

**Application for a Conditional Use Permit**

DEC 10 2015

**Purposed Use:**

*7.04.010 Camp and Retreat Center – A camp or retreat center use is defined as a land use to provide camping or retreat center activities characterized by a rural setting in a rustic environment. Uses are primarily seasonal, but they shall not be limited to such. The uses permitted may be affiliated with the organization running the camp or retreat center, however, the general public is not restricted from such use.*

**Owner(s) of Record:**

Karrow Properties LLC

Box 4147 Whitefish, MT 59937

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**Person(s) Authorized To Represent the Owner(s) and to Whom All Correspondence is to Be Sent:**

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Box 4147 Whitefish, MT 59937

**Legal Description of Property:**

Street Address: 1545 and 1555 Karrow Avenue in Whitefish, MT.

Assembly of God 2 Subdivision: SW1/4 Section 1, T.30N., R.22W., P.M., M.

**Zoning District and Zoning Classification in which use is Proposed:**

Interm Rural Whitefish Zoning District SAG 10

This parcel also has an approved Preliminary Plat to divide the parcel in half using an existing paved road as the divider. We are applying for the CUP prior to final subdivision to reduce the need for two COSA applications. The intent is to open a camp and retreat center under the name of Eco Retreat of Whitefish LLC. This will occupy the southern portion of the property known as 1555 Karrow Avenue.

*4.03.030 A camp or retreat center designation shall be restricted to the AG, SAG, R-2.5, and R-1 designations.*

The current zoning on this property is SAG 10 which allows for a conditional use permit for camp and retreat center. There other various zoned property surrounding; with the parcel on the neighboring east property zoning WA, the property in north east corner being WI, the property on the north are both SAG 10 and R 2.5, the property across Karrow Avenue on the west are R2.5, and the property on the south is SAG 10. Current zoning amendment is proposing R-2.5 which allows for the same conditional use permit for a camp and retreat center.

## 2 A SITE SUITABILITY

### 2A 1 Adequate Usable Space

Our purpose or theme will be to offer educational retreats in a rustic and rural setting. Some of the accommodations will not be available in the winter months. The maximum guests would be 22 people total which is 2 people per unit. Eleven units will be the maximum built to keep the classes personal.

The Eco Retreat of Whitefish main focus will be provide environmental awareness educational retreats in a more rural and rustic environment. All the facilities will be constructed using green building practices, and the educational seminars offered will highlighting these practices. The cabins of the Eco Retreat will be Tiny Homes built on modular trailers to IRC codes using Structurally Insulated Panels, composting toilets, incinerating toilets, recycled building materials, wind power, solar power, LED lights, low VOC, and hot water on demand. The common building will be built using Cross Laminated Timber, slab on grade, geothermal heat, passive heating, recycling rain water, LED lights, low water use fixtures, low VOC, and hot water on demand. The landscape of the grounds will use Xeriscape principles, trees planted to encourage passive cooling and heating of buildings, an edible garden facility with composting, and with a primary goal of native revegetation. The retreat will bring in environmentally conscience speakers and educators. The buildings and the grounds will be used as an educational tool during attendees stays.

The secondary focus is to encourage local organizations and individuals to host educational retreats using the rural and secluded (but not remote) facility. We have communicated with the following people and they have expressed interest in booking such a facility:

Kim Fedderly at The Wellness Center for nutritional education and guided juice fasts,

Backcountry skiing, snowboarding, and snowmobiling education with FOFAC and Ridge Academy

Gardening classes and farming education classes with Todd from 2 Bear Farms,

Kids recreational and education camps with Great Northern Cyclery and Tom Danley

Brewing education weekends through Grahamat Bonsai Brewing and Cole at Kalispell Brewery

Cooking Classes hosted by local chefs and restaurants

Yoga Retreats held by Yoga Hive or Cindy Stanley

Fitness education retreat held by Gabriella at Studio 48 and Joel Sheehan will Glacier Physical Therapy

Intense physical training (long distance running camp) Mike Foote with The North Face

Faith based retreats with Potters Field ministries, Skiers and Snowboarders for Christ, and local churches

Artist retreats using local artists such as Shawna Moore, Abe Quilling

Photography retreats with Steven Gnam, Abe Quilling, NoahCouser

Fly fishing Clinics and retreats by Josh Ness, Jim Voeller, and Montana Fly Company

Massage training and retreats by Roberta Milne, Brandy Tourville

## Music instruction retreats by Nathan Knox

The retreat will sit on 19.068 acres located at 1555 Karrow Ave in Whitefish, MT. The property is currently lightly treed for 10.6 acres, an open meadow for approximately 3.4 acres, and low land grass area of approximately 1.2 acres. The retreat facilities will be concentrated on the western portion of the property at 1555 Karrow. This will include a parking and access approach/road make up .25 acres, common building size of 42' x 36' or 1512 sq. ft. (.04 acre). The tiny home cabins and yurt units are at an average of 320sq. ft. per unit for a total of 2600 sq. ft. (.06 acres). Trails cover about 6600 sq. ft. or .15 acres. The sand mound septic system is 5075 sqft or 0.12 acres. The shared stone patio at the common building is about 1150 sqft, and a lawn area at about 5200 sq ft.

The common building will provide the adequate space for an indoor meeting facility. To provide better instruction, a maximum group size would be 22 people or 2 people per unit, which would easily fit in the meeting room. The meeting room has 840 square feet of meeting space with a kitchen, tables, and couches. Instruction will also be hands on outside or within one of the units.

A future 4 bedroom 3 bath house for an owner's residence will be constructed at the further east portion of property, still on 1555 Karrow Avenue. The residence is anticipated to be a foot print of 26' x 55' house with a 20' x 24' detached garage/work shop (total 1910 sq. ft. ). This residence would share the elevated sand mound septic and water source with the Eco Retreat. Access road would account for 3900 sq. ft..

Total used space by Eco Retreat and future owners residence is 0.14 acres for buildings, 0.12 acres for septic system, 0.34 acres for parking/access road, 0.15 acres of trail surface, and 0.16 in lawn/patio landscaping. Totaling under one acre of surface of the total 19.068 acres located on the 1555 Karrow Avenue.

### **2A 2 Adequate access**

*6.16.020 Access shall be controlled as follows: 1. Access shall be by not more than two (2) roadways for each 100 feet, or fraction thereof, frontage on any street*

*6.16.050 A safety barrier shall be established along the property line to limit access to and from the property when no curb and gutter exist. A sidewalk, curb, and gutter system may also be constructed.*

Access will be an approach off the paved private drive - Lamb Lane. Lamb Lane is accessed off Karrow Avenue. Karrow Avenue is a paved two lane County Road measuring 22' in width, with speed limit of 35 mph. Lamb Lane is a private paved road measuring 20' wide on a 60' easement. The short gravel access and approach will measure 20' in aisle width. The sides of the gravel access road to parking area will be sufficiently landscaped and treed as to impede all vehicle access other than the gravel access road. Access to units will be by a 2-4' wood chip trail from parking. One unit will have a trail constructed of compacted 3/8" chip gravel to aid in ADA access.

Lamb Lane is also an access for the Assembly of God Church.

The existing road access of Lamb Lane and Karrow Avenue and the to be build road access off Lamb Lane will meet all the minimum requirements for public access to property.

### **2A 3 Absence of Environmental Constraints**

The concentration of the facilities for the Eco Retreat will be located on the west portion of 1555 Karrow Avenue. Little elevation changes are present on this section of property. As the property progresses easterly elevation loss is present, but not greater than 15%. The very east property line is a low lying area, but not designated nor mapped as a Wetland. The owner's future garage and house structure is approximately 120' away from this low lying area.

The soils on the property are classified as either Whitefish cobbly silt loam or Whitefish Silt Loam by the US Department of Agriculture, Soil Conservation Services. It also reports that the soils are well drained and the risk of flooding is nonexistent. The Engineering supplement to that Soil Survey states that septic systems are only moderate risk of failure. A ground water monitoring completed by Jere Johnson for the City of Whitefish in 2013 in examining the potential spot for a new cemetery discovered high ground water. This will be mitigated by no buildings having crawl spaces or basements, and installation of an elevated sand system septic field as outlined by A to Z engineering, discussed further under the sewer section.

The vegetation of the site is a mix of mature Birch, Aspen with some various size of evergreen (Larch, Spruce, Fir) trees. The ground cover is a mix of natural grasses and natural shrub vegetation. In keeping with the theme of the Eco Retreat we want to keep the natural vegetation. All attempts will be made to keep, limit disturbance during construction, and replacement of the native vegetation and trees.

The property does not appear to have any environmental constraints such as floodplain, streams, lake, wetlands, endangered species, and the moderate slopes that exist on site are not unstable.

## **2 B APPROPRIATENESS OF DESIGN**

### **2B 1 Parking Scheme**

As shown in design the parking area will consist of 14 standard parking spaces. This allows 2 spaces for staff and 12 for guests. Meeting requirements as outlined in document 6.03.030. Hotels, motels and cabins are required to 1 space per guest room or suite plus 1 space for every 2 employees per maximum shift.

The dimension of parking spaces are to meet the code of 6.01.010 2. Parking space dimensions will be for a standard vehicle and measure 9 by 20 feet. The parking area and approach access finish treatment will be 3-4" depth of washed chip rock to allow for porous drainage surface and limit fine particles that lead to roadway dust. Vehicle tire stops and parking spot designation will be through large timber and logs staked into the ground and numbered signage. Number cards will be used to match parking spot with unit number. Spots 10-14 will be used as over flow parking.

### **2B 2 Traffic Circulation**

Parking area allows for 14 spaces. We anticipate 2-3 vehicle trips per day per unit for a total of 22-33 vehicle visits during peak season for education seminars during (June 1 – September 15 and December 15- January 1). We anticipate a dramatic reduction during the nonpeak season at daily 8-12 vehicle visits during education seminars. At the Eco Retreat we will have commuter bicycles for guests and will encourage establishing the healthy habit of getting exercise through commuting by bike and foot.

Since major construction of highway 93 North in Whitefish Karrow Avenue has seen a significant increase in traffic; primarily as a bypass for Whitefish.

Lamb Lane is a private road used by Assembly of God Church and by the Eco Retreat with a Road Use Agreement will that reflect such use and needed maintenance. All ingress and egress is appropriate for sight distance, with the proposed traffic use.

### **2B 3 Open Space**

The current property is 34.0332 acres with a single family residence. The south portion on 1555 Karrow will encompass 19.06 acres of the total 34.0332 acres. Total used space by Eco Retreat and future owners residence is 0.14 acres for buildings, 0.12 acres for septic system, 0.34 acres for parking/access road, 0.15 acres of trail surface, and 0.16 in lawn/patio landscaping. Totaling under one acre of surface of the total 19.068 acres located on the 1555 Karrow Avenue.

Keeping in theme of the Eco Retreat we want to encourage open space and a rural feel.

### **2B 4 Fencing Screening**

No fences are proposed in order to keep a rural feel. To keep in a theme of an Eco Retreat the plan calls to keep existing trees where possible. Some trees additional trees as shown in the plan will be planted to create screening from neighbors, Karrow Avenue, and Lamb Lane. This will aid in the feeling of seclusion and privacy.

### **2B 5 Landscaping**

The landscaping at the Eco Retreat will have:

1. common lawn surface for 5200 sq. ft.. It will be irrigated and sodded using low water use sod from Top Notch Turf
2. water feature(recycle the runoff water from roof line) this water will be used for drip irrigation on the property
3. the septic mound will be landscaped to represent a hill surface by utilizing native grasses, accent rocks and grading.
4. the flag stone patio in common area will be 2-3" Birch creek brown. It will encompass 1150 sq ft. This space is for a shared BBQ area and outdoor summer gathering/meeting spot.
5. landscaped areas will use xeriscape landscape for purpose of education.
6. edible garden area will be fenced in and irrigated. This is for education purposes
7. the trails surfaces will be kept to a natural look(using wood chips from property thinning), with one being gravel for ADA access
8. the native forest will be maintained and cleaned up for demonstrating a healthy and fire wise forest

### **2B 6 Signage**

The signage on property will be two fold. First is to mark the property for recognition and second for safety and direct of guests.

1.Address/Property Marking Sign (see plan). The existing white vinyl fencing, signage, and lighting located at the corner of Karrow Avenue and Lamb Lane will be removed. A timber framed sign that will be shared with the Assembly of God Church will be constructed. The new sign will be constructed with a frame of 8x8 timbers and stand 9' high and 9' wide. Eco Retreat of Whitefish and Assembly of God will each have a 3' x 4' sign within the timber structure. The sign will be up lighted by means of 2 4.5w LED

low voltage lights run on a photo cell. Accent boulders will be placed and low growing native flowering shrubs will be planted. This structure will be set off the roadway as to not deter from ingress and egress sight lines of traffic. Colors and style of sign will be to match the natural surroundings. The signs will abide by 5.11.010 Signs permitted in all districts (exempt signs): 1. Signs advertising the sale, lease, or rental of the premises upon which the sign is located, and not exceeding thirty-two (32) square feet in area. D. A single sign may be permitted on a lot having at least 25 feet of frontage along a public road, except up to two (2) signs may be permitted when the frontage of the lot along a single road exceeds 500 feet. A corner lot with frontage along two public roads is eligible for a single sign along each frontage. E. Area and setbacks of signs shall be permitted in accordance with Table 1. TABLE 1 Distance to Edge Maximum Size Of Right-of-Way\* Allowed per Face (Feet) (Square Feet) 0-10 72 11-20 84 21-30 96 31-40 108 41-50 120 51 and greater 150.

2. Direction and safety of guests. This will be done by directional signage and defined walking paths. Night time access will use low voltage LED path lights. Lights will stand approximately 24" off ground and are a down focused light. Defined pathways and lighting will help keep the need for signage to a minimum.

All signage shall be in compliance with standards established in FCZR 5.11.

## **2B 7 Lighting**

Low voltage LED path lights will be used to mark the parking lot path and the path to cabins. Each cabin/yurt will have a LED hooded wall scones and the common building will have 5 to aid the pathway lighting. Head lamps will be handed out to guests that will be staying in the yurts as well. All lighting shall be hooded, screened or directed in such a manner that the light source shall not be detrimental to the neighboring property owners in addition to other lighting regulations outlined - FCZR 5.12.

*5.12.010 The intent of this section is the enhancement of the visual integrity of the natural environs of the community area, particularly pertaining to the unwarranted and/or unwanted intrusion of artificial lighting in areas not desiring such light which detracts from the beauty and naturalness of the hours of normal darkness.*

Again keeping with the Eco Retreat Theme the lighting will be minimalized but keeping safety as an importance.

## **C AVAILABILITY OF PUBLIC SERVICES AND FACILITIES**

### **2C 1 Sewer**

As mention earlier the soils in this area are classified as either Whitefish cobbly silt loam or Whitefish Silt Loam by the US department of Agriculture, Soil Conservation Services. The Engineering supplement to that Soil Survey states that septic systems are only moderate risk of failure. As per a ground water monitoring conducted by Jere Johnson for the City of Whitefish in 2013 for a potential spot for a new cemetery shows a high level for ground water. This will be mitigated by installation of an elevated sand system as outlined by A to Z Engineering (see partial plan attached). The septic installation will be approved by Flathead County Health Department. The installation will be monitored and inspected A 2 Z Engineering and final inspection by Flathead County Health Department.

Each Tiny Home will have its own bathroom with one toilet, shower, and sink. The common building will have 4 showers, 4 toilets, 4 sinks and one sink in main area. The ratio required by Flathead County Environmental Health Department of bathroom facilities to staying guests is met by this number.

## **2C 2 Water**

All water will be sourced through a metered source off City of Whitefish supply. The source is a 1.5" galvanized line from City of Whitefish running down the east side of Karrow Avenue. Use of this line (water tap rights) is managed by the Karrow Water Association. The properties at 1555 and 1545 Karrow have one tap or right. We have had a verbal discussion and obtained approval from Larry McGone, the current representative, at Karrow Water Association to supply the eco retreat. The current residence on 1545 Karrow Ave will be using the water from the existing well, and will not use the water from the Karrow Water Association.

The projected water demand as, examined by A 2 Z Engineering, will be easily met by the 1.5" water line service.

This current service meter is located at 1545 Karrow Avenue. This meter will be brought over to the 1555 Karrow. And a new meter and pit will be installed at that time.

In keeping with the Eco Retreat theme all plumbing fixtures and water use will be scrutinized.

## **2C 3 Storm Water Drainage**

Storm water drainage concerns are are:

1. Parking area and gravel access. Storm water drainage will be mitigated by construction of a porous parking lot and grading surfaces to catchment detention area. Construction of the base of parking area is be geo fabric then 8-12" compacted cobble pit run, fabric, then 3-4" of washed chip. This will allow a porous surface for water absorption. The parking area will be graded and sloped into a catchment detention area measuring 10-12' wide, 1.5-2' deep, 80-100' long. This will be seeded and planted with natural vegetation for absorption.

2. Roof lines –the non-porous surface is will account for approximately 1150 sq. ft. on the main building and 2600 sq. ft. on the tiny homes and yurts. The main building storm water will be plumbed into a 300 gallon catch basin and used for a drip system for watering vegetation and gardens. The over flow from this will flow into the drainage catchment off the parking lot. The cabins are interspersed through the natural vegetation have small roof surfaces and would not pose a threat in storm water drainage and erosion.

## **2C 4 Fire Protection**

The subject property is currently served by the Whitefish Fire Department, and is located approximately 2.7 miles via paved roads from the existing fire station. Response time would be minimal if emergency warrants. There are 2 fire hydrants located on the north side of Lamb Lane and are approximately 400' away from the common building.

- 4.06 Commercial Caretaker's Facility in B-2, B-3, I-1, I-1H, and I-2 Districts
- 4.07 Contractors Storage Yard in AG and SAG Districts
- 4.08 Day Care Centers- 13 or More Individuals
- 4.09 Electrical Distribution Stations
- 4.10 Extractive Industries
- 4.11 Family Hardship Dwellings
- 4.12 Manufactured Home Parks
- 4.13 Mini-Storage, Recreational Vehicle Storage
- 4.14 Motor Coach Subdivisions
- 4.15 Recreational Facilities (see also 7.17.040)
- 4.16 Temporary Uses

Consultation with Planner:

Date \_\_\_\_\_ Planner's Signature \_\_\_\_\_

**INSTRUCTIONS FOR CONDITIONAL USE PERMIT APPLICATION:**

1. Answer all questions. Answers should be clear and contain all the necessary information.
2. In answering question 1, refer to the classification system in the Zoning Regulations.
3. In answering questions 2 and 3, be specific and complete. Please use a separate sheet of paper to discuss the appropriate topics.
4. Copy of plot plan/site plan must be submitted with each application, with all existing or proposed structures shown, and distances from each other and from the property line. *If you are submitting a plan larger than 11x17 in size, please include 7 copies.*
5. A **Certified** Adjoining Property Owners List must be submitted with the application (*see forms below*). The list will be sent directly to the Planning & Zoning office, unless you request otherwise. This list is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.
  - *(The buffer should be 150 ft. for all areas with the following exceptions: Administrative Conditional Use Permits, standard Conditional Use Permits, and Planned Unit Development (PUD) applications within the Lakeside Zoning District require a 300 ft. buffer.)*

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*I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.*

  
\_\_\_\_\_  
Owner(s) Signature (all owners must sign)

Dec 10/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature (if different than above)

\_\_\_\_\_  
Date