

**WHITEFISH PLANNING BOARD  
MINUTES OF MEETING  
March 18, 2021**

<p><b>CALL TO ORDER AND ROLL CALL</b></p>	<p>Vice Chair John Ellis called the regular meeting of the Whitefish Planning Board to order at 6:00 pm via WebEx videoconferencing. Board members present were Whitney Beckham, Scott Freudenberger, Chris Gardner, Allison Linville, Toby Scott and Councilor Frank Sweeney. Chair Steve Qunell was absent. Planning Director David Taylor, Senior Planner Wendy Compton-Ring, and Planner II Tara Osendorf represented the Whitefish Planning and Building Department.</p> <p>There were approximately three people attending in addition to board members and staff.</p>
<p><b>AGENDA CHANGES</b> <i>6:01 pm</i></p>	<p>None.</p>
<p><b>DISCUSSION RE CONTINUING TO MEET REMOTELY</b> <i>6:01 pm</i></p>	<p>Senior Planner Compton-Ring said the City Council passed an Ordinance (No. 21-03) on March 15, 2021, directing that boards and committees could choose to continue to meet remotely by a majority vote of its members. The Ordinance is effective for no more than 90 days, which would be through June 20. Linville and Gardner said they supported meeting remotely per the Council's suggestion. Councilor Sweeney said he would encourage the board to continue to meet remotely and that the Council is hoping to return to in-person meetings sooner than June depending on number of Covid-19 cases, vaccine availability, etc.</p> <p>Scott made a motion, seconded by Gardner to continue to meet remotely until recommendations are changed by City Council or the State of Montana. <b>The motion passed unanimously.</b></p>
<p><b>APPROVAL OF MINUTES</b> <i>6:04 pm</i></p>	<p>Scott made a motion, seconded by Beckham, to approve the January 21, 2021 minutes without corrections. <b>The motion passed unanimously.</b></p>
<p><b>OLD BUSINESS:</b> <i>6:05 pm</i></p>	<p>None.</p>
<p><b>PUBLIC HEARING 1: CHUNG CONDITIONAL USE PERMIT REQUEST</b></p>	<p>A request by Joanna Chung for a Conditional Use Permit to construct an accessory apartment above a new two-car garage. The property is currently developed with a single-family home and garage and is</p>

<i>6:05 pm</i>	zoned WR-2 (Two-Family Residential District). The property is located at 243 Dakota Avenue and can be legally described as Lot 12, Block 9 Whitefish Subdivision, S25, T31N, R22W, P.M.M., Flathead County.
<b>STAFF REPORT WCUP 21-03 (Osendorf)</b>	<p>Planner Osendorf reviewed her staff report and findings. As of the writing of WCUP 21-03, no public comments had been received, and no comments have been received since.</p> <p>Staff recommended adoption of the findings of fact within staff report WCUP 21-03 and for <b>approval</b> of the conditional use permit to the Whitefish City Council.</p>
<b>BOARD QUESTIONS OF STAFF</b>	Councilor Sweeney asked about the parking requirements and whether we can require a parking spot not be located in front of the garage doors. He feels that is not practical and people then tend to park in public streets. Osendorf said based on our regulations there has to be room for three parking spots, but we cannot require folks to park in the parking spots rather than on a public street as long as the minimum parking requirement is met.
<b>APPLICANT / AGENCIES</b>	The Applicant, Joanna Chung of 243 Dakota Avenue, said she will try to utilize the parking she has on her property. Since it is a corner lot there is plenty of street parking, but she will try not to use it.
<b>PUBLIC COMMENT</b>	Vice Chair Ellis opened the public hearing. There being no public comment, Vice Chair Ellis closed the public hearing and turned the matter over to the Planning Board for consideration.
<b>MOTION / BOARD DISCUSSION</b>	Scott made a motion, seconded by Linville, to adopt the findings of fact within staff report WCUP 21-03, with the seven (7) conditions of approval, as proposed by City Staff.
<b>VOTE</b>	<b>The motion passed unanimously.</b> The matter is scheduled to go before the Council on April 5, 2021.
<b>COMMUNICATIONS FROM THE PUBLIC HERE (ITEMS NOT ON THE AGENDA) <i>6:11 pm</i></b>	Vice Chair Ellis said he accidentally skipped this item, so it was out of order on the agenda. He asked for communications from the public for items not on the agenda and there were none.
<b>PUBLIC HEARING 2:</b>	A request by Matthew and Judy Lanning for a Conditional Use Permit

<p><b>LANNING CONDITIONAL USE PERMIT REQUEST</b> <i>6:13 pm</i></p>	<p>to construct an accessory apartment. The property is currently developed with a single-family home and is zoned WR-2 (Two-Family Residential District). The property is located at 19 Washington Avenue and can be legally described as Lot 8, Block 18, Whitefish Original, in S25, T31N, R22W, P.M.M., Flathead County.</p>
<p><b>STAFF REPORT WCUP 21-04 (Compton-Ring)</b></p>	<p>Senior Planner Compton-Ring reviewed her staff report and findings. As of the writing of WCUP 21-04, no public comments had been received, and no comments have been received since.</p> <p>Staff recommended adoption of the findings of fact within staff report WCUP 21-04 and for <b>approval</b> of the conditional use permit to the Whitefish City Council.</p>
<p><b>BOARD QUESTIONS OF STAFF</b></p>	<p>Vice Chair Ellis asked, and Compton-Ring said the garage is a little more than six feet from the alley, so the standards are being met.</p> <p>Scott asked, and Compton-Ring said there is not enough room between the alley and garage for the parking space required, so it will be located on the side.</p>
<p><b>APPLICANT / AGENCIES</b></p>	<p>Seth Capon, 234 Second Street West in Kalispell, spoke on behalf of the Applicants as the designer of the accessory dwelling unit. He said a full-length parking spot is proposed next to the garage as there is limited street parking in this area because of its close proximity to City Beach.</p> <p>Mr. Lanning thanked the Planning Board for considering the project.</p> <p>Vice Chair Ellis encouraged the Applicants and Mr. Capon to consider allowing a couple of extra feet as getting in and out of a garage in the winter with the six-foot setback can be difficult.</p>
<p><b>PUBLIC COMMENT</b></p>	<p>Vice Chair Ellis opened the public hearing. There being no public comment, Vice Chair Ellis closed the public hearing and turned the matter over to the Planning Board for consideration.</p>
<p><b>MOTION / BOARD DISCUSSION</b></p>	<p>Scott made a motion, seconded by Frank Sweeney to adopt the findings of fact within staff report WCUP 21-04, with the six (6) conditions of approval, as proposed by City Staff.</p>
<p><b>VOTE</b></p>	<p><b>The motion passed unanimously.</b> The matter is scheduled to go before the Council on April 5, 2021.</p>

	Vice Chair Ellis thanked Mr. Lanning, Ms. Chung and Mr. Capon for participating in the meeting.
<b>NEW BUSINESS</b> <i>6:20 pm</i>	None.
<b>GOOD AND WELFARE</b> <i>6:25 pm</i>	<p>1. Matters from Board. Scott asked about a proposal by City Council to allow staff to make decisions regarding allowing accessory units (ADUs) without Planning Board participation. Director Taylor said Compton-Ring has been working on that through the Affordable Housing Steering Committee and they have a draft they will probably bring before Planning Board in a month or two. Compton-Ring said they will encourage more ADUs and allow ADUs by right as long as they are deed restricted. Councilor Sweeney said he is not aware of any appropriately zoned ADU being turned down. He said people seem to follow the rules and do them in appropriate zones so this may in some respects be a waste of Planning Board and City Council time if they can be done through an administrative conditional use permit. He thought what might end up happening is coming up with a trigger where if there was a certain number of objections, that would kick it up to the full process, but the City Council has made no decision yet. Scott thought that was a good idea. Director Taylor said there is not really a limit on the number of complaints and then <u>something about things that can't be mitigated through conditions of approval</u>. Linville said she appreciates what Councilor Sweeney said and it would be a good savings of Planning Board and City Council time.</p> <p>2. Matters from Staff. None.</p> <p>3. Poll of Board members available for the next meeting on April 15, 2021. All members indicated they thought they would be available.</p>
<b>ADJOURNMENT</b> <i>6:27 pm</i>	The meeting was adjourned on a motion by Scott at approximately 6:27 pm. The next regular meeting of the Whitefish Planning Board is scheduled to be held on April 15, 2021, at 6:00 pm, at 418 East 2nd Street, or via WebEx videoconferencing.

*/s/ John Ellis, Vice Chair*

*/s/ Keni Hopkins*

John Ellis, Vice Chair

Keni Hopkins, Recording Secretary

*APPROVED AS SUBMITTED / CORRECTED: 4-20-21* \_\_\_\_\_