

WHITEFISH PLANNING BOARD
MINUTES OF MEETING
October 19, 2023

***** THESE MINUTES WERE NOT APPROVED BY THE BOARD, AS IT WAS
DISBANDED 12-31-2023 *****

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| <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 Whitney Beckham, Scott Freudenberger, and Toby Scott. John Middleton and Chris Gardner were absent.</p> <p>Planning Director David Taylor and Senior Planner Wendy Compton-Ring represented the Whitefish Planning & Building Department.</p> <p>There were approximately 11 people attending in addition to the board members and staff.</p> |
| <p>AGENDA CHANGES <i>6:00 pm</i></p> | <p>None.</p> |
| <p>APPROVAL OF MINUTES <i>6:01 pm</i></p> | <p>Scott made a motion, seconded by Freudenberger to approve the September 14, 2023, minutes without corrections. The motion passed unanimously.</p> |
| <p>COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA) <i>6:01pm</i></p> | <p>Mallory Phillips, 937 Kalispell Ave, requested the Planning Board move their meetings online like City Council.</p> |
| <p>UNFINISHED BUSINESS: <i>6:02 pm</i></p> | <p>None.</p> |
| <p>The Board opted to hold one public hearing for Item #1 and Item #2:</p> | |
| <p>PUBLIC HEARING 1: WZC 23-05 McCartney/Davis <i>6:02 pm</i></p> | <p>A request by Holbrook McCartney and Ben Davis are requesting a zone change one two parcels to WR-2 (Two Family Residential District). The properties are partially developed with a single-family home and are zoned WLR (One-Family Limited Residential District). The properties are located at 808 & 830 Edgewood Place and can be legally described as Lot 1 of Edgewood Place and Lot 6 of the First Addition to Whitefish Townsite Company's Five Acre Tracts, Block 11 in Section 25, Township 31 Range 21, P.M.M., Flathead County.</p> |

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| <p>STAFF REPORT WZC 23-05 (Compton-Ring)</p> | <p>Senior Planner Compton-Ring reviewed her staff report and findings. As of the writing of WZC 23-05 one public comment had been received via email. None have been received since then.</p> <p>The commenter noted other options for affordable housing instead of this proposal.</p> <p>Staff recommended adoption of the findings of fact within staff report WZC 23-05 for approval of the McCartney/Davis rezone.</p> |
| <p>PUBLIC HEARING 2: 808 Edgewood WPUD 23-02</p> | <p>A request by Holbrook McCartney and Ben Davis Planned Unit Development overlay over the entire project to develop a multi-family development of 42 units in two buildings. Eight of the units will be deed restricted for affordable housing. The properties are partially developed with a single-family home and are zoned WR-4 (High Density Residential) and WR-2 (Two-Family Residential), with an approved zone change (above). The properties are located at 808 & 830 Edgewood Place and can be legally described as Lot 1 of Edgewood Place and Lot 6 of the First Addition to Whitefish Townsite Company's Five Acre Tracts, Block 11 in Section 25, Township 31 Range 21, P.M.M., Flathead County.</p> |
| <p>STAFF REPORT WPUD 23-02</p> | <p>Senior Planner Compton-Ring reviewed her staff report and findings. As of the writing of WPUD 23-02, no public comments had been received. The comment noted previous pertains to this request too.</p> <p>Staff recommended adoption of the findings of fact within staff report WPUD 23-02 and conditions for approval of the 808 Edgewood PUD.</p> |
| <p>BOARD QUESTIONS OF STAFF</p> | <p>Freudenberger asked and Senior Planner Compton-Ring responded the reason for the lot line adjustment is the building cannot be constructed across the property line and it will not impact density, as it is for the entire PUD. Qunell noted one lot is split WR-4 and WLR zoning and it must sort out before building permit.</p> <p>Qunell asked about open space and Senior Planner Compton-Ring noted they are providing 21% open space when only 20% is required. Also, there is no parking on Edgewood.</p> <p>Qunell asked and Senior Planner Compton-Ring responded the apartments will either be for rental or for sale as a condominium</p> |

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| | <p>and the applicant will need to decide for the entire building before the time of building permit.</p> <p>Scott asked about tree retention and noted there are a lot of trees now. Senior Planner Compton-Ring noted there is a lot of open space and quite a few locations for tree preservation.</p> <p>Beckham asked about new regulations for ADUs and Director Taylor described the new changes including the 35-foot building height limit where it used to be 24-feet.</p> <p>Qunell asked about the percentage of AMI for this project and Senior Planner Compton-Ring stated the rentals will be at 60-80 % AMI with an average of 70% and the ownership will be at 80-120% AMI with an average of 100 %. Housing Planner Luke Sponable recently brought the exact rentals and price points to City Council. Qunell noted the median income is about \$60,000 and it is recalculated every year. The building will be either apartments or ownership and they cannot be short term rentals. He further described other programs the City is looking into for housing. The City must look at what is being offered and what are the tradeoffs. The Housing Authority will help to verify who is eligible to rent or own. There is never enough housing, and we must look at tradeoffs.</p> |
| PUBLIC HEARING | |
| APPLICANT / AGENCIES | <p>Brandon Theis, engineer at RPA, provided the Board with a summary of the project including its location, the infrastructure and a summary of the Traffic Impact Study.</p> <p>David Koel, architect at Cushing Terrell, described the architecture of the building and their efforts at integrating the building into the neighborhood.</p> |
| PUBLIC COMMENT | <p>Kelly Medelin, 800 Edgewood Place, has lived in this location for 3-years and has been in the community for decades. She has concerns about high groundwater, the cumulative impacts of traffic with this project and the project to the north and a 3-story building in this neighborhood. She is not happy with the Edgewood project and wonders with this landscaping will take place.</p> <p>Jeremy Harper, 824 Edgewood Place, speaking on behalf of his girlfriend that is out of town. He does not see this project</p> |

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| | <p>benefitting anyone, wonders who will live there and is concerned about the loss of views.</p> <p>Dakota Whitman, 102 Dakota Avenue, many in Whitefish are living in precarious situation and this project will benefit all.</p> <p>Mallory Phillips, 937 Kalispell Avenue, 57% of the Whitefish work force lives outside city limits. This project will be providing housing for our workers. This neighborhood has seen some of the biggest changes and received the most multi-family of all the neighborhoods in town – multi-family should be spread out around all of town.</p> <p>Roger Yukota, 836 Edgewood Place, cannot find any real fault with the project but would like to nitpick it a bit. He wonders about the fence (side, height, materials and maintenance). He would like to see the fence go out to within 10-feet of the property line. There is a leaning pine that should be removed. He was concerned about snow removal and the screening of the dumpster.</p> <p>Kelly Medelin, 800 Edgewood Place, restated her concerns, noted her support for affordable housing and supports the disbursement of multi-family across the entire city.</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>Scott made a motion, seconded by Freudenberger, to adopt the findings of fact within staff report WZC 23-05 as proposed by City Staff.</p> <p>Scott supports affordable housing, this area of town is moving more toward that direction where the apartments are outnumbering single family residents. He suspects the only benefit for the neighbors is their property values will go up. He likes the project but is not in favor of roofs.</p> <p>Beckham is in favor of zone change; it makes sense when looking at map. She is concerned about quality of life and noted some previous developments do not always follow through and asked these developers to please follow through with neighbors. She also noted this property, with just a zone change, has quite a few options. She is concerned about parking and where overflow</p> |

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| | <p>parking goes in this neighborhood She likes the idea of affordable housing and using incentives. The views to the mountain could be taken away with simple ADU. The zone change makes more sense, but not sure what makes sense for this area.</p> <p>Freudenberger stated the zone change makes sense to him. But is concerned with the PUD in a WR-2 zone. Multi-Family is not permitted or conditional use and they are proposing big massive buildings where there may be other alternatives. Noted the denial of the Mountain Gateway project.</p> <p>Qunell stated one can only do an ADU accessory to a single-family home and we would not get eight affordable housing units. Using the existing zoning with ADUs fails on logic. He noted this project does disperse housing and neighborhood will have to change. He does not like the two driveways. The City must look at the benefit of the community overall and the only way to solve this is to take what we get. The density is less than it could be and, if not passed, it reverts to WR-2 and then the City does not get any affordable housing but duplexes up to 35 feet. He supports this.</p> <p>Beckham clarified the amendment of Condition #7F. She also noted who benefits from this project and that the more quantity of housing in town it will benefit everyone and will stabilize the market. She is torn on this, but appreciates the affordable housing, but this neighborhood has taken a lot of the brunt of this.</p> <p>Qunell said we need to see where we can put more density in town and we will spend a year getting data and finding places for higher density.</p> |
| <p>VOTE</p> | <p>The motion passed unanimously. The matter is scheduled to go before the Council on November 6, 2023.</p> |
| <p>MOTION / BOARD DISCUSSION</p> | <p>Scott made a motion, seconded by Qunell to adopt the findings of fact within staff report WPUD 23-02 and conditions of approval, as proposed by City Staff.</p> |
| <p>VOTE</p> | <p>The motion passed (3-1, Freudenberger voting in opposition). The matter is scheduled to go before the Council on November 6th, 2023.</p> |

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| <p>PUBLIC HEARING 3: WZTZ 23-09 7:27pm</p> | <p>A request by the City of Whitefish to for a zoning text amendment to combine the Board of Adjustment and Planning Board into a single Community Development Board, add LED lighting standards, update the Zoning Compliance Permit requirements and amend the following sections: §2-3, Board of Adjustment; §2-10-3, Architectural Review Committee, Membership; §2-15, Whitefish Planning Board; §11-2-3, Use Regulations; §11-3-14, Lots; §11-3-25, Outdoor Lighting Standards, §11-3-29, Water Quality Protection, §11-7-3, Zoning Administrator, §11-7-5, Board of Adjustment; §11-7-6, Appeals; §11-7-7, Variances; §11-7-8, Conditional Use Permits; §11-7-9, Zoning Compliance Permit; §11-7-10, Water Quality Protection Permitting and Review; §14-4-7, Floodplain – Appeals; and §14-4-8, Floodplain – Variances.</p> |
| <p>STAFF REPORT WZTA 23-09</p> | <p>Director Taylor reviewed his staff report and findings. As of the writing of WZTA 23-09, public comments had not been received and none have been received since then.</p> <p>Staff recommended adoption of the findings of fact within staff report WZTA 23-09 and for approval of the Community Development Board Zoning Text Amendment.</p> |
| <p>BOARD QUESTIONS OF STAFF</p> | <p>Scott asked and Director Taylor responded that they are combining three Boards into one and this meets the state requires of Senate Bill 382.</p> |
| <p>PUBLIC HEARING</p> | <p>Chair Qunell opened the public hearing.</p> |
| <p>APPLICANT / AGENCIES</p> | <p>N/A</p> |
| <p>PUBLIC COMMENT</p> | <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>Scott made a motion, seconded by Beckham, to adopt the findings of fact within staff report WZTZ 23-09, as proposed by City Staff.</p> |
| <p>VOTE</p> | <p>The motion passed unanimously. The matter is scheduled to go before the Council on November 6th, 2023.</p> |

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| <p>PUBLIC HEARING 4: WZTA 23-10 7:35pm</p> | <p>A request by the City of Whitefish for a zoning text amendment to §11-3-23, Vendors, and §11-9-2, Definitions to reduce limits, public noticing, and other restrictions on food vendors in commercial zones. Taylor</p> |
| <p>STAFF REPORT WZTA 23-10</p> | <p>Director Taylor reviewed his staff report and findings. As of the writing of WZTA 23-10, no public comments had been received. None have been received since then.</p> <p>Staff recommended adoption of the findings of fact within staff report WZTA 23-10 and for approval of the Food Vendor Text Amendment.</p> |
| <p>BOARD QUESTIONS OF STAFF</p> | <p>Qunell asked where the trash can will be located, and can we add a statement to ensure it is accessible to the public?</p> <p>Scott suggested that maybe it should state ‘accessible’.</p> <p>After review of the existing language, Qunell said it sounds like they could set up next to a city trash can. Can we clear this up? He also asked about having permission from property and restroom use from neighbors. He also confirmed and Director Taylor agreed, one cannot just drive into town and set up a food truck, there is a process to get a permit.</p> |
| <p>PUBLIC HEARING</p> | <p>Andres Guzman, 1035 E 2nd Street, has a food truck and has gone through the process and he supports this code amendment as it will make it easier. He agreed that the availability of private property is hardest aspect of setting up a food truck which won’t change.</p> <p>Justin Doll, 1105 Wisconsin, works for people that own The Downtowner and he could not find five vendors for that lot because it is easier to get a permit in Kalispell and Columbia Falls.</p> |
| <p>APPLICANT / AGENCIES</p> | <p>N/A</p> |
| <p>PUBLIC COMMENT</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> |

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| <p>MOTION / BOARD DISCUSSION</p> | <p>Beckham made a motion, seconded by Scott to adopt the findings of fact within staff report WZTA 23-10, as proposed by City Staff.</p> <p>Beckham added a friendly amendment to delete ‘public’ and add that garbage cans should be maintain by vendor within 10 feet of service window. The 2nd agreed to this amendment.</p> |
| <p>VOTE</p> | <p>The motion with the amendment passed unanimously. The matter is scheduled to go before the Council on November 6th, 2023.</p> |
| <p>GOOD AND WELFARE 7:48 pm</p> | <p>1. <i>Matters from Board.</i> The Board asked and Director Taylor told the Planning Board that the Board will dissolve, and they will need to reapply for the new Community Development Board. He really encouraged them all to apply.</p> <p>Scott asked how do the Board goes about proposing matters to City Council and he offered some suggestions. Qunell said all are welcome to address the Council at the beginning of every Council meeting or at the City Council’s goal setting session.</p> <p>2. <i>Matters from Staff.</i> Senior Planner Compton-Ring introduced Bree James, as the new Planning Board minute taker and we will get her a real nameplate. Also, today there was a groundbreaking ceremony for the Depot Park Townhome project.</p> <p>3. <i>Poll of Board members available for the next meeting on November 16, 2023.</i> Neither Board members Scott nor Freudenberger indicated they will be available. Beckham and Qunell are available. Qunell asked staff to find out the availability of Gardner and Middleton.</p> <p>Qunell stated the growth policy is the biggest item for the City to address over the next 3 years and it is important for the Board members to be present at these meetings.</p> |
| <p>ADJOURNMENT 7:58pm</p> | <p>The meeting was adjourned on a motion by Scott seconded by Beckham, at approximately 7:58pm. The next regular meeting of the Whitefish Planning Board is scheduled to be held on November 16, 2023, at 6:00 pm, at 418 East 2nd Street.</p> |

Steve Qunell, Chair of the Board

Bree James, Recording Secretary

APPROVED AS SUBMITTED / CORRECTED: _____

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