

January 10, 2022

Sent via E-Mail

City of Whitefish
Planning and Building Department
Attn: Wendy Compton-Ring
418 E 2nd Street
Whitefish, MT 59937
E-Mail: wcompton-ring@cityofwhitefish.org

Re: *Proposed Land Use Action: Arim Mountain Gateway PUD & Zoning Map
Amendment/Conditional Zone Change Applications (File Nos. WPUD 21-03 and
WZC 21-03)*

Mr. Mayor and Whitefish City Council,

This firm, along with David K.W. Wilson, Jr. of Morrison Sherwood Wilson and Deola, PLLP represent Flathead Families for Responsible Growth (“Flathead Families” or “FFRG”), a Montana non-profit organization, in connection with the above referenced WPUD and WZC applications (collectively, the “Applications”) submitted by Arim Mountain Gateway (“Mountain Gateway”).

Flathead Families is composed of a wide array of citizens from the community - from those who live in downtown Whitefish, to the far end of Whitefish Lake to Kalispell and everywhere in between. They are opposed to the Applications. We have reviewed staff reports WPUD 21-01 and WZC 21-03. FFRG agrees with the Whitefish Planning Board’s comments supporting the denial of the findings of fact in the staff reports, including the comments of Whitney Beckham, John Ellis, and Allison Linville. Flathead Families have found additional infirmities with the staff’s findings of fact that require denial of the Applications and offers the following alternative, proposed findings of fact for your consideration.

PUD Review Criteria: The Whitefish City Council must deny WPUD 21-03 because it does not meet the criteria contained in WCC § 11-2S-9B:

1. Environmentally sensitive areas of the site must be preserved and protected by the proposed development to the greatest extent possible. Environmentally sensitive areas include, but are not necessarily limited to, wetlands and marshes, slopes in excess of twenty five percent (25%) average grade, and water bodies such as lakes or streams on and/or adjacent to the site. All lakeshore protection and water quality standards must be met.

	City's Findings of Fact	FFRG's Proposed Findings of Fact
Finding No. 1	Identified environmentally sensitive areas of the site are preserved because slopes will be incorporated into the design of the condominiums in the northeast corner of the project and a geotechnical analysis will be reviewed by the Public Works Department.	The property is located near Whitefish Lake and has steep slopes and mature trees. Due to an insufficient stormwater plan that proposes a connection with the East Whitefish Lake ditch, Whitefish Lake could be degraded with nitrogen and phosphates from stormwater runoff. The applicant has not met its burden of identifying how the steeper slopes will be preserved because the design of the condominiums has not been submitted. The applicant did not submit a tree retention plan and there is no assurance that the mature trees will be preserved. The environmentally sensitive areas on or near the site will therefore not be preserved.

2. Development must be sensitive to and respectful of wildlife habitat and/or seasonal migration corridors as identified by a competent wildlife assessment or verified by empirical evidence.

Finding No. 2	These properties are not identified as crucial wildlife habitat or seasonal migration corridors; however, it is likely deer, bear, and other animals will continue to move through this property. The preservation of a treed buffer area will continue to provide open areas for small animals and movement of larger animals through the property.	There are several species of concern on the property as identified by the applicant that have not been addressed sufficiently in the application, including Grizzly Bear. As Planning Board Vice Chair Ellis stated in support of the motion to deny the finding of facts in staff report WPUD 21-03, the properties include wildlife corridors for several species, including deer, elk, and turkeys and the big block of buildings being proposed would block these corridors.
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<p>Finding No. 2 (con't)</p>		<p>Increased congestion from the development will also likely create increased wildlife/vehicle collisions.</p> <p>As stated by wildlife officials from Montana Fish, Wildlife and Parks at the City Council’s December 7, 2021 meeting, according to FWP’s grizzly and black bear specialists, both species are present in and around the City of Whitefish and there are increasing bear-human conflicts in the area. According to Eric Wenum, FWP black bear specialist, Whitefish is both prime bear habitat and primed for a bear-human conflict incident. Despite the fact that Mr. Wenum also stated that this year was a record year for human-bear conflicts and next year is likely to be worse, the application does not commit to adequately bear-proofing the development, including the sanitation system, which will therefore likely lead to increased bear and human conflict. Therefore, the development would pose a danger both to the local bear population and public safety.</p> <p>The application does not address migratory birds, including nesting and foraging habitat. Overall, the applicant does not provide a competent wildlife assessment or provide empirical evidence to support its application. Moreover, staff did not notify Montana, Fish, Wildlife and Parks of the application to receive that agency’s comment.</p>
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3. Open space, either planned for persons expected to reside in the completed development (children, young adults, seniors, etc.) or available to the public in general, must be provided by the development.

Finding No. 3	<p>Open space is planned for residents as they are providing passive open space and developed open space in the form of trails, benches, barbeques, play equipment and a club house. Open space areas will be available to the public because the trail connecting the Wisconsin Avenue Trail along Big Mountain Road will be open to the public.</p>	<p>The proposed conditions of approval do not require the applicant develop the open space with “benches, barbeques, play equipment and a club house” that are relied on to meet the open space requirements; thus, the development of these features is not guaranteed. The developed open space proposed is only two-acres which is insufficient space for this size property site. The “open space” in the form of the existing Wisconsin Avenue Trail will be obstructed by at least two new approaches onto Wisconsin or East Lakeshore, as well as a mapped tunnel and a roundabout. Crosswalks for the public are not sufficiently addressed.</p>
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4. The character and qualities of existing neighborhoods must be preserved and protected. Proposed PUDs are to be integrated into the existing neighborhood in terms of scale, quality, character, and street continuity. When, in the judgment of the City Council, such integration is not possible, practical or will otherwise not produce desired outcomes for the existing neighborhood, effective buffering and transitions must be provided by the proposed development.

Finding No. 4	<p>The character and qualities of existing neighborhoods are being preserved and protected because the development on the west side of the project is located in the center of the property enabling the retention of trees surrounding the site to maintain the wooded character of the neighborhood. This wooded character will remain along Big Mountain Road on the east side of the property as the project transitions to condominiums, townhouses, and a neighborhood commercial corner further to the east.</p>	<p>As Planning Board Vice Chair Ellis stated in support of the motion to deny the finding of facts in staff report WPUd 21-03, the staff’s Finding No. 4 is objectionable due to commercial aspect of the project and because of the single-family residential character of the area.</p> <p>The character and qualities of existing neighborhoods will not be preserved and protected because the development on the west side consists of two large four story apartment complexes, and the development on the east side is proposed to be commercial. This is in sharp contrast to the existing neighborhood, which is solely single family and dispersed low-density residential uses, as well as a golf course. Merely preserving the trees along the road is insufficient to retain the character and qualities of the existing</p>
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		neighborhoods. The proposal for a 270-unit apartment complex and commercial development is not consistent with the current uses throughout the neighborhood, and will deleteriously affect the neighborhood if approved.
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5. Street continuity must be maintained through extending the Whitefish street grid and other established street systems consistent with adopted transportation plans.

Finding No. 5	This project is not extending the City’s grid system because it does not exist in the neighborhood; however, through the installation of two privately owned and maintained roads, the development provides for a modified grid system. The installation of the roundabout at the intersection of Big Mountain Road and East Lakeshore Drive will improve the functionality of this intersection and mitigate the traffic impacts of the development.	The Traffic Impact Study contains limitations that do not accurately reflect the true traffic impacts of this project. The trip generation presented in the TIS is not based upon industry standard and significantly underestimates the trips generated by the project. Several intersections near the site were omitted from the TIS although they are expected to experience failure. At least one intersection fails to meet City of Whitefish level of service standards with no mitigation proposed. The application fails to analyze the six unrestricted access points impact, which are very likely to lead to an increase in vehicle collisions on the Big Mountain Road and East Lakeshore Road due to the increase in conflict points. The roundabout has not been studied or approved by MDT and is not necessarily the best option to mitigate the traffic impacts. The access proposed on East Lakeshore violates City of Whitefish Engineering Standards. The TIS fails to analyze pedestrian travel. Therefore, since the traffic impacts have not been sufficiently studied, the possible mitigation tools are unknown.
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6. New development must provide attractive, high-quality streetscapes through the use of landscaping, sidewalks/bikeways, street trees, and quality street lighting fixtures, including design consideration for and integration with adjacent structures.

Finding No. 6	The development is providing attractive, high-quality streetscapes because the internal streets will meet City of Whitefish standards and a modern roundabout and a	The most significant infrastructure improvement proposed for the streetscape is the proposed roundabout; however, the roundabout recommendation stems from an
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	separated non-motorized path will be installed.	unreliable TIS, which fails to adequately analyze the traffic impacts of the development. Nor has the roundabout been evaluated or approved by MDT, which means its approval and use is not guaranteed. The City has no ability to require a roundabout when it is conditioned on future MDT approval.
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7. Proposed development must, to the greatest extent possible, provide pedestrian, transit, and bicycle facilities, and encourage transportation alternatives consistent with the Whitefish Growth Policy, adopted transportation plans, and the Bicycle and Pedestrian Master Plan.

Finding No. 7	The proposed development is encouraging transportation alternatives because it is served by the Wisconsin Avenue bike path trails and sidewalks will be installed within the development and connecting to the existing trail system. The project will encourage transit ridership during the Whitefish Mountain Resort's winter and summer seasons through the installation of bus stops along Big Mountain Road. Finally, the project will be required to install bike racks or some facilities for bike storage.	The proposed development has not sufficiently shown that the Big Mountain Commercial Association can accommodate an additional SNOW bus stop, and the applicant is not proposing to fund any alternative transportation systems or contribute to the current SNOW bus shuttle. The proposed SNOW bus stop is located on the east side of the project site, which presents a safety hazard for the 270-unit apartment residents who will have to cross the street to board the SNOW bus, competing with traffic going north to the mountain. The development does not sufficiently address crosswalks for either the east to west crossings across Big Mountain Road or the north to south crossings across East Lakeshore. Nor does the application in any way analyze the safety of these pedestrian crossings. The proposed development does not sufficiently address or identify school bus stops for children in the development.
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8. New development must avoid a monotonous and/or institutional appearance through varied architecture and orientation of buildings, and where appropriate, varying the type of residential units within the project.

Finding No. 8	This development will avoid monotonous and institutional appearance through varied architecture because the project is proposing apartments, condos, townhouses and a	The proposed development has not submitted detailed or binding plans that would sufficiently address this finding. Large apartment complexes, as proposed are often monotonous and institutional in appearance.
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	commercial component each with its scale, mass and orientation on the site.	
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9. Preliminary designs for necessary public facilities, infrastructure and services including but not limited to water, sewer, and stormwater, shall be deemed adequate.

Finding No. 9	Preliminary designs for necessary public facilities were deemed adequate because the Public Works Department reviewed their plans and did not note any concerns.	The application lacks sufficient detail with regard to public facilities, infrastructure and services to adequately analyze impacts. No analysis is provided to analyze water pressure for domestic and fire suppression demands. The stormwater information provided by the application is insufficient to analyze impacts. The stormwater information provided does show that stormwater will discharge directly into the East Lakeshore Ditch, and the vortex unit may not prevent potentially harmful stormwater discharge into Whitefish Lake. Monk’s Bay, identified by the Wisconsin Avenue Corridor Plan, as “very sensitive” to run-off and land development would be at risk of being degraded if this development were approved.
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10. All new development must demonstrate substantial compliance with and/or implementation of the growth policy, including adopted neighborhood plans and corridor plans.

Finding No. 10	<p>The project complies with and supports the following goals and policies from the 2007 Whitefish Growth Policy:</p> <p><i>Land Use</i></p> <p>Goal 7: Plan for healthy, efficient and visually attractive corridors along major transportation routes through the community.</p> <p><i>Housing</i></p>	<p>Based on the findings as stated herein, the project does not comply with and does not support the following goals and policies from the 2007 Whitefish Growth Policy:¹</p> <p><i>Natural Resources – Water Quality</i></p> <p>Goal 1: Recognizing that water is an essential resource, and that the maintenance of pure, uncontaminated surface and groundwater is paramount to the continued physical and economic well-being, protect</p>
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¹ Planning Board Vice Chair Ellis stated in support of the motion to deny the finding of facts in staff report WPUD 21-03, that he did not agree that the PUD request substantially complies with the Growth Policy or Corridor Plan.

<p>Goal 1: Ensure an adequate supply and variety of housing product types and densities, at affordable prices, to meet the needs of Whitefish existing and future workforce and for senior citizens.</p> <p>Goal 2: Maintain a social and economic diversity of Whitefish through affordable housing programs that keep citizen and members of the workforce from being displaced.</p> <p>Policy 2: The City of Whitefish shall always have a policy of supporting development of affordable housing and shall seek to partner with and support any reputable affordable housing developer in the public or private sector.</p> <p><i>Community Facilities – Emergency Services</i></p> <p>Goal 1: Continue to provide the most modern and efficient emergency services to the visitors and citizens of the Whitefish area.</p> <p>Whitefish Avenue Corridor Plan</p> <p><i>Environment/Water Quality</i></p> <p>Goal 1.2: Preserve the natural landscaping, scenic views and forested character of the landscaping</p> <p>Policy 1.3: Minimize impacts of developments on views through site design that provides for open space, preserve scenic vistas and maintain wooded areas as buffers along property lines</p> <p>Policy 1.4: Encourage development plans that incorporate native vegetation, reflect the natural landscapes of the corridor and include management practices to protect against invasive species.</p> <p><i>Residential</i></p> <p>Goal 2.1: Provide for diverse housing needs within the corridor while protecting community character and neighborhood</p>	<p>and enhance water quality of the Whitefish area’s lakes, rivers, and streams.</p> <p>Goal 2: Provide a clean, safe, and sanitary water supply for all residents, free from the threat of degradation or depletion.</p> <p>Policy 1: It shall be the policy of the City of Whitefish that no development activity, private or public, shall cause soil erosion, sedimentation, nutrient loading, or stormwater discharge that adversely impacts other properties, roads, wetlands, or any water body. Zero sedimentation and zero nutrient loading shall be the target for all development activity.</p> <p>Policy 2: The protection and enhancement of water quality shall be a primary objective in review of development projects, including detailed drainage plans. On site retention of stormwater shall be required in all areas without storm sewer, and encouraged in areas that have storm drainage facilities.</p> <p><i>Land Use</i></p> <p>Goal 1: Preserve and enhance the character, qualities, and small town feel and ambience of the Whitefish community through an innovative and comprehensive growth management system.</p> <p>Goal 2: Preserve, enhance, and manage environmentally sensitive areas such as river and stream banks, steep slopes, wetlands, forested areas, and critical wildlife habitat.</p> <p>Goal 3: Strengthen the role of Downtown Whitefish as the commercial, financial, and administrative center of the community.</p> <p>Goal 5: Protect and preserve the special character, scale, and qualities of existing neighborhoods while supporting and encouraging attractive, well-designed, neighborhood compatible infill development.</p> <p>Policy 1: All land development regulations shall be consistent with and based upon the</p>
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<p>through compatible residential developments.</p> <p>Goal 2.2: New residential development should incorporate design elements to promote walkability, sustainability and vibrant neighborhoods.</p> <p>Policy 2.1: Support pedestrian-scale residential design that encourages walkability, accessibility and linkages to neighborhood scale activity nodes.</p> <p>Policy 2.2: Support cohesive, distinctive and diverse residential developments that are compatible with existing neighborhoods and promote safe and quiet neighborhoods.</p> <p>Policy 2.3: Integrate higher to mid-density housing with access to transit/biking/walking routes and access to commercial services.</p> <p>Policy 2.4: Encourage a mix of product type within the same development than can be marketed to a variety of income level for both seasonal and year-round residents.</p> <p>Policy 2.5: Encourage unified development that mitigate potential impacts on adjacent neighborhoods, reflect neighborhood scale and character and contribute to a vibrant corridor.</p> <p>Policy 2.5: Promote the development of affordable work-force housing.</p> <p>Policy 2.6: Promote the development of affordable work-force housing.</p> <p><i>Transportation</i></p> <p>Goal 3.1: The corridor should have a connected, efficient, safe, accessible and attractive transportation system to accommodate all modes of traffic.</p> <p>Policy 3.4: Promote non-motorized transportation through designs that incorporate walkability, connectivity,</p>	<p>Growth Policy in accordance with Montana state law.</p> <p>Policy 2: It shall be the policy of the City of Whitefish to require concurrency of all urban services, including but not limited to: water and sewer; drainage; streets; public safety and emergency services; pedestrian, bikeway and trail facilities and parks; schools</p> <p>Policy 5: 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.</p> <p>Policy 12: Encourage land owners to consult with professional foresters on the proper silvicultural and forest management techniques for hillsides and environmentally sensitive areas.</p> <p>Recommendations 1: In order to protect and preserve the character, scale, and qualities of existing neighborhoods, the City of Whitefish shall revise the Zoning Jurisdiction Regulations and adopt “character based” standards and “neighborhood conservation” districts for new development, redevelopment, and infill. For newly developed areas, regulations shall provide for cluster and “conservation” subdivisions in order to preserve rural character and environmentally sensitive areas.</p> <p>Recommendations 4: All zoning district designations may be reviewed for conformance with this Growth Policy. The City or neighborhoods may initiate rezonings in order to bring zoning into compliance.</p> <p>Recommendations 11: Work with Flathead County to adopt firewise practices for development and construction in the Wildland Urban Interface (WUI).</p> <p><i>Community Facilities – Water Service</i></p>
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<p>accessibility and wayfinding features to accommodate bicyclists and pedestrians.</p> <p>Policy 3.6: Design transit stops, drop-off sites and pedestrian/bicycle crossings to improve safety, accessibility and user experience.</p> <p>Policy 3.7: Provide adequate facilities and access for emergency services in the corridor.</p> <p><i>Urban Design</i></p> <p>Goal 4.1: preserve the existing character along the corridor through site design and plans that reflect the neighborhood scale and preserve the features that contribute to the quality of experience in the corridor.</p> <p>Policy 4.5: incorporate mature stand of trees and two side designs to provide buffers and maintain the wooded/forest and character along the corridor.</p> <p><i>Economic Performance</i></p> <p>Goal 5.2: Focus development opportunities along the corridor to support rather than compete with downtown Whitefish.</p> <p>Policy 5.1: Allow increased densities and mixed uses at key nodes along the corridor that are service by transit while preserving natural landscapes and open space between nodes.</p> <p><i>Land Use</i></p> <p>Goals 6.2: Integrate land use and transportation improvements that result in a pedestrian/transit/bike friendly corridor and reduces the need for vehicle trips.</p> <p>Finding 10: the project has demonstrated substantial compliance with a 2007 growth policy and 2018 Wisconsin Ave. Corridor Plan because it is implementing many of the key development concepts identified in the Wisconsin Avenue plan including providing workforce housing, protecting the wooded</p>	<p>Goal 1: To provide a clean, safe, healthy, and sustainable water supply for all residents free from the threat of degradation or depletion.</p> <p><i>Community Facilities – Emergency Services</i></p> <p>Policy 2. The City of Whitefish shall manage the cost of emergency services through prudent land use practices that encourage infill development and limit sprawl.</p> <p><i>Housing</i></p> <p>Goal 1: Ensure an adequate supply and variety of housing product types and densities, at affordable prices, to meet the needs of Whitefish’s existing and future workforce, and for senior citizens.</p> <p>Policy 2: The City of Whitefish shall always have a policy of supporting the development of affordable housing, and shall seek to partner with and support any reputable affordable housing developer in the public sector or private.</p> <p><i>Transportation</i></p> <p>Goal 1: Provide an efficient and effective transportation system to serve the present and future needs of the Whitefish area.</p> <p>Goal 5: The community shall encourage sustainability in all aspects of the transportations system so that the needs of the present are met, while ensuring that future generations have the same or better opportunities.</p> <p>Policy 2: The City shall seek ways to reduce the community’s carbon footprint through efficiencies in the transportations system, reduction of vehicle miles traveled, and through promoting non-motorized transportation.</p> <p>Policy 4: The community shall encourage sustainability in all aspects of the transportations system so that the needs of the present are met, while ensuring that</p>
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	<p>nature of this area, integrating land-use and transportation, providing a variety of housing types within a development and providing convenience neighborhood commercial that does not compete with the downtown.</p>	<p>future generations have the same or better opportunities.</p> <p>Whitefish Avenue Corridor Plan</p> <p><i>Environment/Water Quality</i></p> <p>Goal 1.1: Protect water quality, stream stability, and natural processes that preserve aquatic habitat and wildlife habitat.</p> <p>Goal 1.2: Preserve the natural landscape, scenic views and forested character of the corridor.</p> <p>Policy 1.2: Adopt best management practices, treat stormwater, reduce impervious area and incorporate green infrastructure into development plans to reduce runoff and to protect water quality.</p> <p>Policy 1.5: support improvements and site designs that protect habitat, provide for connected wildlife corridors and that minimize conflict with wildlife.</p> <p><i>Residential</i></p> <p>Goal 2.1: Provide for diverse housing needs within the corridor while protecting community character and neighborhood through compatible residential developments.</p> <p>Policy 2.2: support cohesive, distinctive, and diverse residential developments that are compatible with existing neighborhoods and promote safe and quiet neighborhoods.</p> <p>Policy 2.5: Encourage unified developments that mitigate potential impact on adjacent neighborhoods, reflects neighborhoods scale in character and contribute to a vibrant corridor.</p> <p>Policy 2.8: mitigate potential noise and other adverse impacts from more intensive land-use is that adjoin residential areas.</p> <p><i>Transportation</i></p>
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		<p>Goal 3.1: The corridor should have a connected, efficient, safe, accessible and attractive transportation system to accommodate all modes of travel.</p> <p>Goal 3.2: Infrastructure in the corridor will have adequate capacity to accommodate future growth.</p> <p>Policy 3.1: Identify improvements to increase roadway capacity, reduce congestion, meet ADA requirements and improve intersection safety.</p> <p>Policy 3.7: Provide adequate facilities and access for emergency services in the corridor.</p> <p>Policy 3.9: Monitor water and sewer capacity as new development occurs and recommend improvements and/or conservation measures to accommodate future growth.</p> <p><i>Urban Design</i></p> <p>Goal 4.1: preserve the existing character along the corridor through site design and plans that reflect the neighborhood scale and preserve the features that contribute to the quality of experience in the corridor.</p> <p>Policy 4.2: new development should reflect neighborhood character through scale, building design, open space, landscaping and other design features identified in the architectural standards.</p> <p><i>Economic Performance</i></p> <p>Policy 5.4: identify commercial sectors that are growing and can be captured on the corridor to support the health of downtown Whitefish.</p> <p><i>Land Use</i></p> <p>Goal 6.1: Encourage compatible development that contributes to overall live ability, meets evolving market demands, and mitigates impacts to the environment.</p>
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		<p>Policy 6.8: Concentrate more compact, mixed use development in the south half of the corridor where there is already more intense development.</p> <p>Policy 6.9: Plan for low impact, lower intensity development on the north half of the corridor to reflect a more open, pastoral, character of the area.</p> <p>Finding 10: The project has not demonstrated substantial compliance with a 2007 growth policy and 2018 Wisconsin Ave. Corridor Plan.</p>
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11. Article S. WPUD Planned Unit Development District Purpose and Intent:

<p>Finding No. 11</p>	<p>The project complies with the Purpose and Intent of the Planned Unit Development chapter because it meets the review criteria outlined in the PUD chapter, as conditioned.</p>	<p>The project does not comply with the Whitefish City Code. The proposed development contains an apartment complex in WR-2 and WR-3 zoning which is prohibited under W.C.C. § 11-9-2 because the predominant use in the proposed development is not allowed in the underlying zoning.</p>
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12. Administration and Enforcement: Amendments (W.C.C. §11-7-12E)

<p>Finding No. 12</p>	<p>The review criteria for a zone change are met because the project has been reviewed according to the City standards and conditioned accordingly.</p>	<p>The review criteria for a zone change are not met because the project fails to comply with Montana law and City regulations.</p>
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13. Article S. Community Benefit and Justification for Proposed Zoning Deviations (WCC §11-2S-6)

<p>Finding No. 13</p>	<p>The applicant has demonstrated clear community benefit to deviate from the adopted standards to exceed the number of floors for a portion of the multi-family buildings because the project is providing 10% affordable housing which is an identified mean within the 2007 growth policy, the 2018 Wisconsin Ave. Corridor</p>	<p>The applicant has failed to demonstrate clear community benefit. The applicant is not providing 10% affordable housing, as the affordable housing is only 26 units, not 32, when accounting for the displaced affordable homes by the proposed development (which is 8.17%). The applicant has not provided deed restrictions and has not guaranteed</p>
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	<p>plan, the 2016 housing needs assessment and the 2017 strategic housing plan, they are dedicating land for a fire station, installing a separated bike path on the west side of big Mountain Rd., installing snow bus stops and installing a modern roundabout at the intersection of big Mountain Rd. and E. Lake Shore Dr.</p>	<p>affordable housing will actually be provided (for example, without deed restrictions the developer can ask for fee in lieu of providing affordable housing after approval). The 1.5-acre land dedication to the City for a future fire station is not a community benefit. The City Fire Department is chronically understaffed as highlighted in the recently adopted Fire Department Master Plan. The City does not have the resources to actually build and staff a fire station at this location, and other locations may be prioritized to be developed with a fire station. The proposed SNOW bus stop is not a community benefit. The SNOW bus stop will only benefit users of the proposed development and may overwhelm the SNOW bus system. Because the applicant failed to sufficiently analyze the traffic impacts, the traffic mitigation tools necessary for this intersection are unknown. The approval of this development would inherently endanger City residents and visitors as it does not provide for safe egress options in the case of a wildland fire.</p>
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