, boat rentals, green manufacturing, high density residential, etc.) for each of the bubbled areas.



Exercise Two: Brainstorming specific land uses.

Appendix C: Charrette Summary

3) Summarizing and refining specific uses and shapes of uses within the site limits, including relationships/links with surrounding



uses.

## Appendix C: Charrette Summary

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### Exercise Three: Refining and summarizing specific land uses with linkages to adjacent properties.

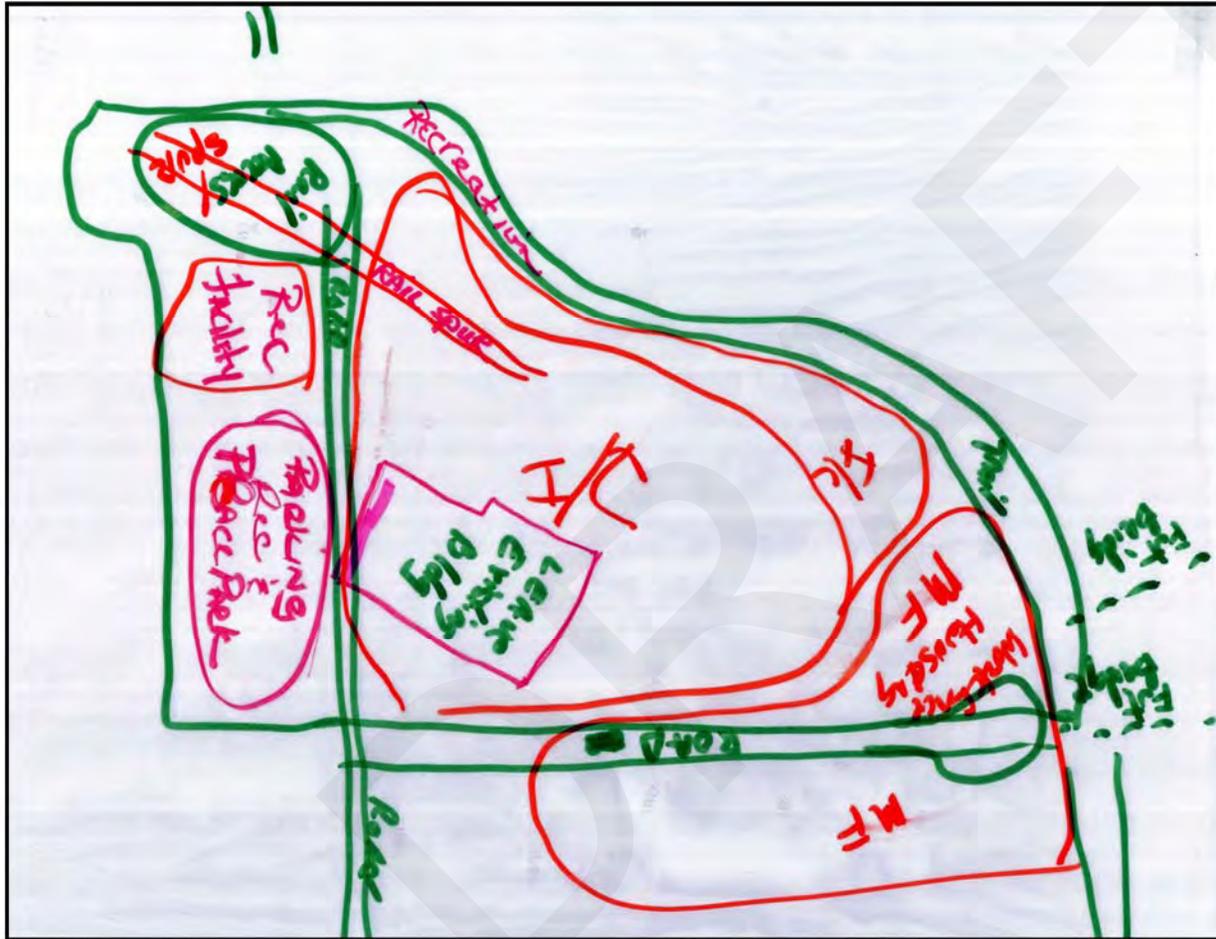
The following list of possible uses was given to each of the tables:

- 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.

## Appendix C: Charrette Summary

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

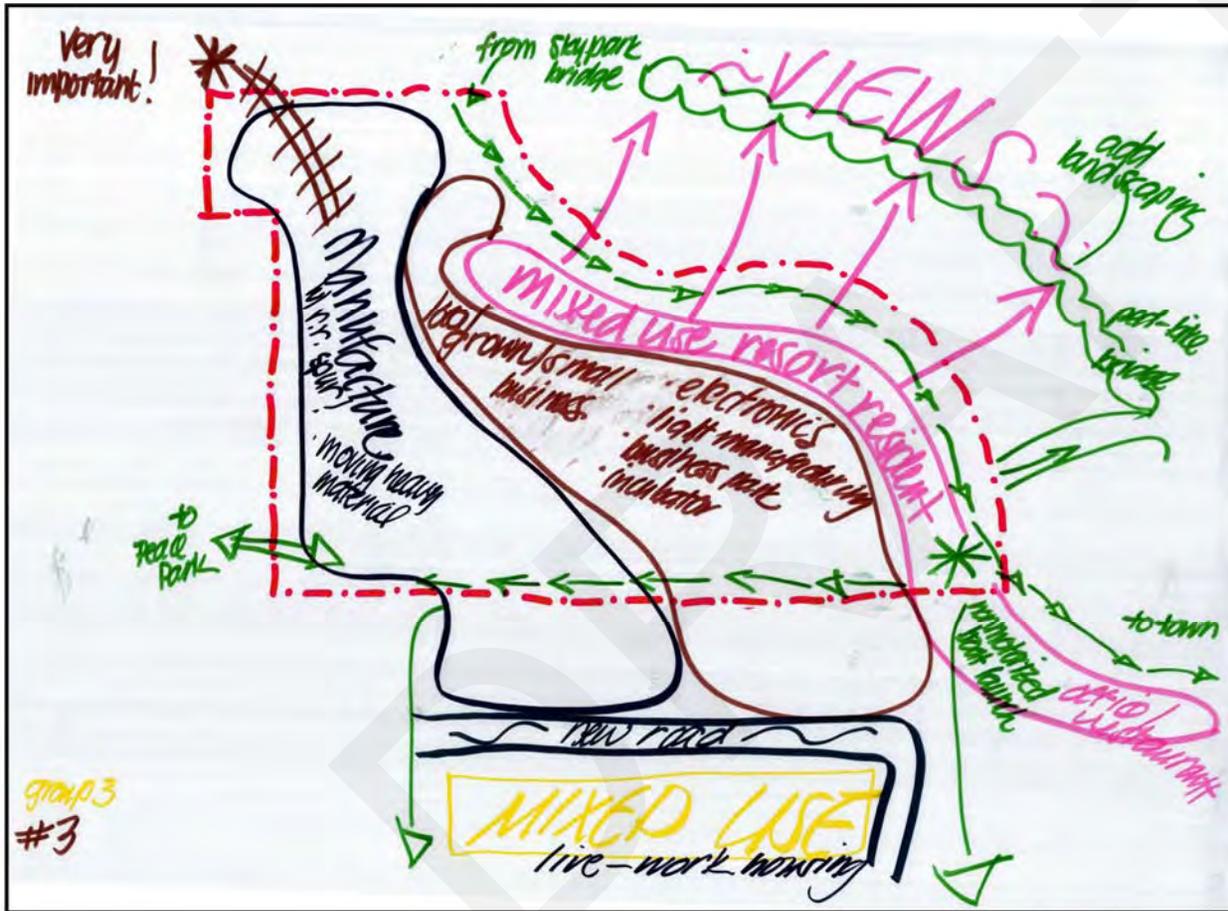
## Appendix C: Charrette Summary



### 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

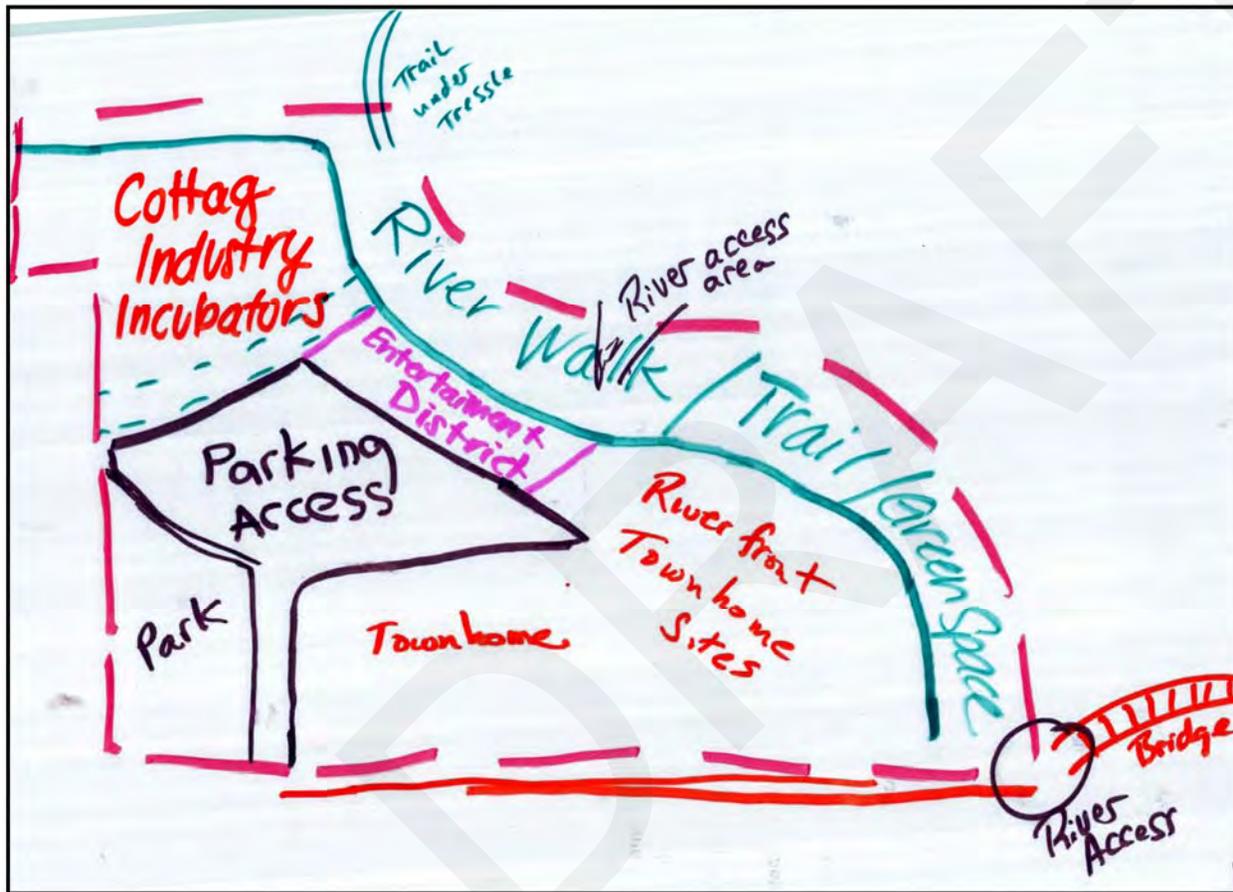
Group 2 Concept Development Plan



- 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

## Appendix C: Charrette Summary



### 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

Group 4 Concept Development Plan

# APPENDIX D: PROPOSED ZONING DISTRICTS

## 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
  - o Class A manufactured homes.
  - o Daycare (registered home, 5 to 12 children).
  - o Guest and servant quarters.
  - o 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.

## Appendix D: Proposed Zoning Districts

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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:
  - o Boarding houses.
  - o 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).

## Appendix D: Proposed Zoning Districts

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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).

## Appendix D: Proposed Zoning Districts

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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.

## Appendix D: Proposed Zoning Districts

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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
  - o 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:
    - o Computer software

## Appendix D: Proposed Zoning Districts

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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.

## Appendix D: Proposed Zoning Districts

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### 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.

### 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).

**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.

ZONE COMPARISON TABLE

Land Use Comparison Chart	CURRENT WR-3 Zoning District (Title 11-2H)	PROPOSED WT-3 District	Notes
<b>AREA B</b>			
<b>P= Permitted Use by Right</b> <b>C= Conditional Use</b> <b>X= Prohibited Use</b>			1. In existing code, land uses not listed as Permitted or Conditional are Prohibited
<b>LAND USES AS LISTED IN EXISTING CODE</b>			Refer to definitions for description of each land use listed
<b>Uses</b>			
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)

ZONE COMPARISON TABLE

		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 <sup>(1)</sup>	MAXIMUM BUILDING HEIGHT		
MINIMUM FRONT YARD	25'	20'	MINIMUM FRONT YARD		
MINIMUM SIDE YARD	10 <sup>(2)</sup>	10 <sup>(3)</sup>	MINIMUM SIDE YARD		
MINIMUM REAR YARD	20'	20'	MINIMUM REAR YARD		
LOT COVERAGE	40%	70%	LOT COVERAGE		
				<b>Notes</b>	
				(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	

ZONE COMPARISON TABLE

Land Use Comparison Chart	CURRENT WI Zoning District (Title 11-2H)	PROPOSED WI-T District	Notes
<b>IDAHO TIMBER</b>			
<b>P= Permitted Use by Right</b> <b>C= Conditional Use</b> <b>X= Prohibited Use</b>			1. In existing code, land uses not listed as Permitted or Conditional are Prohibited
<b>LAND USES AS LISTED IN EXISTING CODE</b>			Refer to definitions for description of each land use listed
<b>Uses</b>			
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	

ZONE COMPARISON TABLE

		TABLE B			
		DIMENSIONAL REQUIREMENTS			
CURRENT WI			PROPOSED WI-T		
MINIMUM LOT AREA	n/a	n/a <sup>(1)</sup>	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 <sup>(2)</sup>	n/a	MINIMUM REAR YARD		
LOT COVERAGE	70%	n/a	LOT COVERAGE		
				<b>Notes</b>	
				(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 is 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 ideal 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 center 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 designate 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 1<sup>st</sup> 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 3<sup>rd</sup> 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 will 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 from the highway, lot coverage, and would like to see the character of the neighborhood retained.

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**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 motion 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 advertizing 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 20<sup>th</sup> 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 12<sup>th</sup> 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 Conel.

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 6<sup>th</sup> 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:

- 1<sup>st</sup> meeting – project introduction
- 2<sup>nd</sup> meeting – adopted general scheme
- 3<sup>rd</sup> meeting (today's meeting) – field trip
- 4<sup>th</sup> 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 may 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 to 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.

Boundary 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.





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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)

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*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 3<sup>rd</sup> 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-

- 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 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 Jensen, 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 2<sup>nd</sup> St and 3<sup>rd</sup> 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 2<sup>nd</sup> 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 for 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 3<sup>rd</sup> 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

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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)

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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 2<sup>nd</sup> 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
  - Anna - change definitions to be more specific
    - Should be character based
  - Ian - gas station is least desirable existing use in area
    - Anna - 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
  - Anna - 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 - followed 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 19<sup>th</sup> at 6 pm after the regular meeting agenda

12) Public Comment

- Mayor 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

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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

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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 3<sup>rd</sup> 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
- 3<sup>rd</sup> 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 2<sup>nd</sup> St.) – not a lot of permitted uses
- Maintain residential houses along corridor – still should be predominate
- South & North of W 2<sup>nd</sup> 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 3<sup>rd</sup> do to new median diverting traffic into residential neighborhood
- 3<sup>rd</sup> 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. 3<sup>rd</sup> St. prime location for families/walk to school/kids bike riding/skateboarding/etc.
  - This is why we moved here.
- Impacts of traffic on W 3<sup>rd</sup> St. – W 3<sup>rd</sup> St. & Parkhill is quiet – low traffic now without Hwy project – State Park/Hwy 93 S zoning from s.t.r. to m.t.
- 3<sup>rd</sup> Street – Keep it the way it is, B&B quiet like they say they'll be
- W. 3<sup>rd</sup> 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. 3<sup>rd</sup> 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 3<sup>rd</sup> St. will stay residential need to protect this area –

Meeting Summary

8/20/13

Page 4 of 4

- Resident on S. 3<sup>rd</sup> 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

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**END OF NOTES**

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PLANNING CONSULTING ENGINEERING DESIGN

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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 Bcody, Mare Flowers, Rhonda Fitzgerald, Brian Woods, Gail Linne,

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 1<sup>st</sup> 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 6<sup>th</sup> and 3<sup>rd</sup> 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 3<sup>rd</sup>.

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**END OF NOTES**

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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 4<sup>th</sup> and 6<sup>th</sup>.
- 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-43 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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April 14, 2015

Mayor Muhlfeld and City Councilors  
City of Whitefish  
Whitefish, Montana

Mayor Muhlfeld and Councilors

**Request for Authorization to Proceed with Construction Bidding for the  
Central Avenue Water Project**

Introduction/History

The Public Works Department and our engineering design consultant, WGM Group, are wrapping up the design phase and requesting authorization to move forward with construction bidding for the Central Avenue Water Project. This project includes the replacement of water main from 3<sup>rd</sup> Street to 6<sup>th</sup> Street on Central Avenue. Drawings showing the project overview is attached.

Current Report

This project includes the replacement of an old cast iron water main with lead joints that has had several leaks in the past few years. It can be difficult to access the water main for repairs since this section of Central Avenue was constructed with a concrete base, similar to the other downtown blocks. This project is considered a priority by our Construction and Maintenance Supervisor, Jay Barranger, because of the history of water leakage and the poor condition of the asphalt between 3<sup>rd</sup> and 4<sup>th</sup> Street. The public works department has postponed major repairs to the road surface until the water main has been replaced. The poor condition of the block of Central between 3<sup>rd</sup> and 4<sup>th</sup> Street contrasts with the adjacent reconstructed downtown blocks. Construction is planned to take place in the shoulder season. It would either begin in May 2015 and to be completed in June 2015 or begin after Labor Day in the fall.

As part of the 2015 Downtown Business District Master Plan Update process George Crandall and Don Arambula discussed the need to reconstruct the Central Avenue block between 3<sup>rd</sup> and 4<sup>th</sup> Street and the extension of anchor retail to this block. The current 95% design plans do not include a total reconstruction of this block. However, once the water line work is complete we will pave over the driving lanes. The driving lane pavement overlay will either be installed by our city crews or as part of our summer overlay contracted work.

Within the next few years the city may want to consider a total reconstruction of the 3<sup>rd</sup> to 4<sup>th</sup> Street block of Central and possibly also the 4<sup>th</sup> to 5<sup>th</sup> Street block. The Public Works Department recommends that we move forward with the bidding Central Avenue Water Project.

Financial Requirement

The engineer's pre-bid construction cost estimate of \$ 408,040 includes water main replacement with trench patches on Central Avenue from 3<sup>rd</sup> to 6<sup>th</sup> Street. The work is expected to occur in FY 16. All costs will be paid out of the Water Fund, as proposed in the FY 16 budget.

Recommendation

Staff respectfully requests Council authorization to move forward with construction bidding for the Central Avenue Water Project.

Sincerely,



Karin Hilding, P.E., LEED A.P.  
Interim Public Works Director

# CENTRAL AVENUE WATER MAIN REPLACEMENT

## 6TH STREET TO 3RD STREET

### WHITEFISH, MONTANA



1111 EAST BROADWAY  
 MISSOULA, MONTANA 59802  
 TEL: 406-728-4611  
 FAX: 406-728-2476  
 WWW.WMGROUP.COM



#### SHEET INDEX

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- 6 WATER MAIN PLAN AND PROFILE
- 7 WATER MAIN DETAILS
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- 9 WATER MAIN DETAILS
- 10 WATER MAIN DETAILS
- 11 WATER MAIN DETAILS

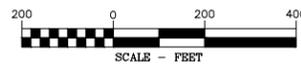
PRELIMINARY

PLOTTED: 3/18/2015  
 SAVED: 3/18/2015



**LOCATION MAP**

#### VICINITY MAP



PREPARED FOR:



Know what's below.  
 Call before you dig.

**CALL 2-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.**

WGM GROUP, INC. ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS (HORIZONTAL AND VERTICAL). THE EXISTING UTILITIES SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.

**COVER SHEET**

**CENTRAL AVENUE WATER MAIN REPLACEMENT**

**CITY OF WHITEFISH, MONTANA**

REVISIONS:

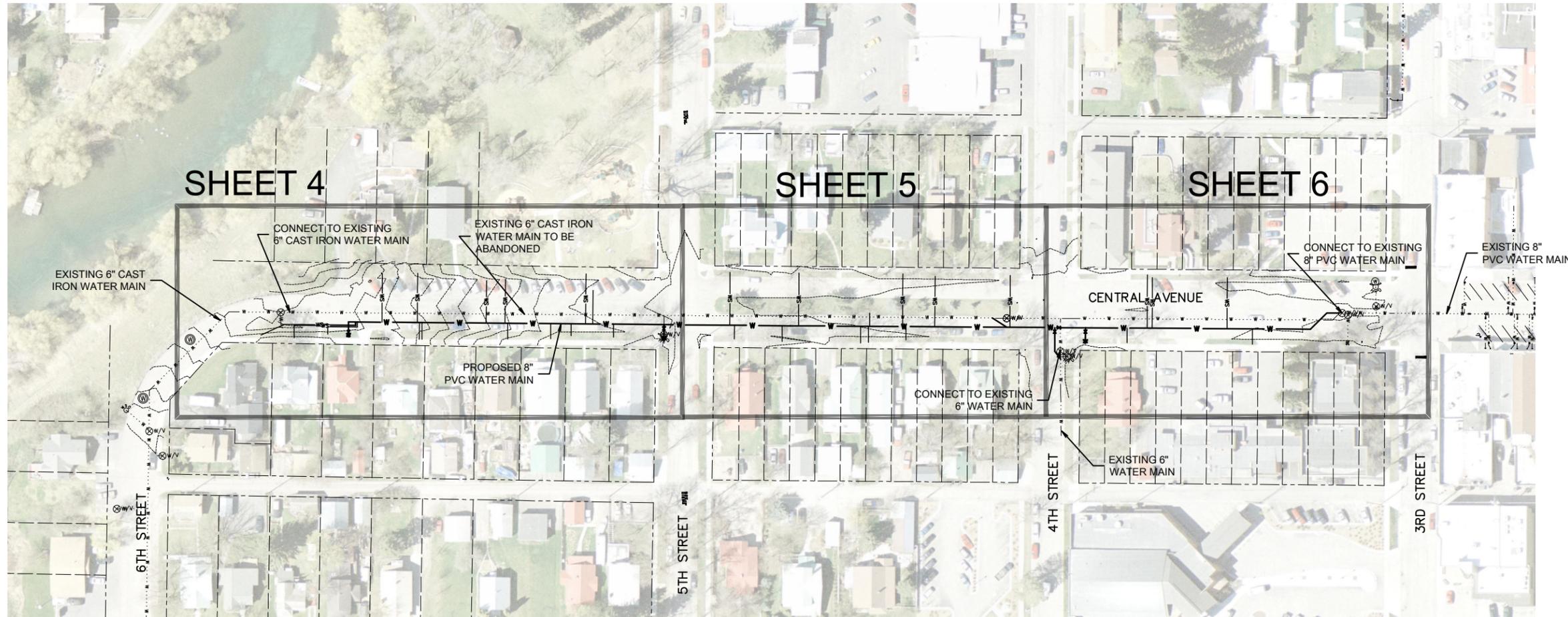
NO.	DESCRIPTION	DATE

PROJECT: 13-09-09  
 FILE No: 130909cv-central.dwg  
 FILE PATH:  
 W:\Projects\130909\CAD Data\Design  
 LAYOUT: SHT1  
 SURVEYED: ---  
 DESIGN: DH  
 DRAFT: CEG  
 APPROVE: JLG  
 DATE:

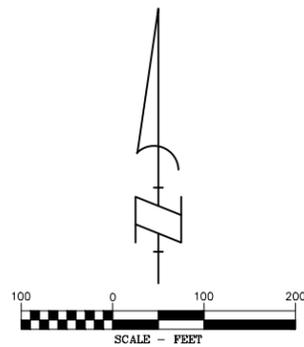
JANUARY 2015

95% REVIEW SET

SHEET **1 OF 11**



**PROJECT OVERVIEW**  
**CENTRAL AVENUE WATER MAIN REPLACEMENT**  
**CITY OF WHITEFISH, MONTANA**



CONTROL POINT COORDINATE TABLE				
POINT	NORTHING	EASTING	ELEVATION	DESCRIPTION
102	1552122.28	794775.10	3034.02	WGM RED PLASTIC CAP
103	1552121.33	794788.23	3033.97	WGM RED PLASTIC CAP
104	1551646.59	794774.29	3023.13	WGM RED PLASTIC CAP

BASIS OF BEARINGS:  
GRID NORTH OF MONTANA STATE PLANE COORDINATE SYSTEM NAD83  
(2011) (EPOCH: 2010.0000).

VERTICAL DATUM:  
NAVD88

**PRELIMINARY**

PLOTTED: 3/18/2015  
SAVED: 3/18/2015

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT: 13-09-09  
FILE No: 130909cv-central.dwg  
FILE\_PATH:  
W:\Projects\130909\CAD\_Data\Design  
LAYOUT: SH13  
SURVEYED: ---  
DESIGN: DH  
DRAFT: CEG  
APPROVE: JLG  
DATE:

JANUARY 2015

**95% REVIEW SET**

SHEET **3 OF 11**

# Opinion of Probable Costs



Project Name: Whitefish Water Improvements  
 Project No.: 13-09-09  
 Prepared By: DH  
 Approved By: JLG  
 Date: April 14, 2015

Description: **Central Avenue - Cost Estimate  
 Water Main Replacement 3rd to 6th**

- Water Main Replacement- 3rd Street to Beginning of 6th Street Curve
- Existing Water Service Lines Replaced to the Curb Box
- Services Bored under Median
- Estimate Based on 95% Design Plans

Item Number	Description	Quantity	Unit	Unit Price	Total
<b>Water Main Replacement: 3rd to 6th Street</b>					
1	Mobilization	1	LS	\$ 15,000.00	\$ 15,000
2	Traffic Control	1	LS	\$ 10,000.00	\$ 10,000
3	8" C900 PVC Water Main	990	LF	\$ 58.00	\$ 57,420
4	Import Trench Backfill	740	CY	\$ 30.00	\$ 22,200
5	Connect to Existing Water Main	2	EA	\$ 1,200.00	\$ 2,400
6	8" MJ Water Main Bend	3	EA	\$ 600.00	\$ 1,800
7	8" Gate Valve w/ Valve Box	3	EA	\$ 1,600.00	\$ 4,800
8	8" x 6" MJ x FLG Tee	2	EA	\$ 600.00	\$ 1,200
9	6" Gate Valve w/ Valve Box	3	EA	\$ 1,200.00	\$ 3,600
10	8" x 6" PE Reducer	2	EA	\$ 400.00	\$ 800
11	Romac RC501 8" x 6" Reducing Coupling	1	EA	\$ 400.00	\$ 400
12	Fire Hydrant Assembly	3	EA	\$ 3,500.00	\$ 10,500
13	6" MJ Water Main Bend	2	EA	\$ 500.00	\$ 1,000
14	Pressure and Bacteriologic Testing	1	LS	\$ 3,000.00	\$ 3,000
15	Bore Services to West between 4th & 5th	260	LF	\$ 125.00	\$ 32,500
16	1" Service Line	825	LF	\$ 65.00	\$ 53,625
17	Connect Existing Service	30	EA	\$ 1,000.00	\$ 30,000
18	Abandon Existing Water Main	1	LS	\$ 2,500.00	\$ 2,500
19	Performance/Payment Bonds	1	LS	\$ 4,000.00	\$ 4,000
20	4" Thickness Asphalt Patch	1,840	LF	\$ 60.00	\$ 110,400
21	Concrete Curb and Gutter	180	LF	\$ 20.00	\$ 3,600
22	4" Concrete Sidewalk	50	SF	\$ 4.00	\$ 200
				<b>Subtotal</b>	<b>\$ 370,945</b>
				Construction Contingency	\$ 37,095
				<b>CONSTRUCTION TOTAL</b>	<b>\$ 408,040</b>

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# MANAGER REPORT

April 15, 2015



## RESORT TAX COLLECTIONS

Resort tax collections for February were up 15.1% or \$22,227 compared to February of last year. Some of this large increase (maybe 5% or so) is because of delinquency collections that were due for December and January, but February would have still been significantly higher even without the delinquency collections. For the year-to-date, our collections are 6.32% or \$94,399 higher than the same period last year. There is a chart and graph in the packet with this report showing recent collections and trends.

## TEMPORARY PARKING ON SNOW STORAGE LOT

Council member Jen Frandsen asked at the last City Council meeting about whether the snow storage lot at the NE corner of Railway Street and Columbia Avenue could be used for temporary parking this summer given that the free parking on Block 46 has gone away during construction of the boutique hotel.

We are continuing to check into the possibility of that, but there are several obstacles as described below.

1. Zoning – Dave Taylor says the current Industrial zoning would allow such parking. There may be neighborhood opposition to that becoming a parking lot – temporary parking lots have a way of becoming more permanent parking lots or end up being around for a long time.
2. Any parking lot there would require landscaping around it as a buffer. This landscaping cost might be \$30,000 to \$40,000 or higher given that there is no water source irrigation there and an water connection and irrigation system might have to be added. Zoning requires that the surface parking lot be landscaped – similar to what we did at the parking lot at the NW corner of 1<sup>st</sup> Street and Central Avenue (south of Craggy Range). That landscaping cost \$15,000.
3. Surfacing – our air quality district and our past air quality exceedances mean that the parking lot has to be surfaced, at least with old asphalt millings from other projects. Public Works doesn't have enough millings leftover at this point, but there might also be millings available from the Wisconsin Avenue project this summer. Millings still entail a cost to put down (staff labor and trucks) and the land would have to at least be graded prior to putting down the millings.
4. This tract of land is not in the Tax Increment District, therefore any costs would have to be paid from the General Fund most likely. There is no existing budget for any project near this scope and expenditures are fairly tight in the General Fund (73% spent at March 31<sup>st</sup> (75% of fiscal year expired). The City Council could consider budgeting for such a project in the FY16 budget, but that won't provide much help this summer. The tract of land could be added to the TIF District, but that is a several month process, if it were a priority.

5. Staff availability to work on such a project – Given the high workloads of staff (City Hall/Parking Structure construction, City Hall/Parking Structure financing, Stoltze Conservation Easement review and financing, Interim City Hall, moving, budget, Parking SID, short 3 key staff people in Public Works), there is really no one who could work on this project without detracting from other projects which are probably a higher priority.

## **CITY BEACH TRENCH DRAIN FOR BILGE COLLECTION INSTALLED**

As the Mayor and City Council know, we budgeted in this year's budget to install a trench drain system and sand filter system to collect the bilge water that is discharged from boats at the City Beach boat ramp after the boats exit the lake. That trench drain is now installed as the picture below indicates.



## **QUARTERLY UPDATE ON MAYOR AND CITY COUNCIL GOALS**

I do a quarterly review of the status of the goals of the Mayor and City Council with both Department Directors, at a staff meeting, and in my Manager Report for the Mayor and City Council. Below is that review.

Hwy 93 South Corridor Plan – At the September 15<sup>th</sup> City Council meeting, the City Council determined that the Wisconsin Avenue Corridor Plan would be the next corridor plan once the Hwy 93 West Corridor Plan is completed.

Downtown Parking – We are close to coming to the City Council with the proposed Special Improvement District Resolution for the \$750,000.00 of funds to contribute to the Parking

Structure. The Bond Counsel asked us to compile some additional information on each of the properties and we are currently compiling that information and adding it to the spreadsheet.

With the loss of the free parking on Block 46 when the new hotel went under construction, the City Council asked about using the snow storage lot at Columbia Avenue and Railway Street as an option. Staff is currently evaluating that possibility, but I described some initial obstacles to the Mayor and City Council above.

City Hall Planning – Mosaic Architecture has completed the Schematic Design phase and documents pursuant to the City Council decisions on March 2, 2015 that led to the completion of Schematic Design. I still have to sign off on the official documents for Schematic Design, but I should do that this week.

Design Development is progressing well. There will be some decisions coming up on structural bracing options, HVAC etc.

Depot Park Phase II – The City Council has approved having Robert Peccia and Associates do the detailed engineering design work for Phase II. They are currently working with the Park Board and the Parks and Recreation Department on the project and the public review process. The CIP contained the Depot Park Phase II project and we will budget the necessary funds in the FY16 budget.

Whitefish Lake – Retail uses licensing and/or zoning – At the April 6, 2015 meeting, the City Council gave some direction and guidance to Parks and Recreation Director Maria Butts on what options for regulation and management of commercial uses on Whitefish Lake to pursue.

New Cemetery Development – The Cemetery Committee is going to meet in April, 2015 and we are pushing them to make a recommendation to the City Council on whether or not to pursue developing a Cemetery at the south end of the Wastewater Treatment property.

Begin review of zoning code – district by district – This project has not begun yet. Planning staff has discussed how to proceed on this project, but that is all. It might be desirable to have a joint work session with the City Council and Planning Board along with Planning staff to get guidance on how to proceed on this project.

Stoltze Conservation Easement – Completion and Funding – The Resort Tax election was set for April 28<sup>th</sup>. The Conservation Easement is currently being negotiated and prepared by the Trust for Public Land and Stoltze along with other documents.

Wisconsin Avenue Corridor Study - At the September 15<sup>th</sup> City Council meeting, the City Council determined that the Wisconsin Avenue Corridor Plan would be the next corridor plan once the Hwy 93 West Corridor Plan is completed.

Birch Point Quiet Zone - The City Council held a work session on January 20<sup>th</sup> on this topic once we obtained new cost estimates from BNSF. The City Council asked staff to obtain a price quote from Robert Peccia and Associates for doing the work to set up a Special Improvement District

for part of the funding for this project. Karin Hilding and I have met with RPA staff on this project, but I have to research a legal question on SID's with the City Attorney.

Riverside Park protection and improvement for erosion - Maria will work on plans to address Whitefish River erosion, but no funds were approved in the Parks and Recreation Department budget for any restoration.

Whitefish River Waterway Development and Improvement – The Montana Fish and Game Commission approved limiting the stretch of the Whitefish River from the railroad trestle to JP Road to manual powered craft and electric motors at their meeting on October 16<sup>th</sup>.

Open Space Funding – The Stoltze Conservation Easement project is somewhat related, but not directly as our interest in the Stoltze Conservation Easement is primarily for protection of our water supply and secondly for recreation opportunities. The Conservation Easement would help protect the “Whitefish Face” backdrop of the City, so it would have some open space type of benefits.

Climate Action Plan – Steve Thompson has addressed the City Council a couple of times on this topic. Staff has not had time to do any work on it and is not sure of the direction the City Council wants to take on this topic. There was talk of officials from Missoula coming up to Whitefish to discuss what the City of Missoula has done.

Economic Development – Public/Private Partnerships and Targeted Business Assistance – The redevelopment of the Idaho Timber property is awaiting approval and implementation of the Highway 93 West Corridor Plan. The TIF assistance agreement for Mountain Mall is on the April 20<sup>th</sup> agenda.

BNSF – CECRA site cleanup, Whitefish River, overall relationship – DEQ held a public meeting on March 12<sup>th</sup> on the CECRA cleanup progress to date and the expected timeline to finish the project. It is hoped that cleanup will be completed by the end of 2017.

Whitefish Trail & work with Whitefish Legacy Partners – The Beaver Lakes Easement funding was delivered to the State Land Board in December, 2014. Some of the documents still need to be recorded. There was also a recent vandalism event at the Beaver Lake and Woods Lake trailheads. Whitefish Legacy Partners will cover the cost of restoring the damaged signs and sign structures.

Water Quality Improvements (AIS, water rights, city beach, stormwater) – See above for the City beach trench drain project. I gave the Mayor and City Council an update and status about the completion of our Haskill Creek tributaries and Whitefish Lake water rights in a recent City Manager's report. The water rights adjudication process is essentially finished (we still have some future acts to perform on measuring water) and we have bona fide water rights. If the CSKT Water Compact is not passed by the Legislature, there could be some threat to our water rights if the lack of a compact ends up in litigation.

Code Enforcement Improvements – no new notable issues.

MDT – Hwy 93 West Project - The Karrow Avenue to Mountainside Drive Phase 2 project is again underway. The project is supposed to be complete by July.

Explore extent of annexation waivers for utility contracts – The City Council held a work session on March 3, 2014 on annexation and moved the Jennings Landing annexation project down to 3<sup>rd</sup> priority which elevated the Houston Drive annexation up to #1 priority. The City Council wanted to see the service and fiscal impact report before deciding whether to proceed with that annexation. I began work on that report, but other priorities have interfered with progress on that project.

Long term financial planning and sustainability –The Montana Department of Revenue estimates that taxable values might decrease by 13.75% for Whitefish this fall with reappraisal. We have also received some information from the local Department of Revenue assessors and appraisers that the decreases might not be as severe as previously indicated. However, the local office does not know what occurs in the statewide equalization of values process.

Green Initiatives – The City Council originally approved having the new City Hall designed for and to apply for LEED certification. This vote was later reversed, however the Mayor and City Council still want us to design City Hall to LEED standards, but just not apply for certification.

Recycling Improvements - We lost one of the recycling drop-off sites last summer. Public Works staff discussed curbside recycling options with Roger Bridgeford of Montana Waste/North Valley Refuse and we are still waiting for him to submit some options for consideration.

Maintenance Programs for City Facilities - Maria Butts, Parks and Recreation Director, has resumed some discussions of this topic with Department Directors. Parks and Recreation changed the job description and job duties of one of their permanent positions to be more focused on building and facility maintenance. As we approach the construction of a new City Hall, this topic will have increasing importance.

Planning – in house priorities and text amendments – A copy of the Planning Department’s list of work projects is attached in this week’s packet in the work session area with the City Council goals from last year.

## **MEETINGS**

During the past two weeks, I held FY16 budget meetings with each department director on their budget requests.

## **UPCOMING SPECIAL EVENTS**

Clean the Fish – meet at Glacier Bank downtown – May 2, 2015

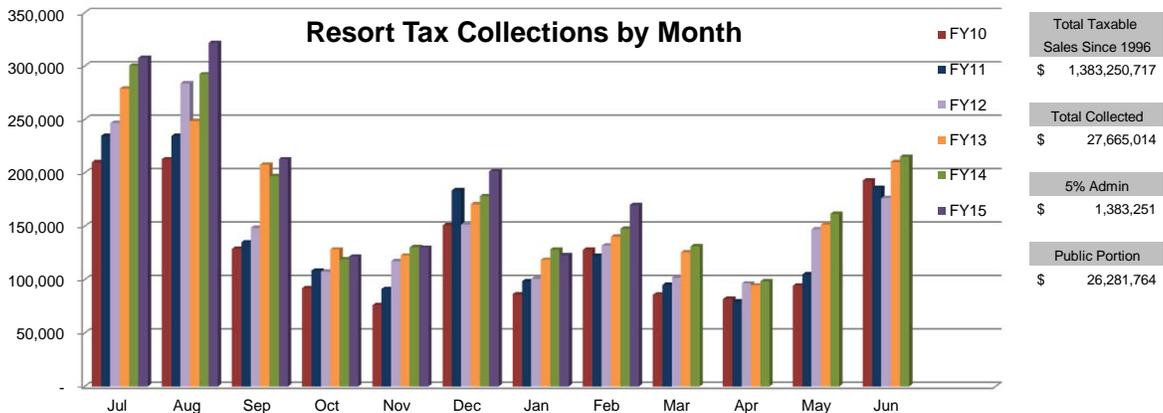
## **REMINDERS**

Respectfully submitted,  
Chuck Stearns, City Manager

A handwritten signature in blue ink that reads "Chuck".

**Resort Tax Report**  
Reported in the Month Businesses Paid Tax

Month/Year	Lodging	Bars & Restaurants		Retail	Collected	% Chng Mnth to Pr Yr Mnth	% Chng Quarter to Pr Yr Quarter	Interest	Total
		Restaurants	Restaurants						
Jul-11	56,106	90,212	100,325	246,642	5%		\$ 979	\$ 247,621	
Aug-11	85,621	91,408	106,860	283,889	21%		7,833	291,722	
Sep-11	28,154	58,830	61,535	148,519	10%	12.4%	593	149,112	
Oct-11	17,944	45,919	43,610	107,473	-1%		496	107,969	
Nov-11	14,351	39,054	63,758	117,162	28%		479	117,641	
Dec-11	16,531	51,195	84,000	151,726	-17%	-1.9%	526	152,252	
Jan-12	10,032	44,089	46,905	101,026	3%		515	101,541	
Feb-12	14,585	56,427	60,780	131,793	8%		578	132,371	
Mar-12	11,008	42,952	47,682	101,643	7%	5.9%	557	102,200	
Apr-12	9,353	39,367	47,657	96,377	21%		610	96,987	
May-12	15,461	51,207	80,526	147,194	40%		6,993	154,187	
Jun-12	35,584	68,403	72,472	176,460	-5%	13.44%	625	177,085	
<b>Total FY12</b>	<b>\$ 314,731</b>	<b>\$ 679,063</b>	<b>\$ 816,110</b>	<b>\$ 1,809,903</b>	<b>Compared to Prv Yr</b>		<b>\$ 20,785</b>	<b>\$ 1,830,688</b>	
FY11 vs FY12	15%	4%	9%	8%	or		\$ 136,279	TaxableSalesFY12 \$ 95,258,076	
Jul-12	69,418	94,341	115,149	278,908	13.1%		\$ 643	\$ 279,551	
Aug-12	53,361	92,463	102,812	248,636	-12.4%		444	249,080	
Sep-12	57,000	77,503	73,232	207,734	39.9%	8.3%	533	208,267	
Oct-12	24,519	54,631	49,137	128,288	19.4%		434	128,722	
Nov-12	8,099	40,326	74,122	122,547	4.6%		379	122,926	
Dec-12	15,490	66,046	88,956	170,492	12.4%	11.9%	393	170,885	
Jan-13	13,152	51,930	53,396	118,478	17.3%		363	118,841	
Feb-13	18,023	55,180	66,995	140,198	6.4%		413	140,611	
Mar-13	16,171	56,231	53,318	125,720	23.7%	14.9%	405	126,125	
Apr-13	10,105	42,230	42,325	94,660	-1.8%		466	95,126	
May-13	19,009	52,303	80,090	151,402	2.9%		427	151,829	
Jun-13	41,222	74,833	94,085	210,140	19.1%	8.6%	488	\$ 210,628	
<b>Total FY13</b>	<b>\$ 345,570</b>	<b>\$ 758,018</b>	<b>\$ 893,617</b>	<b>\$ 1,997,205</b>	<b>Compared to Prv Yr</b>		<b>\$ 5,388</b>	<b>\$ 2,002,593</b>	
FY12 vs FY13	10%	12%	9%	10%	or		\$ 187,301	TaxableSalesFY13 \$ 105,116,040	
Jul-13	81,828	98,642	120,028	300,497	7.7%		496	300,993	
Aug-13	77,809	108,131	106,422	292,362	17.6%		434	292,796	
Sep-13	50,377	77,416	69,328	197,120	-5.1%	7.4%	434	197,554	
Oct-13	16,851	48,015	54,271	119,137	-7.1%		434	119,571	
Nov-13	6,831	47,701	75,780	130,312	6.3%		2654	132,966	
Dec-13	21,782	64,884	91,585	178,251	4.6%	1.5%	404	178,655	
Jan-14	16,848	54,481	56,839	128,169	8.2%		404	128,573	
Feb-14	22,323	58,758	66,487	147,568	5.3%		404	147,972	
Mar-14	15,770	64,178	51,114	131,061	4.2%	5.8%	409	131,470	
Apr-14	10,065	41,894	46,458	98,417	4.0%		455	98,872	
May-14	18,993	58,791	83,683	161,467	6.6%		455	161,922	
Jun-14	44,865	69,190	101,053	215,107	2.4%	4.1%	455	215,562	
<b>Total FY14</b>	<b>\$ 384,342</b>	<b>\$ 792,081</b>	<b>\$ 923,047</b>	<b>\$ 2,099,470</b>	<b>YTD Compared to Last Year</b>		<b>\$ 7,438</b>	<b>\$ 2,106,908</b>	
FY13 vs FY14	11.2%	4.5%	3.3%	5.1%	or		\$ 102,265	TaxableSalesFY14 \$ 110,498,402	
Jul-14	84,053	104,935	118,876	307,864	2.5%		440	308,304	
Aug-14	93,049	117,674	111,016	321,739	10.0%		498	322,236	
Sep-14	49,804	84,149	78,813	212,767	7.9%	6.6%	246	213,013	
Oct-14	18,589	50,665	52,266	121,519	2.0%		604	122,123	
Nov-14	8,530	43,076	78,311	129,917	-0.3%		359	130,276	
Dec-14	20,944	74,617	105,885	201,446	13.0%	5.9%	293	201,739	
Jan-15	15,285	52,940	54,543	122,768	-4.2%		281	123,049	
Feb-15	25,805	74,286	69,705	169,795	15.1%		166	169,961	
<b>Total FY15</b>	<b>\$ 316,057</b>	<b>\$ 602,343</b>	<b>\$ 669,415</b>	<b>\$ 1,587,815</b>	<b>YTD Compared to Last Year</b>		<b>\$ 2,887</b>	<b>\$ 1,590,702</b>	
YTD vs Last Year	7.27%	7.94%	4.48%	6.32%	or		\$ 94,399	Taxable Sales FY15 \$ 83,569,236	
FY15 % of Collections	20%	38%	42%						
<b>Grand Total</b>	<b>\$ 4,670,978</b>	<b>\$ 9,795,263</b>	<b>\$ 11,815,522</b>	<b>\$ 26,281,764</b>			<b>\$ 758,681</b>	<b>\$ 27,040,994</b>	
% of Total Collections	18%	37%	45%		2.9% Average since '96				



# MEMORANDUM

#2015-011



To: Mayor John Muhlfield  
City Councilors

From: Chuck Stearns, City Manager *Chuck*

Re: Staff Report – Authorization to proceed with sale of Tax Increment Refunding Bonds and Tax Increment Bonds for City Hall/Parking Structure

Date: April 14, 2015

## Introduction/History

Beginning in 1987 when the Urban Renewal Plan was adopted, a new City Hall was anticipated as an urban renewal project for which Tax Increment Funds (TIF) could be used. Then in the 2005 Downtown Master Plan, the City Hall and Parking Structure projects were identified as catalyst projects for the continued development of downtown. The City Hall and Parking Structure were also identified as key projects in the 2015 Downtown Master Plan update. Both the 2005 Downtown Master Plan and the 2015 Downtown Master Plan were adopted as Growth Policy amendments.

The City Council began setting aside Tax Increment Funds annually in a City Hall Construction Fund on November 17, 2003 when they adopted Resolution No. 03-63. That fund currently has \$1,934,699.29 of funds remaining in it.

On May 20, 2013, the City Council, on a 4-3 vote with the Mayor breaking a 3-3 tie, approved moving forward to build a City Hall and Parking Structure on the current City Hall site of Block 36. Since that time an architectural firm (Mosaic Architects), a General Contractor/Construction Manager (Martel Construction), and an Owner's Representative (Mike Cronquist), have all been selected and work has progressed past the Schematic Design phase. The City Council passed a number of motions at the March 2, 2015 meeting which made the final decisions for the Schematic Design. Design is now in the Design Development phase which fleshes out all of the construction details prior to proceeding to construction drawings.

All of these plans and approvals have anticipated that Tax Increment Funds saved over the years plus a new tax increment bond issue would be the primary funding sources for a new City Hall and Parking Structure. When the City Council approved the City Hall and Parking Structure on May 20, 2013, they also set in motion a process which will result in \$750,000.00 of the cost for the Parking Structure to be paid by downtown businesses and organizations in a 20 year Special Improvement District.

On December 1, 2014, the City Council approved using David MacGillivray of Springsted, Inc. of St. Paul, MN as the city's independent financial advisor for a tax increment bond for the City Hall and Parking Structure and also to refund or refinance the existing tax increment bonds that were issued in 2009.

### Current Report

- . This new Tax Increment Bond issue (actually two bond issues) will serve two purposes:
  1. Refund or refinance our existing Tax Increment Bond that has interest rates between now and 2020 at 4% - 4.625% (refunding principal amount of bonds is approximately \$7,200,000). This bond can be done quickly to lock in low interest rates of approximately 2.5%.
  2. Provide new money and funding for the City Hall/Parking Structure – amount of bonds needed approximately \$11,240,000. This issue might not occur until 2016 depending on the timing of the financing for the Stoltze Conservation Easement.

In order to issue Tax Increment Bonds for both the refunding or refinancing (hereinafter called Refunding) and as partial fund for the new City Hall and Parking Structure (hereinafter called New Money) we can either sell the bonds in the national public debt markets (public sale) or we can negotiate directly with underwriters or banks (private sale). In discussions with Mr. MacGillivray, he recommended the City first attempt to place the bonds privately with a local financial institution(s). A private sale is authorized by Section 7-7-4433 which provides as follows:

**7-7-4433. Sale of bonds.** (1) Bonds authorized to be issued under this part may be sold at a public or private sale as determined by the governing body pursuant to [17-5-107](#) at a price not less than that prescribed by the governing body, plus interest to the date of delivery of the bonds.

(2) Unless sold at a private sale, the bonds must be sold at public sale after notice of the sale.

**17-5-107. Public or private sale -- procedure for public sale.** (1) The governing body of a political subdivision may sell its bonds at public or private sale as determined by the governing body and, if the bonds are sold at private sale, in denominations and forms approved by the governing body. If the governing body conducts a public sale, those provisions of state law regarding the public sale of bonds that pertain to the political subdivision govern the sale.

(2) The bonds must be sold at not less than 97% of the principal amount of the bonds if the governing body determines that a sale at that price is in the best interests of the political subdivision.

David MacGillivray of Springsted, Inc., Dana Smith, Finance Director, our Bond Counsel with Dorsey and Whitney, and I have had several discussions and meetings with representatives from First Interstate Bank and Glacier Bank to see if they would be interested in and competitive for interest rates in a private sale.

Doing these bond issues with local banks make sense for the following reasons:

1. State law allows us to do negotiated sales on TIF bonds because, as a Revenue Bond, they are often called “story bonds” wherein the “story” of the local economy, local conditions, and growth are part of the selling points and critical to the sale of the bonds. Local banks know the local “story” better than distant public markets.
2. As a five year bond between now and 2020, that is within the typical financing time frame that banks like better than traditional 20 year, fixed interest rate bonds, so banks are even more competitive than usual on short term bonds.
3. Depending on the timing of the bond issues in conjunction with the debt financing of the SRF for the Stoltze Conservation Easement (need \$7,700,000, with debt reserves and issuance costs it will be around \$8,400,000 principal), we can get the refunding bonds and most likely the “new money” bonds deemed as “bank qualified” under federal IRS rules for bonds. That means banks can quote or bid even more competitively for such bonds than “non-bank qualified”.
4. A financing with local banks can be done more quickly without all of the disclosure required of a public market debt issuance and the banks terms are very flexible – for a fee we can draw down funds over time if we want rather than all at once.
5. We don’t have to do disclosure documents, bidding processes, and a bond rating if we do a private sale as compared to those procedures for a public offering, so we save those costs as well.

All of these conditions are contingent upon the local banks being able to purchase the bonds at competitive market interest rate levels and with appropriate terms of sale.

After initially contacting both banks individually, First Interstate Bank and Glacier Bank decided to join together in a proposal because they have done other tax-exempt bond issues together in the recent past (a recent FVCC refunding bond) and for our \$18,000,000 plus of bonds, they likely would need to combine anyway to lower individual bank risk. Their initial proposals to do the financing of both the TIF Refunding and New Money bonds are attached to this report in the packet.

Our Financial Advisor, David MacGillivray of Springsted, Inc. works on debt issuances every week and watches interest rates nationally and regionally on a daily basis. David believes the two banks have given us a very competitive proposal on interest rates and his advice is that we obtain authorization to proceed negotiating a private sale with the two banks based on their proposal.

There are still some details to complete, but we wanted to bring this information forward to the Mayor and City Council before proceeding very much further. We all believe that a private sale with the two local banks will not only get us very competitive interest rates, but can be accomplished much more easily and quickly than a public offering and with less expense.

The approximate basic sizing of the two bond issues is below:

**NEW MONEY TIF BOND**

**\$12,360,000**

**City of Whitefish, Montana**

Tax Increment Urban Renewal Revenue Bonds, Series 2015  
(City Hall and Parking Project)

**Sources & Uses**

**Dated 06/01/2015 | Delivered 06/01/2015**

**Sources Of Funds**

Par Amount of Bonds.....	\$12,360,000.00
City Cash Contributed.....	3,350,000.00
Net Proceeds of SID Issue.....	750,000.00

**Total Sources..... \$16,460,000.00**

**Uses Of Funds**

Deposit to Project Construction Fund.....	15,000,000.00
Deposit to Debt Service Reserve Fund (DSRF).....	1,236,000.00
Total Underwriter's Discount (1.000%).....	123,600.00
Costs of Issuance.....	100,000.00
Rounding Amount.....	400.00

**Total Uses..... \$16,460,000.00**

**TIF REFUNDING BONDS**

**\$7,160,000**

**City of Whitefish, Montana**

Tax Increment Urban Renewal Revenue Refunding Bonds, Series 2015  
Current Refunding of Series 2009 (00, 01, 04 Ref, New Money)

**Project Summary**

**Dated 05/01/2015 | Delivered 05/01/2015**

	<b>2000 Refund</b>	<b>2001 Refund</b>	<b>2004 Refund</b>	<b>New Money</b>	<b>Issue Summary</b>
<b>Sources Of Funds</b>					
Par Amount of Bonds.....	\$1,955,000.00	\$765,000.00	\$630,000.00	\$3,810,000.00	\$7,160,000.00
Transfers from Prior Issue Debt Service Funds.....	439,942.50	171,460.00	142,696.88	851,893.75	1,605,993.13
Transfers from Prior Issue DSR Funds.....	430,000.00	168,000.00	138,500.00	833,000.00	1,569,500.00
<b>Total Sources.....</b>	<b>\$2,824,942.50</b>	<b>\$1,104,460.00</b>	<b>\$911,196.88</b>	<b>\$5,494,893.75</b>	<b>\$10,335,493.13</b>
<b>Uses Of Funds</b>					
Deposit to Current Refunding Fund.....	2,614,942.50	1,021,460.00	842,696.88	5,086,893.75	9,565,993.13
Deposit to Debt Service Reserve Fund (DSRF).....	195,500.00	76,500.00	63,000.00	381,000.00	716,000.00
Costs of Issuance.....	13,652.23	5,342.18	4,399.44	26,606.15	50,000.00
Rounding Amount.....	847.77	1,157.82	1,100.56	393.85	3,500.00
<b>Total Uses.....</b>	<b>\$2,824,942.50</b>	<b>\$1,104,460.00</b>	<b>\$911,196.88</b>	<b>\$5,494,893.75</b>	<b>\$10,335,493.13</b>

If the Mayor and City Council authorize us to continue negotiating with First Interstate Bank and Glacier Bank on these TIF bond issues, we will likely come forward next with a Resolution outlining the financial parameters of each bond issue and then final resolutions and documents to issue and close on each bond issue. We would likely proceed as soon as possible with the refunding/refinancing TIF bond issue in order to lock in the current low interest rates. The New Money Bond might not be issued until early in 2016, depending on our coordinating the issue of this bond with the SRF financing for the Stoltze Conservation Easement bond, and an estimate of the project's expenditure calendar. We can typically get better interest rates from banks if we issue under \$10,000,000.00 of bonds and SRF loans in any calendar year.

### Financial Requirement

Most of the final details, debt service schedules, and other financial information will come later with future resolutions, but the initial savings estimates from refunding/refinancing of our current Tax Increment Bonds are a net total future value of interest cost savings, after deduction of all expenses, of approximately \$440,000 spread over five years to 2020, with approximately nearly the same amount on a net present value basis.

### Recommendation

Staff respectfully recommends the City Council authorize staff to work with our financial advisor, Springsted, Inc. and Bond Counsel, Dorsey and Whitney to proceed with a private sale of both Tax Increment Refunding Bonds and Tax Increment Bonds (New Money) for the City Hall/Parking Structure with First Interstate Bank and Glacier Bank as outlined in the attached proposals and as recommended by Springsted, Inc.

attachments



March 30, 2015

City of Whitefish  
PO Box 158  
Whitefish, MT 59937

Re: Bond Proposals

Dear Chuck:

First Interstate Bank and Glacier Bank have reviewed your request to Refund the 2009 City of Whitefish Bond Issue as well as purchase additional Bonds to fund construction of the new Whitefish City Hall and Parking Garage. The Banks are pleased to provide you with the proposal outlined below which is subject to final underwriting and approval by each bank.

**Refunding:**

Amount: \$7,200,000.00

Term: Four or five years.

Rate: 2.38% for four years or 2.57% for five years. Rates represent the net interest cost, inclusive of fees, and are subject to change up until the closing date. Rate to be spread off the four or five year Federal Home Loan Bank of Seattle or Des Moines (5/31/15 merger) Amortizing Index + 110bp.

Rate quote is dependent on the issuance being designated as a qualified tax exempt obligation (bank qualified) by the issuer. Failure to designate the issue as bank qualified would result in the rate quote increasing by 15 bp.

Rate quote is dependent on the issuance being tax exempt. Failure for the issue to be tax exempt would result in the rate quotes increasing to 3.59% for four years and 3.88% for five years. The spread will increase to the four or five year Federal Home Loan Bank of Seattle or Des Moines Amortizing Index + 240 bp.

Fee: Bond counsel, document preparation and other issuance costs will be paid by the City of Whitefish.

**New Bond Issue:**

Amount: \$11,240,000.00

Term: Four or five years

Advance: Issue can be drawn upon for 18 months after issuance.

*Fully Advanced At Issuance:*

Rate: 2.38% for four years or 2.57% for five years. Rates are subject to change up until the closing date. Rate to be spread off the four or five year Federal Home Loan Bank of Seattle or Des Moines (5/31/15 merger) Amortizing Index + 110bp.

Rate quote is dependent on the issuance being designated as a qualified tax exempt obligation (bank qualified) by the issuer. Failure to designate the issue as bank qualified would result in the rate quote increasing by 15 bp.

Rate quote is dependent on the issuance being tax exempt. Failure for the issue to be tax exempt would result in the rate quotes increasing to 3.59% for four years and 3.88% for five years. The spread will increase to the four or five year Federal Home Loan Bank of Seattle or Des Moines Amortizing Index + 240 bp.

Fee: Bond counsel, document preparation and other issuance costs will be paid by the City of Whitefish. Issuance fee will be waived if funds are fully advanced at issuance.

*Multiple Advances:*

Rate: 2.38% for four years or 2.57% for five years in addition to an \$80,000 issuance fee. Rates are subject to change up until the closing date. Rate to be spread off the four or five year Federal Home Loan Bank of Seattle or Des Moines (5/31/15 merger) Amortizing Index + 110bp.

Rate quote is dependent on the issuance being designated as a qualified tax exempt obligation (bank qualified) by the issuer.

Failure to designate the issue as bank qualified would result in the rate quote increasing by 15 bp.

Rate quote is dependent on the issuance being tax exempt. Failure for the issue to be tax exempt would result in the rate quotes increasing to 3.59% for four years and 3.88% for five years. The spread will increase to the four or five year Federal Home Loan Bank of Seattle or Des Moines Amortizing Index + 240 bp.

Fee: \$80,000.00 issuance fee, Bond counsel, document preparation and other issuance costs will be paid by the City of Whitefish. Issuance fee will be waived if funds are fully advanced at issuance.

**Refunding and New Bond Issue Requirements:**

Payments:

Principal and interest payments due semi-annually.

Security:

Special Limited Obligations of the Whitefish Tax Increment Urban Renewal District secured by a senior lien on all tax increment revenue generated by the district and amounts held in all accounts established in relation to this issuance, including but not limited to the Debt Service Reserve Account.

Financial Covenants and Financial Reporting Requirements:

Commensurate with outstanding 2009 issue.

Legal Matters:

Issuer's bond counsel is to provide a legal opinion on the tax status of the issuance. If tax exempt, the issuer must designate the bonds as a qualified tax-exempt obligations (BQ). Should the tax exempt status of the issue be compromised at or after issuance, the interest rate to be paid on the debt shall revert to the equivalent taxable rate to the bank as of the issuance date.

Sincerely,

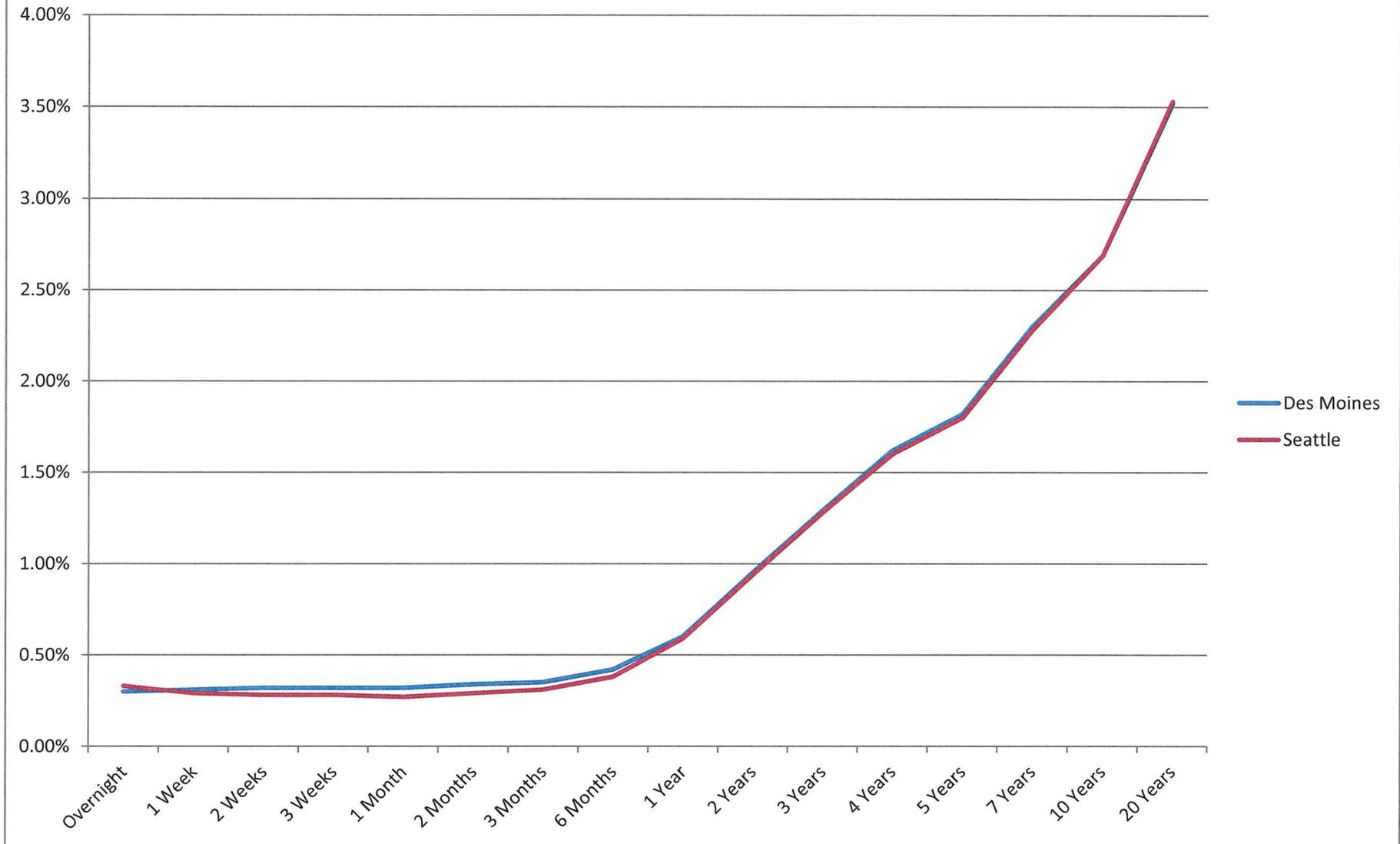


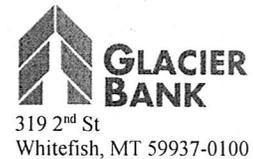
David Dittman  
President, First Interstate Bank



Dennis Beams  
Chief Credit Officer, Glacier Bank

### FHLB Seattle vs Des Moines Published Rate Comparison As of 3/27/15





April 10, 2015

City of Whitefish  
PO Box 158  
Whitefish, MT 59937

Re: Bond Proposals

Dear Chuck:

First Interstate Bank and Glacier Bank have reviewed your request to Refund the 2009 City of Whitefish Bond Issue. The Banks are pleased to provide you with the proposal outlined below which is subject to final underwriting and approval by each bank.

Amount: \$7,200,000.00

Term: Five years.

Rate: 2.49% for five years as of April 10, 2015. Rates represent the net interest cost, inclusive of fees, and are subject to change up until the closing date. Rate to be spread off the five year Federal Home Loan Bank of Seattle or Des Moines (5/31/15 merger) Amortizing Index + 110bp. Rate can be locked up to 30 days prior to issuance.

Rate quote is dependent on the issuance being designated as a qualified tax exempt obligation (bank qualified) by the issuer. Failure to designate the issue as bank qualified would result in the rate quote increasing by 15 bp.

Rate quote is dependent on the issuance being tax exempt. Failure for the issue to be tax exempt would result in the rate quotes increasing to 3.59% for four years and 3.88% for five years. The spread will increase to the four or five year Federal Home Loan Bank of Seattle or Des Moines Amortizing Index + 240 bp.

Rate quote is made under the presumption that the City of Whitefish intends to further leverage the TIF district to fund additional projects. Should the City decide to forgo the additional issuance as proposed and agree to a minimum annual projected debt service requirement of 2.0 times, the banks would reduce the rate margin by 15 bp.

Fee: Bond counsel, document preparation and other issuance costs will be paid by the City of Whitefish.

**Requirements:**

Payments:

Principal and interest payments due semi-annually.

Security:

Special Limited Obligations of the Whitefish Tax Increment Urban Renewal District secured by a senior lien on all tax increment revenue generated by the district and amounts held in all accounts established in relation to this issuance, including but not limited to the Debt Service Reserve Account.

Financial Covenants and Financial Reporting Requirements:

Commensurate with outstanding 2009 issue.

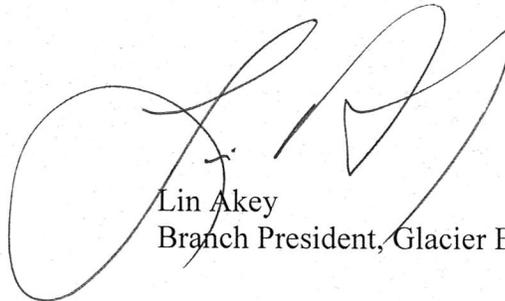
Legal Matters:

Issuer's bond counsel is to provide a legal opinion on the tax status of the issuance. If tax exempt, the issuer must designate the bonds as a qualified tax-exempt obligations (BQ). Should the tax exempt status of the issue be compromised at or after issuance, the interest rate to be paid on the debt shall revert to the equivalent taxable rate to the bank as of the issuance date.

Sincerely,



David Dittman  
President, First Interstate Bank



Lin Akey  
Branch President, Glacier Bank

## 11. Upcoming Decisions for the City

- a. Structural frame system (Cross-braced or Special Moment Frames). These will be explained in more detail at the next meeting with the City.
- b. Mechanical systems – Design team will have a recommended direction at the next meeting with the City
- c. Cross-over Ramp deletion. The design team recommends deleting this ramp based on functionality return for the dollar and parking efficiency.
- d. Building Materials – The design team will have a first look at the brick and window types at the next meeting with the City.
- e. Interior Finish and Colors – The design team will start to look at materials and colors over the summer.
- f. Establishment of GMP (timing)
  - i. Prior to move-out?
  - ii. Prior to abatement?
  - iii. Prior to demo?
  - iv. Prior to fall Council change over?

**g. Whether to design the 3,000 sq. ft. retail space to accommodate a restaurant or not.**

12. Project Schedule –

- a. City intends to move out by August 1<sup>st</sup>.
- b. Design team is shooting for September 1<sup>st</sup> to be completed with the drawings
- c. GMP (Guaranteed Maximum Price) cannot be set until the drawings are finished (to at least 90%) and subcontractor input/bidding. This will not happen until late September. The GMP will need to go to the City Council for approval and final construction contract. The timing of the establishment of the GMP could get complicated.
- d. Existing building abatement and demo may be able to occur before GMP establishment with City approval. This would help the construction schedule.
- e. Martel will provide more detail for the project schedule at the next meeting with the City.
  - i. Aug. – Sept. abatement and demolition
  - ii. Oct. – Nov. excavation
  - iii. Dec. – Feb. foundation systems and on grade slabs
  - iv. Spring 2016 – elevated slabs.

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.



# Earth Day April 25 2015 Celebration

## April 25th • Depot Park • Whitefish

### 10am to 2pm

**EXPLORE  
PLAY • LEARN**  
Fun for All Ages  
**OVER THIRTY BOOTHS TO VISIT**  
Live Music, Good Food,  
and Entertainment



Doc Wild

**10am**  
Explore over 30 booths.

**11am**  
Welcome from Jeff Mow, Glacier National Park Superintendent

**11:15am to noon**  
Doc Wild Entertains with Stories and more

**Noon to 2pm**—Enjoy Good Food  
& Continue to Explore over 30 booths

**6pm-8pm**  
Return for an Earth Day Concert and Photo Show with the Crown of the Continent Choir at the O'Shaughnessy Center

**DON'T MISS:**

- **The Solar Powered Jump House,**
- **The 26ft High, GET A GRIP CLIMBING WALL, for all ages, and...**
- **MEET WOODSY OWL**

Do your part to help make this a zero-waste event! Use Recycling Bins Provided. Bring a Refillable Water Bottle.



### Live It

Visit the Earth Day pledge photo booth; Participate in a live radio broadcast; Screen print your own Earth Day t-shirt; Take the recycling challenge; Learn about scouting; Chalk up the sidewalk with Earth Day art; and Get involved with trails for walking, hiking, and biking the Flathead.

### Save It

Explore ways to save special places; Save energy and go solar- or wind-powered; Check out skins and skulls from wild critters; Learn cool stuff about birds & fish; Protect & measure water quality; and Recycle More.

### Fix It

Bring your bike to the fix it tune-up station; Get creative at the repurposed arts & crafts station, Make paper; Learn about historic trail building and Leave No Trace tips; Visit the 'Imagine If' station.

### Grow It

Learn about native plants, Bee keeping, Worms & compost, Fruit tree grafting, Forestry, Gardening with local seeds, GMO Free Foods; and Make a flower 'seed bomb' to toss and plant.



**Anne Shaw Moran  
432 W. Third Street  
P.O. Box 4472  
Whitefish, MT 59937**

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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

Read at Council Meeting 4-21-15

Whitefish City Council  
Whitefish, Montana 59937

April 20, 2015

Dear Mayor Muhlfeld and Whitefish City Council members,

Tonight's hearing represents many hours of work you, the Steering Committee, staff, and Whitefish citizens have donated to develop the Highway 93 West Corridor Plan.

The signatures of fifty Whitefish residents were submitted to you on February 2, 2015. These citizens and I believe that the proposed plan does not do enough to protect the established residential character of neighborhoods along the corridor, *in particular in Area B.*

I encourage the Council to support the use of existing Whitefish zoning districts which already provide opportunities for limited nonresidential uses in this plan area.

I also support the creation of standards for a park zoning district, as called for in the Whitefish Growth Policy, as a necessary part of the final Corridor plan.

Thank you for your full consideration.

Sincerely,



Gail Shay Linne

106 Murray Avenue

Whitefish, Montana 59937