

**WHITEFISH PLANNING BOARD
MINUTES OF MEETING
May 18, 2023**

<p>CALL TO ORDER AND ROLL CALL</p>	<p>Chair Steve Qunell called the regular meeting of the Whitefish Planning Board to order at 6:00 pm. Board members present were Steve Qunell, Whitney Beckham, John Middleton, and Allison Linville. Scott Freudenberger, Chris Gardner, and Toby Scott were absent. Planning Director David Taylor, and Senior Planner Wendy Compton-Ring represented the Whitefish Planning & Building Department and Craig Workman represented Public Works.</p> <p>There were approximately thirty-nine people attending in addition to Board members and staff.</p>
<p>AGENDA CHANGES <i>6:00 pm</i></p>	<p>None.</p>
<p>APPROVAL OF MINUTES <i>6:00 pm</i></p>	<p>Beckham made a motion, seconded by Linville, to approve the April 20, 2023, minutes without corrections. Board members voted 4-0 to pass the motion.</p>
<p>COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA) <i>6:01 pm</i></p>	<p>None.</p>
<p>UNFINISHED BUSINESS: <i>6:02 pm</i></p>	<p>None.</p>
<p>PUBLIC HEARING 1: CITY OF WHITEFISH REZONE REQUEST <i>6:05 pm</i></p>	<p>A request by Karrow Whitefish Investment LLC is requesting a Planned Unit Development (PUD) amendment for a 5-foot structural setback, 0-foot lot line setback on awnings and roofs, 60% lot coverage Lots 3, 4, 5, 6, and portions of Lot 7 and 80% lot coverage on Lot 10. The property is under development and is zoned WI-T (Industrial Transitional District) and WT-3 (Neighborhood Mixed Use Transitional District) with a WPUD overlay on the entire project. The property is located at 95 Karrow Avenue and can be legally described as Tracts 4BA, 4C, 4G, 4F in Sections 35 & 36, T31N, R22W, P,M.M., Flathead County.</p>
<p>STAFF REPORT WPUD 23-01 (Compton-Ring)</p>	<p>Senior Planner Compton-Ring reviewed her staff report and findings. As of the writing of WPUD 23-01, no written public comments had been received, and none have been received since then.</p>

	<p>Staff recommended adoption of the findings of fact within staff report WPUD 23-01 and for approval of the zoning map amendment to the Whitefish City Council. She mentioned the maintenance agreement would come at a later date.</p>
BOARD QUESTIONS OF STAFF	<p>Chair Qunell asked about the lot coverage and whether it would change the open space. Planning Compton-Ring stated open space stays the same.</p>
PUBLIC HEARING	<p>Chair Qunell opened the public hearing.</p>
APPLICANT / AGENCIES	<p>The applicant’s representative Casey Malmquist, 160 Walker Creek Lane, spoke. All wet utilities are in on the site, they are working on dry utilities, hardscape and paving. The PUD has been fluid, things changing somewhat and working to optimize it. The amended plat was focused on civil and adjusted lot lines, now the architectural component has required lot lines being integrated into PUD, they found opportunities for outdoor spaces, and better site planning. The requested deviations are minimal, still 10% over open space requirement. It is just an update to clarify the project as designed.</p> <p>Beckham asked how zero lot lines and no awnings affect snow sliding off roofs. Malmquist deferred to Scott Elden. Elden, 444 O’Brien Avenue, spoke on behalf of Montana Creative stated the awnings are designed to mimic downtown type urban commercial. Snow slides and capture of drip water will be contained and the five-foot setbacks will be maintained.</p> <p>Public Works Director Workman stated all streets and roadways will be privately maintained as its private property although it will be open to the public.</p> <p>Malmquist stated the roofs would not create conflicts between buildings.</p>
PUBLIC COMMENT	<p>There being no comments, Chair Qunell closed the public hearing and turned the matter over to the Planning Board for consideration.</p>

<p>MOTION / BOARD DISCUSSION</p>	<p>Beckham made a motion, seconded by Linville, to adopt the findings of fact within staff report WPUD 23-01 as proposed by City Staff.</p> <p>Beckham stated she’s been following the process and likes the progress.</p>
<p>VOTE</p>	<p>The motion passed unanimously. The matter is scheduled to go before the Council on June 5, 2023.</p>
<p>PUBLIC HEARING 2: CITY OF WHITEFISH REZONE REQUEST 6:10 pm</p>	<p>A request by Ruis Texco LLC for a Planned Unit Development (PUD) to develop a 146-unit multi-family project in seven (7) buildings. Currently the property is partially developed with several single-family homes and is zoned WR-4 (High Density Multi-Family Residential District) and WR-2 (Two-Family Residential District). The property is located at 105 Colorado Avenue, 709 Waverly, 60, 124, 136 and 152 Texas Avenue and can be legally described as Lot 1, Whitefish Cottages; Lots 1 & 2, Amended Lot 2 Whitefish Cottages; Lots 1A & 2, Linton Subdivision; Lot 2, Reeb Subdivision in S25 T30N R22W, P.M.M., Flathead County.</p>
<p>STAFF REPORT WPUD 22-04 (Compton-Ring)</p>	<p>Senior Planner Compton-Ring reviewed her staff report and findings. As of the writing of the staff report for WPUD 22-04, about 25 public comments have been received split both for and against the project. Some additional comments were presented on the dais for the Board.</p> <p>Staff recommended adoption of the findings of fact within staff report WPUD 22-04 as well as the proposed deviation and the added conditions for approval.</p>
<p>BOARD QUESTIONS OF STAFF</p>	<p>Chair Qunell asked about 40’ building height and whether that was a PUD deviation. Planner Compton-Ring replied it is not a deviation but an incentive for affordable housing Legacy Homes program. Qunell asked about the traffic study and E Second Street and Baker Avenue and Public Works Director Workman stated that Montana Department of Transportation (MDT) worked on signal timing there and at E Second Street and Spokane Avenue. They stated no more capacity could be earned. He stated the Colorado lift station would need upgrades and final engineering plans would need to do a collection summary along with possible upgrades the developer would be on the hook for. Chair Qunell asked about fill put on the property owner and whether it would affect drainage. Workman stated the property owner wanted the fill and it will be incorporated</p>

	<p>into project. Engineering requires all water be maintained on site. The developer has been in contact with adjacent property owners about reducing runoff but he hadn't seen the public comment from today. Fill on the site was donated by City from the Edgewood Road project.</p>
PUBLIC HEARING	<p>Chair Qunell opened the public hearing.</p>
APPLICANT / AGENCIES	<p>Lauri Moffet-Fehberg, Dahlin Group Architects and Design Interiors, spoke on behalf of the development team. She presented slides of the site and design. She said they jogged the parking areas so there wouldn't be cut through traffic which also gives them snow plowing areas on each side. They turned buildings for narrow street presence facing the public roads on Colorado and Texas Avenues and to preserve trees on the edges. The park to the north for the community is a softer edge for neighborhood. The project has pedestrian connections to the new sidewalks on Texas Avenue. They kept the building on Texas Avenue to two stories for neighborhood character. The parking deviation is to push buildings to center of site and further away from neighbors, approximately 80-feet from property lines. Open space is dispersed throughout project. She showed elevations and floor plans and noted the community area inside in the office. They narrowed building frontage on Texas Avenue with material changes to make buildings look different, mixing gable and shed roofs and included high quality materials on exterior.</p>
PUBLIC COMMENT	<p>Doug Rhodes, 1555 W. Lakeshore, Whitefish, said they own a house on Waverly Place and are concerned about the buffer between backyards and the parking lot. The project needs to provide amenities to community. In addition, he is concerned about traffic, engine noises, and high water. It is a dense project that needs more landscaping buffer.</p> <p>Todd Davidson, 809 Waverly Place, supports affordable housing. He is concerned with the rezone, it needs better integration with neighborhood since Waverly Avenue is single family. Forty-foot high structures don't seem compatible, likes the location for walking and biking, but winter walking is tough due to ice so there are more cars driving and the project does not provide covered parking.</p> <p>Cameron Blake, 825 Leksand Trail, representing Flathead Families for Responsible Growth, stated they support the project as</p>

proposed with affordable housing. Groundwater is still a concern but trusts it will be addressed. In addition, congestion is still a concern, and traffic must be addressed going into the future for all areas north of the viaduct otherwise they like the design.

Clay Binford, 260 Texas Avenue, has concerns with congestion to the north and more traffic coming across the bridge is concerning, 146 units is too many. Infrastructure needs to be addressed if we are going to keep adding density on the north side of viaduct.

Amy Boring, 78 Montana Avenue, supports project. She had a few comments on design. The building placement against Texas Avenue is a bit much, two driveways is too much on Texas, put a community garden next to Texas Avenue instead of a building. Still supports the project even with traffic concerns and emergency evacuation onto Edgewood Place if viaduct is blocked is also a concern.

Flower Bartholemew, 27 Colorado Avenue, said she lives one house off Colorado Avenue off the alley to the south of the project and she is concerned with bottleneck traffic, wishes there was a two story building on the Colorado Avenue side too. Concerned with cars from parking lot shining their headlights into her windows. She is concerned with groundwater, she had water in her crawl space all winter after fill was put on this lot.

Brandi Loncao 734 Edgewood Place, just off the alley, has a huge concern with privacy; project will look into her windows. Her property is lower since the fill on the vacant lot. She is concerned the buildings will tower over her. She has concerns about groundwater and had standing water in backyard even with drainage. She is also concerned with congestion in emergencies. Supports affordable housing and notes that it needs to be done responsibly and suggested two story homes, duplexes, smaller buildings rather than apartment buildings.

Patrick Davey, 803 Waverly Place, was concerned with high water and the pond in his backyard last winter. The project needs fencing along north edge to protect privacy and thinks the project needs a little work.

Mallory Phillips, 937 Kalispell Avenue, supports project. It is located close to jobs and walkable and bikeable. It will help create housing stability to keep workers in Whitefish. It is a piece of the puzzle to solve the housing crisis. Building inclusive community is investing in

future of Whitefish. She encouraged people to get involved with gentle density and supports community gardens.

Nathan Dugan, 937 Kalispell Ave, supports project. And asked the Planning Board 'If not here, where?' The outskirts of town will promote bigger traffic issues. Downtown neighborhood is where it should be. It is an infill project close to downtown and other amenities. There are 44 permanent affordable homes with 102 stable rental homes which will positively impact over 146 people. Rental housing difficult to find and this will help reverse that trend.

Glen Phillips, 115 Colorado. Right on other side of first building. Traffic is concern. No fencing between back of building and his house. Afraid it will affect his house value. Likes idea of affordable housing but concerned with impacts to him and too dense.

Lena Camero, 738 5th Avenue in Kalispell, said she has lots of friends that had to move to Kalispell because they can't afford to live in Whitefish. Agrees with many of the concerns with apartments from neighbors, but also hears people still saying we need affordable housing. She supports project.

Leanne Galaz, 245 Colorado Avenue, Big Mountain Apartments, this is density in neighborhood with a lot of density, and it works there. Whitefish is part of whole valley; Kalispell's homeless problem is tied to our high prices. Infill will help deal with the housing crises. She supports project, it will help the whole community and valley if approved, wants other concerns addressed.

Lauren Walker, 155 Fonner Road, similar scenario to Big Mountain Gateway project. She has issues with egress, fire, infrastructure and none has been addressed. She doesn't think it integrates with the neighborhood. Planning should be harder for developers. Supports affordable housing, but does the plan speak to climate change? Noted there is 30% waste built into projects. Rental units do not help with wealth accumulation. Issue is how we absorb thousands of more people? We should be developing the old hospital site instead. Thinks developers are taking advantage of community with promises of affordable housing.

Frank Zolfo, owns 725 and 729 Waverly Place multi-family buildings. He noted he has developed a lot in the neighborhood and thinks it's a reasonable project. Lighting of property may be an issue, has

concerns it will be very bright at night. Concerned with fencing along Waverly Place, needs more there. A four-foot minimum is a too small fence. Use some earth to berm as well. Proposed snow removal areas are unrealistic, it needs more space. Other than that, he supports project.

Dakota Whitman, 102 Dakota Avenue, he's a renter, works here, he is in stable rental situation, but would have to leave valley if that changed. Many people struggle with that, and it's a matter of being a part of community. He supports project.

Hannah Farrell, 310 W 6th Street, got evicted out of two houses in the area that sold recently. Having dedicated rentals that won't get sold is valuable. It is walkable, bikeable, and close to the SNOW bus. Traffic wasn't made worse by the Alpenglow Apartments when it went in, supports project.

Lauri Moffet-Fenberg, applicant's representative, addressed a few comments. They are happy to fence the property, dark skies lighting are a condition of approval. Noted there are several three story buildings on Colorado Avenue so having a three-story building there isn't out of place. They looked at context and scale of the neighborhood. Texas Avenue has more two-story structures. Groundwater will be engineered; staff has been nice working with them while holding them to City standards. The community is passionate about housing, and PUD helps facilitate that. Without PUD, they would not have deed restricted units.

Linville asked about height variance as part of Legacy Homes and how it effect the buildings. Lauri Moffet-Fenberg stated the 40' allowed pitched roofs and three stories, otherwise there would be flat roofs. It improves the aesthetics.

Beckham asked about the two exits onto Texas Avenue. Does that affect emergency vehicles?

Lauri Moffet-Fenberg responded the second access gives emergency access. The existing house has trees that surround it, plus having a two-story building adjacent will lessen impacts.

Beckham asked about snow removal, if they consulted on amount of snow with size of parking lots?

	<p>Applicant Lauri Moffet-Fenberg, Architect, responded that until the project is approved, they haven't looked deeper at snow storage and water issues, they will have it properly engineer so it functions. That level of detail will come after approval. They want it to work.</p> <p>Board member Beckham asked if they are willing to put fencing up along alley and north parking lots. Moffet-Fenberg stated yes, it is condition of approval.</p> <p>There being no further comments, Chair Qunell closed the public hearing and turned the matter over to the Planning Board for consideration.</p>
<p>MOTION / BOARD DISCUSSION</p>	<p>Linville asked Senior Planner Compton-Ring about height variance for Skyles Place and Alpenglow apartments. Wendy stated Alpenglow asked for a height deviation of 45', but the Skyles Place predated Legacy Homes so it is likely no higher than 35'.</p> <p>Chair Qunell asked Public Works Director Workman about stormwater. Workman stated development must keep to current runoff levels and not exceed what was the runoff prior to filling site. Stormwater management would likely be a combination of surface and subsurface water storage. Fully engineered stormwater plan would come prior to building permits.</p> <p>Chair Qunell asked about dispersing the Legacy units throughout project. Planner Compton-Ring stated that is a requirement of the Legacy Homes Program.</p> <p>Chair Qunell asked about fencing and if that is part of landscaping plan requirements. Planner Compton-Ring stated landscaping mostly addresses density of shrubs and trees for the required landscaping buffer. She is recommending a condition with a short fence to mitigate headlights, width of landscaping is being reduced per deviations to the project but still must meet all the performance standards.</p> <p>Chair Qunell stated the fencing requirement could be a condition of approval. Planner Compton-Ring stated it was a little tricky with existing fencing in place on north side on the private lots and the condition to mix fencing, berms, and shrubs as a buffer might help mitigate it better than requiring a new fence abutting existing fences. She stated the project has to meet the buffering standards</p>

of landscaping chapter. In addition, they will need to see final grading plan before knowing for sure an adequate fence height.

Chair Qunell said they need to look at addressing buffering due to neighbor concerns. Planner Compton-Ring read conditions on landscaping and buffering from staff report and said they could increase to 6' fence around perimeter.

Chair Qunell asked about Dark Skies ordinance. Planner Compton-Ring responded we require that, and we would require extra shielding around perimeter with existing condition in staff report.

Chair Qunell asked Public Works Director Workman about infrastructure status across viaduct with regard to traffic. Workman stated we are working with BNSF for a grant to study eliminating a railroad crossing at grade and to look at new separated grade crossing, but they haven't heard anything yet. That would kick off a detailed study of those issues. They are also working with MDT with regard to projects on Wisconsin Avenue, help with improvements for traffic capacity, turn lanes, widening, etc. Wisconsin Avenue is secondary state highway, we get very little funding for that stretch. Big Mountain Road is also a state highway, so more funding there. We will keep working with MDT.

Chair Qunell asked about whether we needed two parking lot exits onto Texas. Craig answered the second emergency access would be necessary with density. He is more comfortable with three means of access to site overall than less. Planner Compton-Ring added that fire needs that extra access per the Fire Chief. Steve asked about gravel gated access for emergencies. Planner Compton-Ring responded Fire doesn't really like them as they aren't typically maintained in the winter.

Linville moved to approve. Chair Qunell seconded. Qunell asked for amendment to revise condition #9f to allow flexibility for higher than 4' fence or wall, a wall along the edge of parking lot to block headlight trespass onto neighboring properties.

Middleton stated the designers seem willing to work with staff to address fencing. Linville is concerned with walling off high density development as it isolates the residents. She suggested looking at options to buffer without stating the height as it may be varied.

	<p>Beckham stated she thinks privacy fence is important too, with a combination of low structure to block lights and combination of fence or wall or vegetation that could create privacy screen.</p> <p>Qunell provided a new revised condition number 9f as a friendly amendment, seconded by Middleton: <i>Buffering along edges of parking lot must be installed to prevent headlights from trespassing on to adjacent properties and to provide privacy for adjacent housing.</i></p> <p>All approved friendly amendment.</p> <p>Linville understands concerns with regard to traffic and infrastructure but it can't be pinned on one development to fix it. The state needs to address it. After evaluating all comments and application, the deed restricted units are a great benefit to the community. She wishes it still was a requirement for all projects, but we can't require it after legislative changes. She thinks the project is going to make a big impact on housing needs.</p> <p>Chair Qunell commented about the back and forth with crowd as people were talking in the audience to the Board. He encouraged developer to work with neighborhood to listen to their concerns. He feels like most of the concerns were addressed. He brought up data from the Housing Refresh 2022 Needs Assessment: the median rent is \$3,000 per month and one needs an income of \$90k to afford it. 57% of workers commute from out of town. Climate Action Plan also supports providing housing in town so people can live and work here to help reduce emissions. Forty-four affordable units will prevent them from commuting from Kalispell. The City needs 588 below market rate apartments by 2030 based on Needs Assessment. This project would provide deed restricted units at 60-80% of AMI; 60% AMI would be a \$1,015 per month. Thirty percent is the biggest give for affordable housing of any project he has seen. The entire community must accept inconveniences to provide affordable housing. North of viaduct is an issue; we all share it, and it is part of living in a community. The developer has some work to do to make it pencil and it will do a lot to support the housing crisis. He supports this project.</p>
<p>VOTE</p>	<p>The motion passed unanimously with the friendly amendment. The matter is scheduled to go before the Council on June 19, 2023.</p>

<p>GOOD AND WELFARE 7:42 pm</p>	<p>1. <i>Matters from Board.</i></p> <p>Chair Qunell asked about Growth Policy update. Director Taylor stated staff is evaluating all the recent bills the Governor signed to determine impacts to zoning and Growth Policy. We likely won't have another work session until August.</p> <p>Chair Qunell nominated Beckham to be acting Vice Chair at next meeting.</p> <p>2. <i>Matters from Staff.</i></p> <p>3. <i>Poll of Board members available for the next meeting on June 15, 2023.</i> Qunell and Middleton will be absent.</p>
<p>ADJOURNMENT 8:00 pm</p>	<p>The meeting was adjourned at approximately 8:00 pm. The next regular meeting of the Whitefish Planning Board is scheduled to be held on June 15, 2023, at 6:00 pm, at 418 East 2nd Street.</p>

/s/ John Middleton
John Middleton, Vice Chair of the Board

/s/ David Taylor
David Taylor, Recording Secretary

APPROVED AS *SUBMITTED* / CORRECTED: 6-15-23