1) CALL TO ORDER
The City Council meeting was held remotely through WebEx to follow Governor Steve Bullock’s Stay – at – Home Directive to help slow the spread of COVID-19. Mayor Muhlfeld called the meeting to order. Councilors present were Qunell, Feury, Hennen, Hartman, Sweeney, and Norton. City Staff present were, City Clerk Howke, City Manager Smith, City Attorney Jacobs, Planning and Building Director Taylor, Public Works Director Workman, Planner II Minnich and IT Administrator Hunt. Approximately 22 attendees joined remotely.

2) PLEDGE OF ALLEGIANCE
Mayor Muhlfeld lead the panelists and attendees in the Pledge of Allegiance.

3) PRESENTATION
   a) Annual Review and consideration of approval for Whitefish Convention and Visitors Bureau Marketing Plan and Budget for FY21 (p.19)

Whitefish Convention and Visitors Bureau Executive Director Dylan Boyle presented the Marketing Plan and Budget for FY21 that is provided in the packet on the website. Councilor Hartman made a motion, seconded by Councilor Sweeney to approve the Whitefish Convention and Visitors Bureau Marketing Plan and the Budget for FY21 in the amount of $78,000. The motion passed unanimously.

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)

Citizens for a Better Flathead, Kalispell provided a letter that is appended to the packet and the minutes. City Clerk Howke read the letter aloud into the record. The letter is requesting the Council to delay the timeline and work of the Highway 93 South Corridor Plan until information is readily available for consideration by the committee and the public; the public meetings notices be provided for the work of the proposed Study Review Committee and Project Team Working Meeting regarding the 2020 Transportation Plan Update; encourage the Council to actively work with the consultant as they move forward with the development of the new transportation plan.

5) COMMUNICATIONS FROM VOLUNTEER BOARDS
None

6) CONSENT AGENDA
   a) Minutes from March 16, 2020 Regular Session (p.62)
   b) Resolution No. 20-11; A Resolution of the City Council of the City of Whitefish, Montana, amending Resolution No. 18-19 to extend the duration of the Highway 93 South Corridor Plan Steering Committee through September 30, 2020 (p.66)

Councilor Norton had a correction of the March 16, 2020 minutes on page 2 under 9(a)(2); correct ‘vent’ with ‘event’. Councilor Sweeney made a motion, seconded by Councilor Feury to approve the Consent Agenda as corrected. The motion passed unanimously.

7) PUBLIC HEARINGS (Items will be considered for action after public hearings) (Resolution No. 07-33 establishes a 30-minute time limit for applicant’s land use presentations. Ordinances require 4 votes for passage – Section 1-6-2 (E)(3) WCC)
   a) Consideration of a request from Mireille Bierens for a Conditional Use Permit to construct an accessory apartment located at 553 Park Avenue, zoned WR-2 (Two-Family Residential) (WCUP 20-02) (p.69)
Planner II Minnich gave her staff report that is provided in the packet on the website.

Mayor Muhlfeld opened the Public Hearing.

Applicant Mireille Bierens and builder Justin Taylor were available for questions from the Council.

There being no public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for consideration.

Councilor Feury made a motion, seconded by Councilor Sweeney to approve WCUP 20-02, the Findings of Fact in the staff report and the eight conditions of approval, as recommended by the Whitefish Planning Board on March 19, 2020. The motion passed unanimously by roll call.

b) Consideration of a request from Montana Commerce, LLC for a Conditional Use Permit to construct a gas station and convenience store located at 6045 Highway 93 S, zoned WB-2 (Secondary Business District) (WCUP 20-01) (p.95)

Planner II Minnich gave her staff report that is provided in the packet on the website. Eleven letters were received from the public.

Discussion followed between staff and Council regarding shared use paths, ingress and egress into the proposed site, and the private unnamed road.

Mayor Muhlfeld opened the Public Hearing.

Jason Egeline, CWG Architects, Helena Montana, stated this is a corner convenience store that provides the basic needs as the corner grocery store does. It is close to residential, the hospital, and sports facilities. This will not be a casino, restaurant or a travel plaza. Town Pump is Montana owned since 1953 and is a charitable business.

Dan Sampson, Montana Commerce, Butte, Montana, Construction and Development Manager addressed concerns from the Planning Board meeting. The asked WGM to review the traffic impact study and apply the latest traffic figures they had access to. The letter in the packet states all of the approaches and neighboring streets or highways operated at an acceptable level of service. They have been working on the engineered stormwater plan. There were concerns of environmental impacts that may result from this site. He stressed this is not a truck stop, it is going to be automotive service, with an island to handle the larger RV vehicles. Town Pump is one of the most responsible operators within the state in their design for environmental impact mitigation. All of the islands on the site plan will have a swale that will catch spillage that will run to an inlet that is piped to an oil-water separator. There is approximately 610 feet from the intersection of highway 40 and 93 to the private street intersection. There is approximately 50 feet between the center turn lane and the left-hand stacking lane. If there was RVs or other vehicles on Hwy 93 waiting to turn left, it would not affect the left-hand stacking going onto Hwy 40.

Richard Hildner, 104 5th Street, encourages the proponent to postpone this to a later date to provide more robust public involvement. If this is not postponed tonight he encourages the Council to deny due to: the MDT traffic study is out of date; Highway 93 exceeds the standard for a divided highway; the right turn onto Hwy 40 will require a vehicle to cross two lanes of traffic in order to be in position to make a left turn onto Hwy 93 headed south; he is concerned the existing Town Pump will close and that will contribute to further urban blight; he would like the proponents promises in writing; he would like to see the amount of donations Town Pump has
provided to the community of Whitefish; if approved he would like the City to have extremely tight conditions so the proponent does not come back asking for changes; he thinks there should be a condition the pumps be inspected and the inspection report be a part of the public record and be an annual inspection; all refuse containers must be bear-resistant; provide containers for recyclable materials; bike/ped path should be at least 8ft wide; the private roadway should be posted no parking on either side. He doesn’t believe that a Town Pump or a filling station adds much to the unique experience of coming into Whitefish.

Rhonda Fitzgerald, 412 Lupfer Avenue, stated the community’s vision for this property is a natural park-like setting.

Five letters were emailed to City Clerk Howke after the Council Packet was published on April 1st. City Clerk Howke read the letters aloud into the packet. The letters are appended to the packet on the website and the end of the minutes. The letters are from Lauren Walker, Andrea Vissotzky, Citizens for a Better Flathead, Alpine Women’s Center, and Anita Mills.

Moderator IT Administrator Chris Hunt was having technical difficulties for public comment from Leo Keane. Leo did provide a letter that is provided in the packet prior to April 1st.

There being no further public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the City Council for consideration.

Discussion followed between staff and Council. There is concerns of the traffic analysis, the public involvement issues due to technical difficulties, possible easement dedication for possible future round-about at the intersection, and the building setback requirements regarding preserving the trees.

Councilor Sweeney made a motion, seconded by Councilor Hartman to postpone this Public Hearing to April 20, 2020, keeping the Public Hearing open. The motion passed unanimously by roll call.

c) Consideration of a request from Joseph and Jill Courtney for a Conditional Use Permit to construct a guesthouse, located at 535 Colorado Avenue, zoned WR-2 (Two-Family Residential District) (WCUP 20-04) (p.239)

Planner II Minnich gave her staff report that is provided in the packet on the website.

Mayor Muhlfeld opened the Public Hearing.

Joe Courtney, 535 Colorado Avenue, applicant, asked if with the constraints of the current COVID-19 epidemic, finding contractors could delay the construction of this project. He asked if there could be an extension conditioned or if they would have to ask for an extension at 18 months from approval.

There being no further public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for consideration.

Councilor Feury made a motion, seconded by Councilor Qunell to approve WCUP 20-04, the Findings of Fact in the staff report, amend Condition #6 permit is valid for 24 months. The motion passed unanimously by roll call.
d) **Ordinance No. 20-06;** An Emergency Ordinance of the City Council of the City of Whitefish, Montana, implementing the “Directive Implementing Executive Orders 20-2020 and 3-2020, providing measures for the operation of local government,” issued by Governor Steve Bullock on March 24, 2020, amending Ordinance No. 20-04, and waiving a second reading (Only Reading) (p.268)

City Attorney Jacobs gave her staff report that is provided in the packet on the website.

Mayor Muhlfeld opened the Public Hearing, there being no public comment, Mayor Muhlfeld closed the Public Hearing and turned the matters over to the Council for their consideration.

**Councilor Qunell made a motion, seconded by Councilor Sweeney to adopt Emergency Ordinance No. 20-06 and waiving the second reading. The motion passed unanimously by roll call.**

8) **COMMUNICATIONS FROM PLANNING AND BUILDING DIRECTOR**
   a) **Consideration** of a request from Randy Dunlop and Cam Clark for a Whitefish Lake and Lakeshore Protection Permit located at 736, 751, and 810 Birch Point Drive to remove existing individual docks and install new shared docks (WLP 20-W01) (p.286)

Planner II Minnich gave her staff report that is provided in the packet on the website.

**Councilor Feury made a motion, seconded by Councilor Sweeney to approve WLP 20-W01 staff report as Finding of Fact, with the proposed seventeen conditions of approval, amending condition #8; the dock must be placed in the middle of the property. The motion passed unanimously by roll call.**

9) **COMMUNICATIONS FROM PUBLIC WORKS DIRECTOR**
   a) **Consideration** for Authorization to Contract for the 2020 Transportation Plan Update (p.325)

Director Workman gave his staff report that is provided in the packet on the website.

**Councilor Hennen made a motion, seconded by Councilor Hartman to recommend the City Manager be authorized to execute a contract with KLJ to complete the 2020 Transportation Plan Update. The motion passed unanimously by roll call.**

   b) **Consideration** for Approval of Plans and Authorization to Bid Baker Avenue Underpass Project (p.371)

Director Workman gave his staff report that is provided in the packet on the website.

**Councilor Hartman made a motion, seconded by Councilor Feury to approve the plans for the Baker Avenue Underpass Project and authorize staff to bid the project. The motion passed unanimously by roll call.**

10) **COMMUNICATIONS FROM CITY MANAGER**
   a) **Written report** enclosed with the packet. Questions from Mayor or Council? (p.398)

None

   b) Other items arising between April 1st and April 6th
City Manager Smith reported the city has reduced some of the shift schedules, half the crews come in one week, and then swap with the next week. She anticipates Governor Bullock will extend the directives to April 24th. Those that are not working at home and cannot work remotely, are allowed to use the emergency sick leave. Moving forward we need to think about whether we are going to allow paid administrative leave or if we are going to ask them to use their accrued leave. Her recommendation is to go to a paid administrative leave. We have it budgeted to pay these individuals for this year. Our funds are collectible for those that we still have on staff. She asked the Council if they would be willing to allow to move forward with paid administrative leave.

City Manager Smith also welcomed Ben Dahlman, the new Finance Director. We are happy to have him on board working remotely since he is from Colorado. He is a great addition to our team. She also mentioned we had some technical difficulties tonight, we are working through them and Chris is doing a fantastic job on it. Kalispell is doing only conference calls, and only allowing written comments. The fact we are taking the effort to try and allow a public comment live is something that is unique, at least in our valley.

Discussion followed between Council and staff regarding the administrative paid leave if the Governor’s directives are extended. Council unanimously asked staff to bring back to the next meeting the impact this would be and who would be impacted.

**Councilor Sweeney made a motion, seconded by Councilor Hartman to extend the meeting past 11:00 p.m. as established in Resolution No. 08-10. The motion passed unanimously by roll call.**

c) **Resolution No. 20-12**: A Resolution of the City Council of the City of Whitefish, Montana, relating to $19,925,000 Sewer System Revenue Bonds (DNRC Water Pollution Control State Revolving Loan Program), consisting of $350,000 Subordinate Lien Taxable Series 2020A Bond, $10,000,000 Series 2020B Bond, and $9,575,000 Series C Bond; Authorizing the Issuance and Fixing the Terms and Conditions thereof (p.402)

City Manager Smith gave her staff report that is provided in the packet on the website.

**Councilor Qunell made a motion, seconded by Councilor Sweeney to approve Resolution No. 20-12. The motion passed unanimously by roll call.**

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

   a) Held as a Special Session, April 5, 2020 at 10:00 a.m., remotely. Council adopted Ordinance No. 20-05 unanimously, effective immediately.

Council Comments

Councilor Feury thanked staff and LJ Communications for the numerous PSA’s this past few weeks. Councilor Sweeney echoed Councilor Feury and also welcomed Finance Director Ben Dahlman from Colorado. Councilor Hartman also thanked staff. Councilor Qunell thanked staff and also reminded folks to take time for a good laugh and take a break from all your worries. Councilor Norton reported she is proud of Whitefish and feels the community is doing a good job with the Stay – at – Home Directive and Social Distancing. She demonstrated the correct way to remove a mask.

Mayor Muhlfeld recently spoke with friends from Colorado, New Mexico, Missoula, Bozeman and Ennis of the Emergency Ordinance No. 20-05 that was passed yesterday. He wanted to commend the Council and everyone for supporting that ordinance. They are looking to us as the model. He thanked IT Administrator Chris Hunt for orchestrating the meeting via WebEx. Some discussion followed regarding the Architectural Review Committee
to be considered an essential committee. The Council unanimously agreed for the Architectural Review Committee to be considered essential and continue conducting business remotely.

Mayor Muhlfeld also asked members of the public to limit their comments when submitting letters for reading.

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 11:14 p.m.

Attest:

[Signature]
Mayor Muhlfeld

Michelle Howke, Whitefish City Clerk
April 6, 2020

To: The Whitefish City Council for consideration under Communications From the Public

Let us first express our appreciation for the council’s strong leadership on addressing and taking the measures needed to protect the public during these challenging times during this pandemic.

On your consent agenda this evening is the extension of the time for the duration of the Highway 93 South Corridor Plan Steering Committee through September 30, 2020. Additionally, under agenda item #9 is your consideration of Authorization to Contract for the 2020 Transportation Plan Update. Related to these two items jointly we would ask that you give consideration to the following:

1. While we strongly support the council moving forward with the 2020 Transportation Plan Update, we believe that the findings of this update should be used to inform and guide final decisions on the Highway 93 South Corridor Plan. As it appears from the information provided in your packet that the findings, traffic data/projections, and policy recommendations from the Transportation Plan Update, as well as realistic funding projections for improvements needed, will not be available or complete until 2021, we would suggest that the timeline and work of the Highway 93 South Corridor Plan should be delayed until this information is readily available for consideration by both the committee and the public. So while we encourage you to move forward with the 2020 Transportation Plan Update, we would ask that a revised timeline and work plan be developed for the Highway 93 South Corridor Plan so that this plan can best benefit from the transportation plan update.

2. In reviewing the public involvement elements of the proposed 2020 Transportation Plan Update, we appreciate the proposed multiple interactive online tools that will be provided for public input as well as some (though perhaps too limited) opportunities for direct public input. Additionally we would ask that public meeting notices be provided for the work of the proposed Study Review Committee and Project Team Working Meetings, outlined in the consultant’s proposal, so that the public has the opportunity observe these meetings and to learn in more depth about the pros and cons of policy options being considered as work on this plan progresses. This will allow members of the public who are often the “traffic experts” in their neighborhoods to provide more timely input and to be better informed so they can raise issues of concern earlier in the process before the plan becomes more finalized and difficult to change.

3. Finally, while Whitefish over the years has funded and supported earlier transportation plans, the lack of funding to implement the recommendations of these plans has meant that many critical road connections have not been built. We would encourage the council, as you move forward with the development of this new transportation plan, to actively work with the consultant to have them give additional consideration and recommendations for how transportation improvements will be funded and when such funding can be realistically achieved. Given the inherent lack of funding for what the city would like to provide, it is also important, we feel, that the new transportation plan better define how the Whitefish Growth Policy goals and call for concurrency standards can best be implemented as new development is proposed. (Concurrency means that adequate public facilities are in place to serve new development as it occurs or within a specified time period.)

Thank you for consideration of our comments this evening and as you move forward.
Thanks Michelle,

Sorry so late, life has been...well.....you know...

Dear Council,

While you are undoubtedly focusing on keeping our city and residents safe, the business of business will continue. Can you also try to keep us safe from over development, unsmart development, and greed? Those are just as important as anything else in the livelihood and happiness of our residents.

That said, I would like to implore you not to give Town Pump SPECIAL PERMISSION to CHANGE the zoning of their property and put up the blight of a gas station as our welcoming entrance to Whitefish. The planning board did not want to recommend you to approve it... but could not see a way out. The way out is they don't have the zoning and you would have to approve a change of zone to allow it. You do not have to do that. PLEASE DO NOT! Again and again the council is up against bad choices that they really cannot mitigate. But here is an opportunity for you to DO THE RIGHT THING and NOT allow this.

While this may seem a small thing at the moment, it is during times of crises that all kinds of bad, nefarious, and unthought through decisions get made in the name of exigency. Please don't allow that to happen here. Don't let this virus cause The Shock Doctrine to take place in our (still, somewhat, very at the risk of overdevelopment) beautiful town.

Thank you

Lauren Walker

On Fri, Mar 27, 2020 at 12:31 PM Michelle Howke <mhowke@cityofwhitefish.org> wrote:

Good afternoon,

Please forward to me your comment. If I receive it prior to Tuesday 31st it will be included in the packet for the Council to read. If you forward it after Tuesday, I will forward your comment to the Council and/or read it aloud at the meeting.

Thank you,

Michelle Howke

Get Outlook for Android
I'm not sure how you're taking public input these days.

Is the council going to vote on the proposed gas station on April 6? If so, is this the correct address to register my comments?

Thanks,
Lauren Walker
Michelle Howke

From: Andrea
Sent: Monday, April 6, 2020 2:52 PM
To: Michelle Howke
Subject: City council meeting tonight April 6/ proposed town hall pump

Regarding the proposed Town Pump at the corner of hwy 93 & 40:

That’s a horrible idea and place for that. It’s already a problem area for accidents plus the traffic & emergency traffic for hospital. The traffic plan they are referring to for the number of cars is old and outdated And doesn’t reflect the large growth of both population and tourists to the area.

As if that weren’t enough reason to not approve it, this corner (on either side) is the Initial impression when entering whitefish. Ideally, this should remain a green space, not a gas station.

Please don’t approve having a gas station near this intersection!

Andrea Vissotzky
EXTERNAL SENDER verified by City of Whitefish IT
April 6, 2020

To: Whitefish City Council

RE: A request from Montana Commerce, LLC for a Conditional Use Permit to construct a gas station and convenience store located at 6045 Highway 93 S, zoned WB-2 (Secondary Business District) (WCUP 20-01)

We would encourage the Whitefish City Council to deny the Conditional Use Application for WCUP 20-01 for the following reasons:

1. **Failure to meet the Whitefish Growth Policy concurrency standards/policy and the City of Whitefish’s identified need to provided additional water pressure for this area to meet fire capacity needs and service to existing development approved or built in this area.** It is our understanding that the city does not currently have the funding nor a location for the water storage tank identified as needed for this part of the city to meet existing and future needs.1 Availability and adequacy of public services and facilities as required for the issuing of a CUP has not been established with a factual basis as required by city code in the footnote below2 and the burden for doing so is that of the applicant as cited below under our point #2 below. Additionally the city’s findings of fact report does not provide the required factual basis to establish that under #5 that the following statements are based in fact: “Availability and Adequacy of Public Services and Facilities. Sewer and Water: The property is served by both municipal water and sewer. It is adequate to serve the project.” Or “Fire Protection: The Whitefish Fire Department serves the site and response times and access are good. The proposed use is not expected to have significant impacts upon fire services.”

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1 2. It shall be the policy of the City of Whitefish to require concurrency of all urban services, including but not limited to:
   1. Water and sewer
   2. Drainage
   3. Streets
   4. Public safety and emergency services
   5. Pedestrian, bikeway, and trail facilities
   6. Parks
   7. Schools

2 L. City Council Decision Based On Findings: Every decision of the City Council pertaining to the granting, denial or amendment of a request for a conditional use permit **shall be based upon findings of fact, and every finding of fact shall be supported in the records of its proceedings.** The enumerated conditions as provided for in subsection J of this section, required to exist in any matter upon which the City Council is required to pass under these regulations shall be construed as a limitation on the power of the City Council to act in the matter of the issuance of conditional use permits. A mere finding or recitation of the enumerated conditions unaccompanied by findings of specific fact shall not be deemed in compliance with these regulations. (Ord. A-407, 3-15-1982)
2. **Lack of demonstrated need for yet another automotive service station and convenience store in order to demonstrate compliance with required Neighborhood/community compatibility standards for a CUP.** As noted in public comment at the planning board by another member of the public Whitefish already has five gas stations and another half dozen within a ten-mile radius. 11-7-8: CONDITIONAL USE PERMITS states that “K. Burden On Applicant: The burden of proof for satisfying the aforementioned criteria considered for approval shall rest with the applicant and not the City Council. The granting of a conditional use permit is a matter of grace, resting in the discretion of the City Council and a refusal is not the denial of a right, conditional or otherwise.” Additionally the WFGP states that “It shall be the policy of the City of Whitefish to encourage and support sustainability in land use planning so that the needs of the present are met while ensuring that future generations have the same or better opportunities.” Furthermore the Growth Policy designation is Suburban Residential, which does not correspond to the WB-2 zoning district. Lower density residential areas at the periphery of the urban service area generally fall under this designation on the Future Land Use Map.

3. **Following from the previous point as to lack of need, there is no factual basis provided for the urgency of approval of this use prior to the approval of the 2020 Transportation Plan Update and the the Highway 93 South Corridor Plan.** Both of these plans have been identified by the city as high priority plans and essential to sound planning for future growth in Whitefish. Contrary to the staff report and findings of facts prepared by the planning office the statement that the Highway Corridor committee intends to recommend a change to the Whitefish Growth Policy to make this area compatible with the growth policy this has not been voted on by this committee and is merely a staff recommendation at this time. See prior comment by committee member Roger Sherman that supports this committee view. Additionally, the community visioning sessions for this corridor plan demonstrated significant public concern for this entrance corridor to Whitefish discouraged this type of development. The records from these visioning sessions should be made part of the finding of fact for denial of this CUP.

Should the City decide to approve this CUP we would encourage you to add the following conditions:

1. Given the potential for future requests to amend the zoning for this area to add a casino use¹, add a clear condition denying future casinos at this site under this CUP.

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¹ 11-3-7: **CASINOS:**

A. The city council may amend the zoning jurisdiction regulations and create within the WB-2 district a specific geographic area defined as casino overlay zone.

B. A new casino may only be located within a WB-2 district in a location specifically designated casino overlay zone on the official zoning jurisdiction map.

C. Those casinos that exist outside of a designated casino overlay zone shall be considered nonconforming and shall be regulated according to section 11-7-11 of this title. The addition of any gambling machines or gambling devices or increase in number of gambling machines or gambling devices shall be considered an expansion of use under subsection 11-7-11D of this title. (Ord. 00-06, 4-3-2000; amd. Ord. 05-25, 11-21-2005)

D. A nonprofit entity which holds appropriate state alcoholic beverage and gambling licenses and which is a legal nonconforming use not located within the casino overlay, as described in this section, may operate up to four (4) gambling machines subject to the following restrictions:

1. No signs or advertising of any type can be used to publicize the existence of gambling machines, gambling opportunities, or a casino; and

2. Use of gambling machines must be primarily by members of the nonprofit entity. (Ord. 06-06, 4-3-2006)
2. Limit hours of operation for the sale of liquor or other alcoholic beverages at this site as the 24/7 days of operation would allow for sales that are otherwise limited by other state laws. Public safety and welfare is at risk when such a highway oriented facility is allowed to sell these products 24/7. Additionally the applicant has failed to show any factual reason why he should be able to sell liquor or other alcoholic beverages at this site when such services are provided elsewhere in the city.\(^4\)

3. Limit the use of neon or other such lighting in store windows. Compliance with dark sky lighting currently applies as stated in the staff report only to outside lighting. The Kalispell Center Mall provides a glaring example of a casino using its windows to advertise its presence.

4. Clearly prohibit the use of this site for outside displays and rental equipment like U-Haul trucks, boats, recreational equipment and other such equipment as well as parking of vehicles that advertise a business or product.

\(^4\) All liquor stores in Montana are state-controlled with minimum hours of 10am to 6pm. Grocery and convenience stores sell beer and wine from 8:30 a.m. to 2:00 a.m. Restaurants sell alcohol from 11:00 a.m. to 11:00 p.m. Montana breweries serve samples to customers from 10:00 am to 8:00 p.m. They can provide 48 ounces per client.
Whitefish Planning & Building Department
PO Box 158
Whitefish, MT 59937

Dear City Planning Board Members,

This letter is regarding the proposed land use action of property located at 6405 Hwy 93 S. We are very concerned about the request that a gas station and convenience store be built there.

First, traffic impacts would be significant. The major concern would be attempted left turns on to Hwy 40 from the property. Drivers would be attempting to turn through multiple lanes of traffic in close proximity to a complex traffic light. Because people would not be about to turn east (L) on to Hwy 40 they will be forced to turn R out of the business (on the unnamed road toward Alpenglow Dental) and then go through the medical complex to Hospital Way to try to turn east onto Hwy 40. This would be hazardous to pedestrians and vehicles trying to access the south entrance to North Valley Hospital and the medical office complex. Our Experience has already been that the traffic through the medical complex is hazardous when cars are using that unnamed diagonal road to go to the Sports Complex for practices and competitions.

Second, as is stands now, people turning left out of Hospital Way onto Hwy 40 to head east have a difficult and dangerous turn.

Third, attempting to turn left off of Hwy 40 into the gas station will back up traffic at the intersection for people turning east onto Hwy 40. There is a no left turn sign on Hwy 40 at Hospital Way that is consistently disregarded by drivers which causes accidents, so putting a no left turn off Hwy 40 into the gas station will be less than effective.

Fourth, if any serious consideration is made about this construction, water engineers would need to be involved in the planning due to hazardous runoff being created by fuel spills at gas stations. The contaminated water would drain toward the hospital/medical offices which already has a retention pond that is at full capacity.

D. Randall Beach, M.D. OB/GYN  Mirna D. Bowden, M.D. OB/GYN  Kathleen M. Lewison, M.D. OB/GYN
Bradley L. Kasavana, D.O., OB/GYN
Whitefish, Montana 59937
(406) 8...  Fax (406) 8...
Lastly, the entry to Whitefish will be less than picturesque with that business there. A more appropriate use would be a Whitefish Visitor’s Center/ Historical Society location. The introduction to Whitefish would be more in keeping with the community goals.

In closing, we do not find the proposed gas station/convenience store an appropriate use of the land at that location.

Sincerely,

D. Randall Beach, M.D

Mirna Bowden, M.D.

Bradley Kasavana, D.O

Kathleen Lewison, M.D.
Whitefish, MT 59937
March 15, 2020

Whitefish Planning & Building Department
P.O. Box 158
Whitefish, MT 59937

Dear City Planning Board Members:

I am concerned about having a gas station/convenience store plan seeking approval for property at the intersection of Hwy 93 and U.S. 40. Traffic congestion is common there, especially during summer and winter tourist seasons. Cars turning east (L) from Hwy 93 will block traffic, as will cars heading east on U.S. 40 trying to turn left into the business. Vehicles trying to turn left out of the business on to U.S. 40 will turn across two lanes of traffic, right near a stoplight controlled intersection.

This seems like very poor planning and the location will markedly increase risk of collisions.

Yours truly,

[Signature]

Anita Mills