

**WHITEFISH PLANNING BOARD  
MINUTES OF MEETING  
October 21, 2021**

<p><b>CALL TO ORDER AND ROLL CALL</b></p>	<p>Alternate Chair Councilor Frank Sweeney called the regular meeting of the Whitefish Planning Board to order at 6:00 pm. Board members present were Whitney Beckham, Scott Freudenberger, Chris Gardner, and Allison Linville. Chair Steve Qunell, Toby Scott and John Ellis were absent. Planning Director David Taylor, Senior Planner Wendy Compton-Ring, and Long Ranger Planner Tara Osendorf represented the Whitefish Planning and Building Department.</p> <p>There were approximately 200 people attending in addition to the board members and staff.</p>
<p><b>AGENDA CHANGES</b> <i>6:11 pm</i></p>	<p>None.</p>
<p><b>APPROVAL OF MINUTES</b> <i>6:11 pm</i></p>	<p>Scott Freudenberger made a motion, seconded by Allison Linville, to approve the September 16, 2021 minutes without corrections. <b>The motion passed unanimously.</b></p>
<p><b>COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA)</b> <i>6:12 pm</i></p>	<p>None.</p>
<p><b>OLD BUSINESS:</b> <i>6:13 pm</i></p>	<p>None.</p>
<p><b>PUBLIC HEARING 1: CITY OF WHITEFISH ZONING TEXT AMENDMENTS REQUEST</b> <i>6:13 pm</i></p>	<p>A request by the City of Whitefish for zoning text amendments to § 11-3-34, Special Provisions, Medical Marijuana, and § 11-9-2, Definitions, as well as § 11-2J, WB-1 Limited Business District, § 11-2K, WB-2 Secondary Business District, § 11-2L, WB-3 General Business District, § 11-2M, WB-4 Business Park District, § 11-2R, Industrial and Warehousing District, § 11-2V, WBSD, Business Service District, and § 11-2X, WI-T, Industrial Transitional District, to establish development standards and permitted districts for marijuana facilities.</p>
<p><b>STAFF REPORT WZTA 21-02 (Taylor)</b></p>	<p>Director Taylor reviewed his staff report and findings. As of the writing of WZTA 21-02, no public comment had been received but one email with some suggested language changes from Ian Stewart was placed on the table for the Planning Board.</p>

	<p>Staff recommended adoption of the findings of fact within staff report WZTA 21-02 and for the recommendation of <b>approval</b> of the proposed changes to Title 11, Zoning Regulations, of the Whitefish City Code to the Whitefish City Council.</p>
<p><b>BOARD QUESTIONS OF STAFF</b></p>	<p>Freudenberger asked about the wording in lines A &amp; B of the staff report, to which Director Taylor responded that the language was taken directly from State law.</p> <p>Gardner asked if there were any other public comments and Director Taylor said there were emails back and forth from several folks in the industry after staff asked for input during the drafting of the ordinance but no other official comments.</p>
<p><b>APPLICANT / AGENCIES</b></p>	<p>None.</p>
<p><b>PUBLIC COMMENT</b></p>	<p>Chair Sweeney opened the public hearing.</p> <p>Rhonda Fitzgerald (412 Lupfer Avenue) spoke against marijuana sales in the WB-1 and WB-2 zones, stating she supports focusing marijuana sales in the WB-3 zone.</p> <p>Gary Stephens (1470 Barkley Lane) spoke against all marijuana uses in Whitefish stating concerns about general drug use in America. He also stated concerns about marijuana-related businesses being clustered together, saying it could be similar to how the bars are currently clustered North of E 2nd Street.</p> <p>Jessica Owens (451 Woodland Place) spoke in support of dispensaries anywhere throughout Whitefish and stated her support for a better understanding of marijuana use as a whole.</p> <p>Ed Doctor (845 Wisconsin Ave) stated he is in support of the zoning text amendments as presented by staff.</p> <p>Robert Marriot (114 Wisconsin Ave) spoke in support of the action item saying he agrees with previous commenters Jessica and Ed.</p> <p>There being no further comments, Chair Sweeney closed the public hearing and turned the matter over to the Planning Board for consideration.</p>

<p><b>MOTION / BOARD DISCUSSION</b></p>	<p>Chair Sweeney asked to clarify whether it is required by the State that we need to zone for recreational marijuana sales by State law. Director Taylor deferred to City Attorney Angela Jacobs, and she responded as she understands it, we must allow the use, but it is up to us on where we zone for it.</p> <p>Beckham made a motion, seconded by Gardner, to <b>adopt</b> the findings of fact within staff report WZTA 21-02, as proposed by City Staff.</p> <p><b>Discussion:</b> Beckham spoke on her motion saying although she doesn't think the use necessarily fits in the WB-2 zone by definition, she is wary about zoning small businesses out by only allowing marijuana-related businesses in a small downtown area with extremely high rents.</p>
<p><b>VOTE</b></p>	<p><b>The motion passed unanimously.</b> The matter is scheduled to go before the Council on November 1, 2021.</p>
<p><b>JOINT PUBLIC HEARING (ITEMS 2 &amp; 3): ARIM MOUNTAIN GATEWAY, LLC PLANNED UNIT DEVELOPMENT REQUEST &amp; ARIM MOUNTAIN GATEWAY, LLC CONDITIONAL ZONE CHANGE REQUEST</b></p> <p><i>6:39 pm</i></p>	<p>A request by Arim Mountain Gateway, LLC for a Planned Unit Development in order to develop a mixed residential/commercial project with 318 residential units (270 apartments, 24 townhouses and 24 condominiums) north of the intersection of E. Lakeshore Drive and Big Mountain Road. The lots are zoned WR-2 (Two-Family Residential District), WR-3 (Low Density Multi-Family Residential District and Flathead County R-4 (Two-Family Residential). The three County lots will be annexed into the City Limits at the time of approval. The properties, located north of the intersection of E Lakeshore Drive and Big Mountain Road, can be legally described as Tracts 1HA, 1H, 1CD, 1C, 1CB, 1, 5C, 5 in S23-T31N-R22W, P.M.,M., Flathead County.</p> <p>A request by Arim Mountain Gateway, LLC for a Conditional Zone Change to apply Neighborhood Commercial to the northeast corner of the intersection of E. Lakeshore Drive and Big Mountain Road. The lot is zoned WR-2 (Two-Family Residential District) and can be legally described as Tract 1CD in S23-T31N-R22W, P.M.,M., Flathead County.</p>
<p><b>STAFF REPORT WPUD 21-03 &amp; WZC 21-03 (Compton-Ring)</b></p>	<p>Senior Planner Compton-Ring reviewed her staff reports and findings for WPUD 21-03 and WZC 21-03. As of the writing of the staff reports, 370 public comments had been received, and at least 40 have been received since then.</p>

	<p>Staff recommended adoption of the findings of fact and 17 conditions of approval within staff report WPUD 21-03 and for the recommendation of <b>approval</b> of the planned unit development for the Arim Mountain Gateway project to the Whitefish City Council, as submitted by the applicant.</p> <p>Staff recommended adoption of the findings of fact within staff report WZC 21-03 and for the recommendation of <b>approval</b> of the conditional zone change to the Whitefish City Council.</p>
<p><b>BOARD QUESTIONS OF STAFF</b></p>	<p>Gardner asked for clarification on Policy 6.9 from the Wisconsin Avenue Corridor Plan. Director Taylor said that the intent was to have most of the commercial on the south end of Wisconsin, but Big Mtn road was identified as a key node for a small convenience commercial area near the residential development.</p>
<p><b>APPLICANT / AGENCIES</b></p>	<p>One of the applicants, James Barnett, spoke towards both applications (WPUD 21-03 and WZC 21-03). First, he clarified that he wasn't a part of the Quarry project. He acknowledged the housing crisis and the need for affordable, local housing, and emphasized this project won't include short-term rentals. He said they did their best to base their design around the Wisconsin Avenue Corridor Plan and this project was designed with the local workforce in mind.</p> <p>Representative for the project, Mike Brodie, Engineer with WGM Group, summarized the public process, which included two public hearings and hundreds of public comments and summarized what they heard. The top concerns were that it was too dense, this isn't the right location for this type of project, there are traffic and safety concerns, and the project is not consistent with the Growth Policy. He emphasized the proposed community benefits: land designated for fire station, new roundabout, transit benefits, tree retention, affordable housing, and adding the neighborhood commercial designation to allow for small convenience commercial opportunities to decrease vehicular miles travelled.</p> <p>Another representative for the project, Mark Bancale, Traffic Engineer with WGM Group, spoke toward the contents of the Traffic Impact Study (TIS) and proposed mitigation opportunities. Intersections considered in the analysis were Houston Dr/ E Lakeshore Dr, E Lakeshore Dr/Big Mountain Rd, Edgewood Pl/Wisconsin Ave, and all intersections of access points to the project with public roads. Other impacts such as the ongoing</p>

	<p>900 Wisconsin project were included in the analysis as well. The TIS used peak traffic volumes and compared traffic in a no-build scenario to the impacts of the proposed project.</p> <p>Chair Sweeney asked Mr. Bancale to speak further on the roundabout design and he responded by emphasizing how it would be designed for trucks and larger vehicles to safely maneuver.</p> <p>Gardner asked him about 2025 traffic projections and if the Quarry was included in that trip generation. Mr. Bancale said the Quarry and all other development projects they know about were included. Gardner also asked about the addition of turn lanes on Wisconsin Avenue in the 2009 Corridor Plan to which Mr. Bancale responded there are no plans to add an extra lane at this time.</p>
<p><b>PUBLIC COMMENT</b> <i>8:03 pm</i></p>	<p>Chair Sweeney opened the public hearing.</p> <p><b>In-person comments were as follows:</b></p> <ul style="list-style-type: none"> <li>• Turner Askew (3 Ridgecrest Ct) spoke against the proposal stating traffic concerns, specifically around E Lakeshore Dr.</li> <li>• David Martin (816 Texas Ave) spoke against the proposal stating concerns about infill north of the viaduct and the impact on Wisconsin Ave.</li> <li>• Bob Ambrose (102 Hidden Hills Ln) spoke against the proposal stating safety concerns about forest fires and evacuation issues from Big Mountain Road and the surrounding area, as well as concerns about traffic on Wisconsin Avenue.</li> <li>• Whitney Geiger (2081 Houston Dr) represented Flathead Families for Responsible Growth and spoke against the proposal for reasons of non-conformity with the Wisconsin Avenue Corridor Plan and the Growth Policy, traffic concerns, a lack of conformity with surrounding neighborhood character, safety concerns for evacuation purposes, and a lack of capacity with respect to infrastructure.</li> <li>• Connie Johnson (2798 Resthaven Rd) spoke against the proposal stating reasons of irresponsible growth management, degrading the current quality of life, and setting precedent for similar projects in the future.</li> <li>• Phyllis Johannes ( 495 Blanchard Lake Rd) spoke against the proposal stating the City should be conducting their own transportation study and hold Whitefish developers to a higher standard. She also stated that she disagreed with the staff proposal to allow the development to allow four stories and she sees issues</li> </ul>

with non-motorized transportation safety surrounding the development.

- Daphne Hall (2312 Houston Circle) spoke against the proposal stating she doesn't want to see density because it's so close to her home and she's worried about safety crossing the road.

- Steve Kelly (2312 Houston Circle) spoke against the proposal stating the proposal will decrease his family's quality of life and all north of the viaduct. He doesn't believe the City's plans align with the proposal.

- Kim Wilson, Attorney based in Helena representing Flathead Families for Responsible Growth, spoke against the proposal stating reasons of noncompliance with the Growth Policy, Wisconsin Avenue Corridor Plan and other basic requirements concerning public health and safety. He also claimed the development will compound transportation issues and pointed out that MDT has not approved a roundabout at this time. Additionally, Mr. Wilson pointed out what he believed to be inconsistencies in the staff report with State law and concerns the applicant's claims will not fully come to fruition.

- David Donohue, Hydrosolutions, 303 Clarke Street, Helena, representing Flathead Families for Responsible Growth stated legal water availability was not demonstrated in the application or staff report and water rights were not provided. Regarding stormwater management systems, he stated the analysis was not complete and does not prove the retention pond could handle all on-site stormwater. Mr. Donohue stated there is a general lack of information on stormwater management and the effects on Whitefish Lake, and specifically Monk's Bay. He said more information needs to be provided by the applicant.

- Jessica Owen (451 Woodland Pl) spoke about the need for affordable housing and keeping local workers housed. She stated we need more creative options to work with developers to reward those who provide affordable housing units.

- Jeffrey Allen (150 Lookout Lane) spoke against the project due to traffic concerns, a lack of information on environmental mitigation, and traffic safety.

- Brad Bulkley (2124 Houston Dr) spoke against the project referencing an article in the *Boston General* discussing fire evacuation and stated the developers have not done sufficient analysis on emergency evacuation in the area and the mitigation of public safety concerns.

- Valerie Bauch (2190 Houston Dr) spoke against the project and emphasized bike and pedestrian safety issues.

- Roxanne Gallagher (234 Hidden Hills Ln) spoke against the project saying there is inconsistency of both the existing and the proposed zoning with the surrounding area. She also said this location has never been identified for high-density residential projects in City plans and the proposal is inconsistent with surrounding suburban neighborhood character. She acknowledged the significance of the project and said it is dangerous to set precedent in this way.

- John Collins (3080 E Lakeshore Dr) spoke against the project saying the staff report was deficient on topics such as conformity with the Growth Policy, preservation of the character of surrounding areas, tree preservation and the preservation of green space.

- Ben Johnson (813 Trail View Way) spoke in support of the proposal discussing the necessity of affordable housing units and compliance with the Growth Policy and current Housing Needs Assessment.

- Nathan Dugan (937 Kalispell Ave) spoke in support of the proposals, discussing the need for more affordable housing in Whitefish. He acknowledged the site will be developed either way, but we need more affordable housing units for the local workforce. He also encouraged the developer to give first priority to locals to purchase if possible.

- Mallory Phillips (937 Kalispell Ave) spoke in support of the proposals stating grief watching longtime locals be priced out of Whitefish and the desire to keep economic diversity in the community and provide affordable housing in whatever way possible.

- David Hughes (no address) spoke in support of the proposal discussing similarities with other small mountain towns and data surrounding housing prices and mortgage/home ownership trends. He said workforce housing in town impacts the community in a positive way, specifically referencing the impact on traffic. He said we need to keep our workforce in Whitefish and encouraged staff to reach out to other similar communities in resort/mountain towns.

- Emily Quinn (311 W 8th St) discussed concerns about phasing of the construction and impacts on nearby residents throughout the construction process. She asked the Board and applicant to consider the details of each phase and stated concerns about the impacts on traffic, safety, and the community as a whole. While generally against density at this location, if it is inevitable, she

recommended the construction portion of the project be carefully considered.

- Brian Quinn (311 W 8th St) discussed what the density at that location would look like in terms of people/acre and said while you can't build yourself out of traffic, you also can't build yourself out of the housing crisis. He said we don't need more units, and we have a number of empty homes here.

- Allen Tays (1226 E 2nd St) spoke against the proposal saying the infrastructure can't support it and he doesn't see the need for a roundabout.

- Mike Talbot (2125 Houston Dr) spoke against the proposal stating when they were annexed they were told their neighborhoods would be protected and he'd like to see the zoning become consistent with the surrounding neighborhoods. He also stated concerns about snowplows getting through the roundabout, the impacts on Wisconsin Ave traffic, and the need to revisit the 3% growth used in the TIS.

- Kristin Riter (620 Nature Trail) spoke against the project saying the developer needs to consider crossings on Big Mountain Road and that parks and community spaces for families need to be incorporated. She said while we need this type of development, the location for this type of development will not work due to traffic volumes and we need to consider other areas of town due to the location of services, schools, parks, emergency services etc. She also mentioned the need for analysis on emergency response.

- Nick Polumbus (303 Stumptown Loop) representing Whitefish Mountain Resort spoke against the proposal as is, stating traffic concerns and the need for further analysis on the traffic impacts on Big Mountain Rd. He also mentioned the SNOW bus may not have the capacity to act as a viable commuter transportation option due to its capacity by the time the route gets to the bottom of Big Mountain Rd.

- Will Hagin (284 Flathead Ave) representing Glacier Restaurant Group spoke against the proposal stating the project is an example of poor growth because it is not properly located, will negatively impact traffic on Wisconsin Ave, does not match the character of surrounding neighborhoods, and sets bad precedent for future similar development proposals. He also stated concerns with the amount of information available regarding the effectiveness of a roundabout at that location.

- Wendy Dahl (158 E Blanchard Lake Rd) spoke against the proposal stating concerns about the capacity of schools and community medical facilities with increased housing units and the

availability of water. She also mentioned affordable housing isn't necessarily affordable for most Whitefish residents and she is against roundabouts.

- Gary Stephens (1470 Barkley Ln) spoke against the project saying affordable housing should be separated from higher priced housing. He said there isn't a need for four-story development or additional commercial in that area and other high-density developments are already occurring along Wisconsin that will compound the impacts on traffic. He stated we need to update Wisconsin infrastructure prior to considering more development in the corridor and also consider the impact to our water/sewer system and water treatment plant.

- Jude Ferrara (604 Pine Pl) spoke against the proposal stating concerns about wildlife habitat deprivation, over development/availability of water, and a decrease of quality of life in Whitefish.

- Rhonda Fitzgerald (412 Lupfer Ave) spoke against the proposal stating there's nothing holding the developer to the number of affordable units they are claiming and stated there is no public benefit to the project because the small number of affordable units, SNOW bus stops, roundabout, and land for the fire station don't outweigh the negatives since the units are not for our workforce.

- Lauren Walker (155 Fonner Rd) spoke against the proposal with concerns about over-development and said we need to be more intentional with our development and find more creative ways to preserve the community's character and natural resources. She also said she didn't think this was the appropriate location for this type of development.

- Cari Arnot (1470 Barkley Ln) spoke against the proposal stating concerns about precedent for similar developments in the area and says the project is premature.

- Dave Harriman (2264 Houston Point Dr) spoke against the project because of the location near his home and inconsistent character compared to the surrounding areas. However, he said he's in support of the roundabout.

- John Bergeman (1040 Birch Point Dr) spoke against the project saying that growth isn't inevitable, and we have the capacity to control it. He also said affordable housing needs to be dealt with by expanding the housing authority and making development pay its own way rather than being funded by citizens.

- Kelly Wiczorek (27 Mill Ave) spoke against the proposal saying she agrees with John Bergeman (previous comment) that we

need to slow down with development but also added that we need to protect our dark skies. She also mentioned the need for affordable housing.

- Kathy Chauner (735 Northwoods Dr) spoke against the proposal stating concerns about roadway safety, the impacts of increased traffic, and emergency evacuation preparedness. She said she's for the development, but not in this location near her neighborhood.

- Matt Geiger (2081 Houston Dr) stated concerns about light pollution associated with the proposal.

- Carol Atkinson (404 Dakota Ave) spoke against the proposal agreeing with many previous comments and stated overall concerns about the state of Whitefish.

*At 10:10 pm, Chair Sweeney announced that the meeting will be adjourned at 11:00 pm and the joint hearing will restart at the next scheduled meeting. At that time, any remaining comments will be taken first prior to Board discussion and any rebuttals.*

**Webex/telephone comments were as follows:**

- Jim Stroud (108 Ridge Top Dr) spoke against the proposal referencing the number of people that have spoken against the project and agreeing with previous statements supporting denial of the proposal. He also said the benefits do not justify the impact of the development and he has concerns about the overall environmental impact.

- Justin Holley (2448 Big Mountain Rd) spoke against the proposal and asked the Planning Board to consider existing wildlife habitat, additional impervious area that the project would create, accountability for loss of trees and green space, traffic impacts, and not only consider the affordable housing benefit in their decision. He also noted commerce does need to be decentralized somewhat from downtown.

- Ahmed Al Kaisy, a traffic engineer from Bozeman who is representing Flathead Families for Responsible Growth spoke against the findings of the TIS saying there were issues with how WGM Group conducted their study and referenced a memo on the TIS he submitted to the Planning Board.

- Mike Jenson (919 Dakota Ave) spoke against the proposal citing traffic safety concerns on Wisconsin Avenue and preparedness for emergency fire evacuation. He also asked if the Board doesn't vote no they delay the decision.

	<ul style="list-style-type: none"> <li>• Tessa Pitman and her daughter Lucia (505 Dakota Ave) spoke against the proposal due to traffic safety concerns and safety issues for children and families crossing Wisconsin Ave.</li> <li>• Adam Wesley (211 N. Beargrass Cir) spoke against the proposal agreeing with previous comments saying growth isn't inevitable, adding it needs to be halted because housing is a demand problem rather than a supply problem so we shouldn't be adding affordable housing. He also added he is against high-density rental communities in general being developed in Whitefish.</li> <li>• Pam Sbar (511 Dakota Ave) spoke against the proposal saying it doesn't meet the requirements of a PUD due to its location and general mismatch of the surrounding neighborhood character. She also stated development in the area is outpacing supporting infrastructure and the current design of Wisconsin Ave won't properly support this type of development. Finally, stating examples on south Wisconsin, she shared concerns about the impact of increasing traffic in the corridor.</li> <li>• Lauren Stevens (Missoula – previous resident) spoke in support of the proposal, discussing concerns about what else may be able to happen by right in the future if we don't take advantage of the benefits being offered by the developer and the need for affordable housing for residents, despite the location. She also encouraged the Board to consider the proposal based on the review criteria rather than just the public comment.</li> <li>• Allie McMann (no address provided) spoke in support of the project and said she is trying to move back to Whitefish where she grew up and can't find rental housing or afford to buy a home, so she supports any opportunity for affordable housing.</li> <li>• Jodi Korb (1914 Suncrest Dr) spoke against the proposal stating it does not support the Growth Policy, character of the surrounding neighborhood at that location, provide appropriate emergency egress, or provide safe crossings for non-motorized traffic.</li> <li>• Kristi __ (?) (Big Mountain Rd) spoke against the proposal stating since she's owned her second home, there have been increased safety concerns and safety issues on Big Mountain Road. She said there is a mismatch of the zoning with the surrounding neighborhood and the development would increase traffic issues and create urban sprawl, which she does not support.</li> </ul>
<p><b>ADJOURNMENT</b> <i>11:09 PM</i></p>	<p>At 11:05 pm, Beckham made a motion, seconded by Linville, to adjourn the meeting and continue the joint hearing for WCUP 21-03</p>

	<p>and WZC 21-03 at the next scheduled meeting. <b>The motion passed unanimously.</b></p> <p>Chair Sweeney added anyone who did not have a chance to comment would have the first opportunity to speak during the public comment period at the next scheduled meeting on November 18th.</p> <p>The meeting was adjourned at approximately 11:09 pm</p> <p>.</p>
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/s/ Steve Qunell  
Steve Qunell, Chair of the Board

/s/ Keni Hopkins  
Keni Hopkins, Recording Secretary

APPROVED AS **SUBMITTED** / CORRECTED: 11-18-21