



MISSOULA CONSOLIDATED PLANNING BOARD

Meeting Minutes



Missoula County
Planning, Development & Sustainability
(406) 258-4657

City of Missoula
Community Planning, Development & Innovation
(406) 552-6630

Date: April 2, 2024, 6:00 p.m.

Location: Missoula County Courthouse, Sophie Moiese Room (in person) or TEAMS (virtually)

Members in Attendance: Shane Morrissey (City Appt), Tung Pham (Mayor), Derek Kanwischer (City Appt), Dave Loomis (County Appt), Peter Bensen (County Appt), Rick Hall (County Appt), and Sean McCoy (County Appt)

Members Absent: Dori Gilels (Mayor), Josh Schroeder (Conservation Dist.)

I. **CALL TO ORDER [Time stamp – 0:20]**

Sean McCoy called the meeting to order at 6:02 p.m.

II. **ROLL CALL [Time stamp – 0:29]**

Heather Powers called the roll. There was an attendance of six regular members present and one alternate present. With a member of the city absent, the city alternate was appointed to regular voting member for the duration of the meeting.

III. **APPROVAL OF MINUTES [Time stamp – 3:09]**

Dave Loomis moved, and Peter Bensen seconded approval of the February 20, 2024, and March 5, 2024, minutes as written. The motion passed by unanimous voice vote.

IV. **PUBLIC COMMENT ON NON-AGENDA ITEMS [Time stamp – 5:14]**

There were no public comments on non-agenda items.

V. **STAFF ANNOUNCEMENTS [Time stamp – 7:16]**

Heather Powers announced a staff memo prepared by Laura Collins, a planner with the Planning, Development and Sustainability Department. A Board Leadership Training was mentioned to the Planning Board. In addition to another offer of board training from the Montana Association of Counties.

VI. **PUBLIC HEARINGS [Time stamp- 9:20]**

- A. Rezone 1010, 1020, and 1030 Reserve Street from B3-2 Business Mixed-Use / DE-C Design Excellence Overlay Corridor Typology 4 to C2-3 Community Commercial / DE-C Design Excellence Overlay Corridor Typology 4.
Zoe Walters, Associate Planner, City of Missoula

STAFF PRESENTATION

Zoe Walters, an associate planner with the City of Missoula, presented a request from Joseph Dehnert of IMEG on behalf of Jeff Newland of Smitty's Car Wash. The proposal aims to rezone three properties located at 1010, 1020, and 1030 Reserve Street from B3-2 (Business Mixed Use) with a Design Excellence Overlay to C2-3 (Community Commercial) with the same overlay.

The subject properties currently contain primary and accessory structures, with nearby surroundings consisting of single-detached dwellings and commercial buildings. Zoe highlights the proposal aligns with the Our Missoula 2035 Growth Policy, aiming to increase density and diversify land use while adhering to zoning regulations and community development uses.

Key points addressed for the proposed rezoning of C2-3 included increased density and expand permitted uses in an area served by an already existing multimodal transportation infrastructure. The rezoning would align with the surrounding land use plan and accommodate a broader range of commercial and limited industrial uses. It's stated there are existing sewer mains adjacent to the property, and connections to city water and sewer would be required for any redevelopment. Allowing the C2-3 zoning would permit for more residential units (up to 50) compared to the current zoning (25 units). The maximum building height would increase from 50 feet to 65 feet under the new zoning. The rezoning would also support a mix of civic, commercial, and limited industrial uses along major streets.

The presentation ended with a note there were 18 adjacent property owners within 150 feet of the subject property. 7 petitions were received by Development Services that were certified by the city clerk, meeting the requirement of a 2/3 majority City Council vote for approval. Overall, the staff recommendation was for the Planning Board to endorse the rezoning proposal based on its alignment with growth policy objectives and its potential to facilitate appropriate land use designation and development in the area. It was determined the rezoning was deemed compatible with neighboring properties. It aimed to increase housing incrementally and enhance a broad range of uses within the Missoula Urban Transportation District.

See PowerPoint presentation slides.

PUBLIC COMMENT

Concerns from neighboring residents included increased traffic issues due to a higher car volume and narrow streets in the area, resulting in potential safety issues. Some commenters expressed concern about the possible health impacts of air quality for those living in close proximity to the car wash. It's noted the neighborhood already lacks sufficient infrastructure to support the increased density, given the new development of a senior housing complex.

They questioned the necessity and overall benefit of adding another car wash given the existing number in the area. It was argued there are more suitable areas in Missoula for a car wash, with residents emphasizing that the proposed location does not match the

neighborhood's character or needs. Adverse effects on property values and local resources were cited as another concern for the community.

RECCOMENDED MOTION

Peter Benson made the following motion to approve the request, and Shane Morrissey seconded the motion:

Recommend City Council approve the adoption of an ordinance to rezone the subject property located at 1010, 1020, and 1030 Reserve Street and legally described as Lot 6 & Lot 7 of Geesey Addition and Lot 1 of Davis Addition, located in Section 29, Township 13 North, Range 19 West, P.M.M. from B3-2 Business Mixed-Use / DE-C Design Excellence Overlay Corridor Typology 4 to C2-3 Community Commercial / DE-C Design Excellence Overlay Corridor Typology 4, based on the findings of fact and conclusions of law in the staff report.

The discussion opened up with Joseph Dehnert of IMEG, the representative of the applicant, acknowledging the rezoning challenges with the project. The board expressed a need for more clarification on traffic management regarding dead-end streets. The board had clarifying questions related to plans for noise mitigation. It was mentioned that a landscape buffer is being considered within the site plan to meet zoning and design excellence requirements. The proposed zoning designation and how it increases land use density is also questioned.

The Planning Board's limitations were discussed, emphasizing they can only consider the growth policy and cannot reject a project based on specific uses like a car wash. Cassie Tripard, a planning supervisor with the City of Missoula, added that with upcoming code reforms, there will be a focus on the intensities of uses allowed within specific districts and the potential for residential areas to be adjacent to commercial zones like C2-3, which could, in theory, include car washes next to residential properties in the future. Cassie clarified for the board, regarding the decision of a Montana Supreme Court Case *Hartshorne v. Whitefish* in 2021, that if a rezoning complies with the growth policy, it will not qualify as spot zoning. Dave DeGrandpre, a planning supervisor with the City of Missoula, also emphasized the point that the proposed zoning change of B3-2 to C2-3 was up for review, and advised the board to evaluate which review criteria they believed were not being met.

Overall, the discussion centered on the proposed zoning change of C2-3 not fully meeting the growth policy and serving the city's best interest as a whole. Board members expressed concerns about the impact of public health and transportation safety, urban growth alignment, and the overall suitability of the proposed development for the area.

VOTE

With no further discussion, the board voted by roll call and the motion failed unanimously.

AYES: (0):

NAYS: (7): Shane Morrissey, Tung Pham, Derek Kanwischer, Dave Loomis, Peter Bensen, Rick Hall, Sean McCoy

ABSENT: Dori Gilels, Josh Schroeder

- B. Rezone 1114 Poplar Street from R5.4 Residential/ Blossom's Bed and Breakfast Planned Unit Development (PUD) overlay to R5.4 Residential.
Alex Bramlette, senior planner, City of Missoula **[Time stamp – 1:28:07]**

STAFF PRESENTATION

Alex Bramlette, a senior planner with the City of Missoula, presented a request from Troy Savage, the property owner, to rezone the property addressed at 1114 Poplar Street from R5.4 Residential with a bed and breakfast Planned Unit Development overlay (PD) to a standard R5.4 Residential zoning district. The purpose of this rezoning was to remove the PD overlay, allowing for development to conform with the baseline R5.4 zoning without special conditions.

The property is situated in the Lower Rattlesnake neighborhood and is currently occupied by a legal non-conforming two-unit house. Surrounding properties in the area also consist mainly of detached houses. The Our Missoula City Growth Policy designates the land for residential medium density, promoting 3 to 11 dwelling units per acre while emphasizing single-dwelling residential buildings with potential for accessory dwellings.

The goals of this plan aimed to encourage high-density residential development in the southern part of Rattlesnake Valley, diversify housing options, address housing shortages for lower and moderate-income households, and preserve existing neighborhood characteristics. The rezoning was intended to maintain property value, facilitate appropriate land use aligned with the city's growth policy and the Rattlesnake Valley Comprehensive Plan, which emphasizes infill development, enhanced connectivity, and utilization of existing infrastructure. The property benefits from city services (water, sewer, fire, police), and the growth policy promotes healthy lifestyles through improved transportation networks. Staff recommended the proposed rezoning to R5.4, as it complies with growth policy directives and avoids spot zoning concerns, ensuring consistency with surrounding areas.

See PowerPoint presentation slides.

PUBLIC COMMENT

No Public Comment

RECCOMENDED MOTION

Rick Hall made the motion to approve the request, and Tung Pham seconded the motion:

Recommend City Council approve the adoption of an ordinance to rezone the subject property located at 1114 Poplar Street, legally described as Lots 11-14 in Block 133 of Woody Addition, located in Section 22, Township 13 North, Range 19 West, P.M.M. from R5.4 Residential/Blossom's Bed and Breakfast Planned Unit Development (PUD) overlay to R5.4 Residential, based on the findings of fact and conclusions of law in the staff report.

The discussion concluded with clarification from the Planning Board regarding the removal of the PUD overlay. Alex clarified that the property's use is specifically for a bed and breakfast. The property was rezoned in 2004 to allow this as a conditional use, which required rezoning because the conditional use permit process did not exist at the time. Removing the PUD overlay would legally establish the bed and breakfast use, allowing it to continue operating under current regulations.

It's addressed the planned apartment above the garage would not qualify as an ADU (Accessory Dwelling Unit) under current zoning regulations but could be permitted as a separate dwelling unit. Nicole Simmons, representing the property owners, explained the need for the additional living space due to their growing family. The board addressed the criteria met by the proposal and the value of multi-generational housing options, emphasizing support for the zoning change based on its merits and potential benefits for the Missoula community.

VOTE

With no further discussion, the board voted by roll call and the motion passed unanimously.

AYES: (7): Shane Morrissey, Tung Pham, Derek Kanwischer, Dave Loomis, Peter Bensen, Rick Hall, and Sean McCoy

NAYS: (0):

ABSENT: Dori Gilels, Josh Schroeder

VII. COMMUNICATIONS & SPECIAL PRESENTATIONS

There were no Communications or special presentations.

VIII. **COMMITTEE REPORTS**

There were no committee reports.

IX. **OLD BUSINESS**

No old business was reported.

X. **NEW BUSINESS**

No new business was reported.

XI. **COMMENTS FROM BOARD MEMBERS [Time stamp – 1:53:13]**

Sean McCoy addressed the city's calendar not including links to the Missoula County Planning Board. He raised a concern about the public's access to this with retrieving old meetings.

XII. **ADJOURNMENT [Time stamp – 1:53:13]**

The meeting was adjourned at 7:56 p.m.

Missoula Consolidated Planning Board April 2, 2024 – Transcription This transcription was produced by transcription software. There may be discrepancies between this transcription and meeting dialogue. You can view the recording of the meeting at this link:

<https://missoulacomt.portal.civicclerk.com/event/8749/media>

Missoula Consolidated Planning Board- April 02, 2024-Meeting Recording

Analeshia Rodriguez

So with that, let's kick off tonight's meeting for the Missoula Consolidated Planning Board.

0:31:9.900 --> 0:31:14.480

Analeshia Rodriguez

Tuesday, April 2nd, 2024 and it's 6:02 PM.

0:31:16.690 --> 0:31:20.60

Analeshia Rodriguez

And with that, can we have a call to order please?

0:31:21.870 --> 0:31:22.480

Analeshia Rodriguez

Oh, sorry.

0:31:22.490 --> 0:31:22.970

Analeshia Rodriguez

Roll call.

0:31:26.350 --> 0:31:30.50

Analeshia Rodriguez

Roll call Dori Gilels Dori is absent.

0:31:31.770 --> 0:31:32.580

Analeshia Rodriguez

Shane Morrissey.

0:31:35.550 --> 0:31:35.730

Shane Morrissey

Here.

0:31:37.290 --> 0:31:39.180

Analeshia Rodriguez

Tune farm here.

0:31:40.740 --> 0:31:41.460

Analeshia Rodriguez

Derek kanwisher.

0:31:43.100 --> 0:31:49.320

Analeshia Rodriguez

Here Josh, Trader Josh's absent, Dave Loomis.

0:31:49.890 --> 0:31:53.900

Analeshia Rodriguez

Here Peter Benson here, recall.

0:31:55.230 --> 0:31:55.390

Rick Hall

Here.

0:31:57.0 --> 0:32:0.970

Analeshia Rodriguez

Sean McCoy here. Mr.

0:32:0.980 --> 0:32:5.810

Analeshia Rodriguez

Chair would you like to appoint alternate Derek Kanwisher as a voting member for the evening, please?

0:32:6.860 --> 0:32:7.990

Analeshia Rodriguez

We do have quorum.

0:32:8.280 --> 0:32:8.610

Analeshia Rodriguez

Great.

0:32:8.620 --> 0:32:9.140

Analeshia Rodriguez

Thank you, Heather.

0:32:10.680 --> 0:32:11.370

Analeshia Rodriguez

OK.

0:32:11.420 --> 0:32:17.810

Analeshia Rodriguez

And following that, we're gonna introduce we have a new board member, Lynn Davis.

0:32:17.820 --> 0:32:21.990

Analeshia Rodriguez

However, that appointment has not been officially voted on.

0:32:22.0 --> 0:32:24.460

Analeshia Rodriguez

Our learner, you city or county appointment.

0:32:25.590 --> 0:32:25.870

Lynn Davis
City.

0:32:28.320 --> 0:32:28.690

Lynn Davis
Mm-hmm.

0:32:26.670 --> 0:32:30.480

Analeshia Rodriguez
OK, so that hasn't been officialized.

0:32:30.810 --> 0:32:33.270

Analeshia Rodriguez
That's a word by the city.

0:32:33.280 --> 0:32:41.350

Analeshia Rodriguez
Yet so Lynn, if you would please introduce yourself, but she can't participate in voting or discussion, but is gonna shadow and watch it.

0:32:41.360 --> 0:32:44.700

Analeshia Rodriguez
So if Lynn, if you could just do a introduction for everybody, that would be great.

0:32:46.320 --> 0:32:48.810

Lynn Davis
Well, hi, I'm Lynn Davis.

0:32:48.820 --> 0:32:54.10

Lynn Davis
Just appointed by the mayor as their representative for the planning board.

0:32:54.930 --> 0:33:2.550

Lynn Davis
And umm, I don't know what else you normally share, but yeah, I'm a work full time for a food company.

0:33:2.560 --> 0:33:11.930

Lynn Davis
I'm an engineer by education and have served on a planning board in the past in a small, small town in Oregon.

0:33:11.940 --> 0:33:20.700

Lynn Davis
So I'm very interested in uh planning itself and just the zoning regulations.

0:33:20.710 --> 0:33:29.740

Lynn Davis

And you know, I guess it restoring or keeping the character of Mozilla as best we can so.

0:33:31.600 --> 0:33:32.410

Lynn Davis

That's why I'm here.

0:33:32.420 --> 0:33:33.700

Lynn Davis

I guess I live on the north side.

0:33:35.480 --> 0:33:35.990

Analeshia Rodriguez

Great.

0:33:36.90 --> 0:33:40.530

Analeshia Rodriguez

Well, thank you to our thank you and welcome to the Planning Board.

0:33:40.780 --> 0:33:42.300

Analeshia Rodriguez

My name is Sean McCoy.

0:33:44.0 --> 0:33:44.230

Lynn Davis

OK.

0:33:42.310 --> 0:33:44.860

Analeshia Rodriguez

I chair it with Shane Morsey as the Co chair.

0:33:46.20 --> 0:33:46.860

Lynn Davis

Great bye.

0:33:49.20 --> 0:33:51.50

Analeshia Rodriguez

And that just might have been her mic, Sir.

0:33:51.60 --> 0:33:53.430

Analeshia Rodriguez

But staff is looking into trying to turn it up.

0:33:53.440 --> 0:33:54.470

Analeshia Rodriguez

Can you hear me alright?

0:33:54.480 --> 0:33:55.390

Analeshia Rodriguez
Can everybody alright?

0:33:56.110 --> 0:33:56.450

Lynn Davis
OK.

0:33:57.430 --> 0:33:57.760

Analeshia Rodriguez
Great.

0:33:57.770 --> 0:33:59.60

Analeshia Rodriguez
Thank you, Shane.

0:33:59.270 --> 0:33:59.900

Analeshia Rodriguez
OK.

0:33:59.910 --> 0:34:8.500

Analeshia Rodriguez
With that, we will move on to approval of the Minutes and we have two sets of minutes from February 20th and March 5th.

0:34:8.510 --> 0:34:15.80

Analeshia Rodriguez
Ideally, everybody got a chance to look those over and those are in the new format.

0:34:15.810 --> 0:34:28.100

Analeshia Rodriguez
So ideally there wasn't too much adjustment or if you and I think it's important to recognize for board members with the new format that is more limited text.

0:34:28.110 --> 0:34:45.400

Analeshia Rodriguez
If you want to see something that you said or that was said by somebody else, whether it's from the public or you please, like, vocalize that or make that note and pass it on to staff, because that's kind of how this form of minutes is gonna work.

0:34:45.650 --> 0:34:54.280

Analeshia Rodriguez
It requires a little bit more from us to make sure what you're saying is getting put across umm to the public.

0:34:56.150 --> 0:34:56.640

Analeshia Rodriguez

OK.

0:34:56.650 --> 0:34:59.770

Analeshia Rodriguez

And with that, I'd entertain a motion for.

0:35:1.780 --> 0:35:2.480

Analeshia Rodriguez

Those minutes.

0:35:8.420 --> 0:35:10.630

Analeshia Rodriguez

I move that we approve the Minutes.

0:35:12.330 --> 0:35:14.920

Analeshia Rodriguez

Uh, can we motion for both?

0:35:15.50 --> 0:35:15.920

Analeshia Rodriguez

I believe so.

0:35:15.990 --> 0:35:20.610

Analeshia Rodriguez

OK, both sets of minutes, one in February and the other in March.

0:35:23.510 --> 0:35:24.70

Analeshia Rodriguez

Is there a second?

0:35:26.180 --> 0:35:33.220

Analeshia Rodriguez

I'll second, seconded by Rick Motion, made by Dave, is there any discussion needed?

0:35:33.230 --> 0:35:36.150

Analeshia Rodriguez

Anybody have any input changes?

0:35:37.630 --> 0:35:39.580

Analeshia Rodriguez

OK, not seeing anything.

0:35:39.590 --> 0:35:41.40

Analeshia Rodriguez

Hopefully I'll see everybody online.

0:35:43.130 --> 0:35:49.70

Analeshia Rodriguez

We'll do an up and down vote here, so all those in favor of the motion, please say aye.

0:35:49.930 --> 0:35:50.320

Analeshia Rodriguez

Aye.

0:35:50.200 --> 0:35:50.460

Rick Hall

Aye.

0:35:50.230 --> 0:35:50.570

Shane Morrissey

Alright.

0:35:51.950 --> 0:35:59.260

Analeshia Rodriguez

All those opposed say nay, any abstentions, hearing no abstentions, no nays.

0:35:59.370 --> 0:36:0.990

Analeshia Rodriguez

Motion passes unanimously.

0:36:3.80 --> 0:36:4.10

Analeshia Rodriguez

OK.

0:36:4.60 --> 0:36:10.690

Analeshia Rodriguez

And then that brings us to public comment on non agenda items.

0:36:11.120 --> 0:36:21.930

Analeshia Rodriguez

So if you would like to speak to something that is outside of tonight's agenda, which is primarily 2 razones, you're welcome to come up and do that at this time.

0:36:22.580 --> 0:36:34.860

Analeshia Rodriguez

And I will open that up and then staff will also put up instructions if you're watching via some other media, whether it's teams or MCAT, and need to call in.

0:36:35.830 --> 0:36:37.440

Analeshia Rodriguez

There are instructions here.

0:36:37.450 --> 0:36:40.300

Analeshia Rodriguez

We'll put up if you can see them and I will also read them out.

0:36:41.90 --> 0:36:52.40

Analeshia Rodriguez

So if for some reason you only have audio and you need to call in, you can call in 24062724824.

0:36:54.740 --> 0:37:12.500

Analeshia Rodriguez

The phone conference ID is 127489322 pound and then press star 6 to mute and unmute yourself and star 5 to raise and lower your hand and we will go ahead and leave that open for a minute here and see if we get any public comment.

0:37:54.350 --> 0:37:59.420

Analeshia Rodriguez

OK, I guess I'm not seeing anything in house or anything online.

0:37:59.490 --> 0:38:1.780

Analeshia Rodriguez

My missed anything you guys see anything?

0:38:1.830 --> 0:38:2.200

Analeshia Rodriguez

OK.

0:38:2.650 --> 0:38:11.200

Analeshia Rodriguez

And with that, we will close public comment for non agenda items and move on to staff announcements.

0:38:11.930 --> 0:38:13.700

Analeshia Rodriguez

There was a small thing I believe.

0:38:13.710 --> 0:38:14.130

Analeshia Rodriguez

Is that right?

0:38:17.610 --> 0:38:26.260

Analeshia Rodriguez

We did have a memo that Laura Collins in the County Planning Office, one of our staff planners, had prepared, was attached to the agenda.

0:38:26.670 --> 0:38:27.600

Analeshia Rodriguez

Any questions?

0:38:27.610 --> 0:38:29.760

Analeshia Rodriguez

We can relay those to the planning staff.

0:38:30.510 --> 0:38:33.500

Analeshia Rodriguez

We did want to mention the board leadership training.

0:38:33.510 --> 0:38:35.600

Analeshia Rodriguez

I believe everybody was included on that.

0:38:35.830 --> 0:38:40.400

Analeshia Rodriguez

That went out just as a reminder, it's coming up next week, I believe pretty quickly on the 10th.

0:38:40.410 --> 0:38:42.630

Analeshia Rodriguez

So great.

0:38:42.720 --> 0:38:43.510

Analeshia Rodriguez

Thank you.

0:38:43.580 --> 0:38:50.450

Analeshia Rodriguez

Thanks for the reminder for anybody that feels like attending that training is possible in all of our busy lives.

0:38:50.520 --> 0:38:51.590

Analeshia Rodriguez

I highly recommend it.

0:38:52.520 --> 0:38:53.170

Analeshia Rodriguez

It's well worthwhile.

0:38:55.180 --> 0:38:57.160

Analeshia Rodriguez

Oh, uh, Karen, please go ahead.

0:38:58.400 --> 0:38:58.550

Karen Hughes

Hi.

0:38:58.560 --> 0:39:0.250

Karen Hughes

This is Karen Hughes with Missoula County.

0:39:1.90 --> 0:39:1.490

Analeshia Rodriguez

See that?

0:39:1.180 --> 0:39:8.940

Karen Hughes

So we have a offer from the Montana Association of Counties attorney, their staff attorney on land use to provide board trainings.

0:39:8.950 --> 0:39:11.230

Karen Hughes

Would that be something that the board is interested in?

0:39:11.720 --> 0:39:25.400

Karen Hughes

It would be more kind of about some legal issues that planning boards are facing and probably some training on findings of fact and how to do those in land use decisions so that if she is available, would that be of interest.

0:39:26.900 --> 0:39:29.190

Analeshia Rodriguez

It is to me, we get a strong to me too.

0:39:29.240 --> 0:39:29.670

Analeshia Rodriguez

Yeah.

0:39:29.680 --> 0:39:31.390

Analeshia Rodriguez

Yeah, I'm thumbs up online.

0:39:31.400 --> 0:39:32.330

Analeshia Rodriguez

Rick Shane.

0:39:33.840 --> 0:39:34.150

Karen Hughes

All right.

0:39:34.740 --> 0:39:35.610

Analeshia Rodriguez

Yeah, OK.

0:39:35.620 --> 0:39:37.250

Analeshia Rodriguez
Yeah, all around other.

0:39:37.260 --> 0:39:43.360

Analeshia Rodriguez
Did you want us to tell you if we're gonna come on Wednesday next week or what? OK.

0:39:46.490 --> 0:39:46.980

Analeshia Rodriguez
OK.

0:39:47.40 --> 0:39:48.190

Analeshia Rodriguez
Thank you, Karen.

0:39:48.300 --> 0:39:49.160

Analeshia Rodriguez
Appreciate that.

0:39:49.170 --> 0:39:50.500

Analeshia Rodriguez
That that'll be great.

0:39:54.360 --> 0:39:54.730

Analeshia Rodriguez
OK.

0:39:54.740 --> 0:39:55.680

Analeshia Rodriguez
Anything else from staff?

0:39:57.670 --> 0:39:59.960

Analeshia Rodriguez
OK, alright, not seeing anything.

0:40:3.480 --> 0:40:4.250

Analeshia Rodriguez
Let's move.

0:40:4.260 --> 0:40:4.730

Analeshia Rodriguez
OK.

0:40:4.740 --> 0:40:7.960

Analeshia Rodriguez
When would you lower your hand, please?

0:40:9.870 --> 0:40:14.160

Analeshia Rodriguez

And with that, we will move on to public hearings.

0:40:14.490 --> 0:40:16.210

Analeshia Rodriguez

We have two tonight.

0:40:16.550 --> 0:40:32.110

Analeshia Rodriguez

The first one on our agenda is a rezone of ten, 10:20 and 30 Reserve Street that will be being presented to us by Zoe Walters, associate planner with the city of Missoula, and I think with that, take it away, Zoe.

0:40:34.480 --> 0:40:35.150

Zoe Walters

Alright, great.

0:40:35.160 --> 0:40:35.830

Zoe Walters

Thank you.

0:40:36.440 --> 0:40:37.490

Zoe Walters

Let me share my screen.

0:40:42.340 --> 0:40:42.580

Zoe Walters

OK.

0:40:42.590 --> 0:40:44.830

Zoe Walters

Can everybody hear me and see my screen?

0:40:47.110 --> 0:40:47.800

Zoe Walters

Alright, great.

0:40:50.180 --> 0:41:25.940

Zoe Walters

So development Services has received a request from Joseph Dennert of Imag representing Jeff Newland of Smitty's car Wash to rezone the subject properties located at 10, ten, 10:20 and 10:30 Reserve St, the property is proposed to be rezoned from B32 business mixed use with the Design Excellence Overlay corridor technology for to C23 Community commercial with the Design Excellence Overlay corridor typology for this rezoning result in a standard zoning district under Title 20, which cannot be conditioned, standard zoning districts must apply the same requirements to all parcels within the same zoning district equally.

0:41:28.30 --> 0:41:40.620

Zoe Walters

Subject Properties are located at 10, ten, 10:20 and 10:30 Reserve St between S 8th St West and S 9th St W At the intersection of Reserve St This is within the flank into the four neighborhood and City Council Ward 6.

0:41:40.940 --> 0:41:43.740

Zoe Walters

This is northwest of the mall and northeast of Fort Missoula.

0:41:44.270 --> 0:41:55.330

Zoe Walters

The Milwaukee Trail is located approximately 1/2 mile to the north of the property and can be accessed by traveling N on the sidewalks along Reserve St here's a closer view of the parcel outlined in red.

0:41:55.480 --> 0:42:3.450

Zoe Walters

The three subject properties total to 50,800 square feet in size and contain two primary structures and a few accessory structures.

0:42:4.60 --> 0:42:6.450

Zoe Walters

One of the primary structures is a detached house.

0:42:6.540 --> 0:42:15.300

Zoe Walters

The appearance of the other primary structure is similar to a detached house, but the structure was mostly well recently used as an office.

0:42:16.30 --> 0:42:25.360

Zoe Walters

The property is in a developed area of Missoula on Reserve St and a surrounded by single detached dwellings to the north, South and east, and commercial buildings to the South and West.

0:42:25.850 --> 0:42:29.980

Zoe Walters

Duplexes are located on the abutting property to the east of 1030 reserve St.

0:42:32.440 --> 0:42:38.760

Zoe Walters

The applicable regional plan is the 2035 are Missoula growth policy, which recommends a land usage nation of committee mixed.

0:42:38.770 --> 0:42:45.160

Zoe Walters

Use this nation is an area intended for establishments that draw from the community for employee and customer base.

0:42:45.700 --> 0:42:57.990

Zoe Walters

They serve the larger community as well as in J neighborhoods and a broad range of functions, including retail, education, financial institutions, professional and personal services, offices, residences, and general service activities.

0:42:58.0 --> 0:43:9.560

Zoe Walters

Type of I this designation Community mixed use areas or integrated within main transportation corridors including transit and active transportation systems to facilitate efficient travel opportunities.

0:43:10.410 --> 0:43:13.270

Zoe Walters

High density residential development is also encouraged in this area.

0:43:14.360 --> 0:43:26.510

Zoe Walters

The City growth policy indicates that C1C2 and M1 are in districts are current relatable zoning districts within the Community, mixed use designation 2 of the zoning districts are commercial districts that permit all residential building types.

0:43:26.620 --> 0:43:31.530

Zoe Walters

And I'm 1R is limited industrial residential district that also permits all residential building types.

0:43:32.830 --> 0:43:47.560

Zoe Walters

These three joining districts permit various civic, commercial and industrial uses, and the applicant is requesting to rezone the subject properties from B32 business mixed use with a design excellence overlay to C23 Community commercial with the Design Excellence overlay.

0:43:48.170 --> 0:43:54.280

Zoe Walters

The proposed zoning district is consistent with the growth policy recommendation for the Community mixed use, land use 6 nation type.

0:43:54.770 --> 0:43:57.710

Zoe Walters

The current zoning is not consistent with the land use assignation.

0:44:0.740 --> 0:44:13.910

Zoe Walters

The City growth policy calls for a focus inward approach to encourage infill development in the urban

core, where infrastructure already exists and promotes mixed use, compact development and enhance connectivity while limiting sprawl and promoting efficient use of existing infrastructure.

0:44:14.320 --> 0:44:21.830

Zoe Walters

The proposed C23 zoning would increase density and permitted uses in an area with existing infrastructure served by trails, sidewalks and bike lanes.

0:44:22.520 --> 0:44:34.260

Zoe Walters

There is no existing sidewalk along S 8th St W South St W, South St West dead ends, approximately 420 feet east of the subject property and does not provide connection to services or other streets.

0:44:34.800 --> 0:44:52.560

Zoe Walters

There are sidewalks on reserve St and there's a curbside sidewalk on South 9th St West of adding this subject property and directly across the street, but otherwise this portion of S 9th St W does not have sidewalks, bus stops serving mountain line routes to, and eight are located within 1/2 mile of the subject property.

0:44:53.110 --> 0:44:59.800

Zoe Walters

The parcel is currently served by city fire and police, and the subject property can be served by city water and sewer services.

0:45:0.490 --> 0:45:14.810

Zoe Walters

Sewer mains exist adjacent to the subject property and if redeveloped, the developer will be required to connect to city water by extending a tenant water main from the opposite side of Reserve Street at the time of your development, new structures would be required to connect to city water and sewer.

0:45:18.90 --> 0:45:30.590

Zoe Walters

Shown here is the current zoning map with the subject property outlined in red is zoned B32 business mixed use, and the Hatch marks designate the Design Excellence overlay corridor typology for partial solar.

0:45:30.600 --> 0:45:33.990

Zoe Walters

North and South are also zoned B32, with a design excellence overlay.

0:45:34.460 --> 0:45:43.330

Zoe Walters

Parcels to the West, across reserve or zoned B22 with a design excellence overlay, and the parcels to the east are zoned RT 5.4 residential.

0:45:43.940 --> 0:45:49.70

Zoe Walters

None of the surrounding zone districts shown on the screen aligned with the land uses nations for the area.

0:45:52.60 --> 0:46:14.650

Zoe Walters

This map shows the subject parcel outlined in red with the proposed C23 zone design excellence over design excellence, Overlay board or Typology 4 is to remain and this requested zoning district complies with the growth policy recommendations for the area and permits a broad range of uses within civic, commercial and limited industrial classifications along an arterial St.

0:46:17.610 --> 0:46:28.460

Zoe Walters

So here's a comparison between the existing and proposed zoning districts, both B32 and C23 zones allow for similar residential building types, land uses, and property line setbacks.

0:46:28.930 --> 0:46:36.380

Zoe Walters

The Design Excellence overlay requires additional site and building standards, and the overlay can be found on Mozilla's major commercial corridors and downtown.

0:46:37.290 --> 0:46:46.600

Zoe Walters

Both the existing B32 zoning district and the proposed C23 zoning district have a minimum parcel size of 3000 square feet for single purpose residential and mixed use buildings.

0:46:47.510 --> 0:46:50.470

Zoe Walters

There's no one on partial area for purely commercial or industrial uses.

0:46:51.740 --> 0:47:9.860

Zoe Walters

The B32 zoning district requires a minimum 2000 square foot area per dwelling unit, and C 2-3 requires a minimum 1000 square foot area per dwelling unit with the current B32 zoning, the zoning parcel would allow 25 dwelling units and under the proposed C23 zoning, the zoning parcel would allow up to 50 dwelling units.

0:47:10.340 --> 0:47:14.890

Zoe Walters

The setbacks are the same for both something districts and the current maximum height is 50 feet.

0:47:15.270 --> 0:47:18.940

Zoe Walters

With the proposed rezoning, the maximum permitted height would increase to 65 feet.

0:47:21.890 --> 0:47:38.980

Zoe Walters

Both swing districts allow all residential building types the uses allowed in the B23 zoning district would remain, and the proposed C23 Zone district would allow additional civic, commercial, and limited industrial use permitted uses provided in pedal 20, table 20, point 10-1.

0:47:39.390 --> 0:47:55.670

Zoe Walters

Some of these uses include building maintenance, service construction, sales and service, eating and drinking establishments, Tavern enterprise, commercial, medium and large entertainment, inspector, sports, hotels and motels, Cidery, hospital, car wash and limited and general motor vehicle repair.

0:47:56.280 --> 0:48:3.730

Zoe Walters

The C2 zoning district allows for more auto oriented uses than other commercial zoning districts and is most appropriate for lots of budding major commercial corridors.

0:48:6.460 --> 0:48:10.770

Zoe Walters

Staff recommendation is based on the review criteria provided in the Title 20s Zoning ordinance.

0:48:11.140 --> 0:48:19.370

Zoe Walters

The proposed rezoning complies with the growth policy and focus and ordered objectives as the C 2-3 zoning district is a current, relatable district of the community.

0:48:19.380 --> 0:48:25.970

Zoe Walters

Mixed use land use designation so property can be served by sewer, water, motorized and non motorized facilities.

0:48:26.490 --> 0:48:33.170

Zoe Walters

Sort of property is within 1/2 mile of bus stops and existing multimodal transportation infrastructure, making the property suitable for an increase in density.

0:48:33.820 --> 0:48:40.630

Zoe Walters

The proposed 2-3 zone district would allow for additional commercial and industrial uses to serve the larger community, as well as in JSON neighborhoods.

0:48:41.510 --> 0:48:48.280

Zoe Walters

Future development must comply with all applicable local, state and federal regulations, which ensures protection of public health, safety and welfare.

0:48:48.870 --> 0:49:5.210

Zoe Walters

This would include a zoning requirement to provide a buffering along the entire property line that abuts the parcel zoned or used for residential purposes, to mitigate the possible adverse effects such as noise, lighting or other site related and operational impacts that can occur when multi dwelling or nonessential development abuts residential areas.

0:49:6.70 --> 0:49:9.650

Zoe Walters

So there is no change in setbacks, version of light and air will be protected.

0:49:10.630 --> 0:49:12.720

Zoe Walters

There is a slight increase in maximum building height.

0:49:12.900 --> 0:49:24.50

Zoe Walters

However, for development in the existing B32 zoning district and requested C 2-3 Zone district, it is required that parcels abutting are districts that have a maximum allowed building height of 35 feet or less.

0:49:24.450 --> 0:49:35.120

Zoe Walters

The maximum building height at that point of the required minimum set back is 35 feet, and the abutting RT 5.4 resident hold zoning district has a maximum height of 35 feet.

0:49:36.880 --> 0:49:43.330

Zoe Walters

The C 2-3 zoning district is compatible with the commercial uses of the neighboring properties and the future land use plan for the area.

0:49:44.60 --> 0:49:53.110

Zoe Walters

The rezoning considers the value of buildings and appropriate use of land because it complies with land uses, nation and the growth policy and is compatible with adjacent uses and zoning.

0:49:54.120 --> 0:50:0.260

Zoe Walters

Does an amendment would provide for an incremental increase in housing and a broad range of uses within the Missoula Urban Transportation District?

0:50:1.0 --> 0:50:9.330

Zoe Walters

The rezoning is in the best interest of the city because the rezoning implements the recommendations of the 2035 are Missoula growth policy for areas designated as community.

0:50:9.340 --> 0:50:14.790

Zoe Walters

Mixed use while increasing allowable density and uses in an area with good access to services and transportation.

0:50:18.820 --> 0:50:22.820

Zoe Walters

On the screen are the three criteria which must be met to constitute spot zoning.

0:50:23.40 --> 0:50:30.550

Zoe Walters

The proposed zoning is consistent with the Group of Policies Lenny says Nation of Community mixed use, so it does not considered spot zoning and does not meet criteria 1.

0:50:31.120 --> 0:50:45.350

Zoe Walters

The proposed commercial zoning is compatible with nearby businesses and commercial districts along Reserve St The current B32 zoning is not compatible with the language designation and ideally over time, the area surrounding the parcel would be rezoned to comply with the group policy.

0:50:46.640 --> 0:50:59.610

Zoe Walters

Trouting property owners along Reserve Street can rezone to the same zoning district and property owners in the residential area to the east could rezone to a higher density residential to complement the commercial districts along reserve St the reasoning does not meet criteria two or three.

0:51:3.110 --> 0:51:15.520

Zoe Walters

Total 20 states a formal protest petition opposing a zoning amendment must be submitted to the zoning officer or on the public record before the CA Council's vote, allowing sufficient time for the city clerk to determine the validity of the partition.

0:51:16.340 --> 0:51:21.250

Zoe Walters

1A valid protest petition has been submitted approval of a zoning amendment requires a 2/3 majority vote.

0:51:21.260 --> 0:51:27.270

Zoe Walters

Of those, City Council members present and voting, there are 18 adjacent property owners within 150 feet of the subject.

0:51:27.280 --> 0:51:32.0

Zoe Walters

Properties and Development Services has received 7 petitions that have been certified by the city clerk.

0:51:32.780 --> 0:51:43.850

Zoe Walters

This meets the minimum 25% requirement of adjacent property owners to protest for a super majority vote, and a 2/3 majority vote of City Council members present and voting is required to approve the rezoning.

0:51:46.670 --> 0:51:47.500

Zoe Walters

Not this time.

0:51:47.510 --> 0:52:8.260

Zoe Walters

Staff recommend the Planning Board make a recommendation to City Council to adopt an ordinance to rezone the subject property located at 10, ten, 10:20 and 10:30 Reserve Street from B32 business mixed use design Excellence overlay Corridor Technology 4 to C23 Community commercial Design Excellence overlay Corridor typology 4.

0:52:8.610 --> 0:52:20.560

Zoe Walters

Based on the findings of fact and conclusions of law in the staff report and that concludes staff presentation, the applicants is present tonight in case you have any questions directly for them.

0:52:21.410 --> 0:52:21.760

Zoe Walters

Thank you.

0:52:23.150 --> 0:52:23.410

Analeshia Rodriguez

Great.

0:52:23.420 --> 0:52:24.350

Analeshia Rodriguez

Thank you, Zoe.

0:52:24.960 --> 0:52:25.730

Analeshia Rodriguez

Well done.

0:52:26.760 --> 0:52:27.320

Analeshia Rodriguez

Let's see.

0:52:27.940 --> 0:52:36.170

Analeshia Rodriguez

And we we got Joe dinner from imaged do do you guys have anything you want present or speak to Joe?

0:52:37.630 --> 0:52:37.880

Joe M. Dehnert

Yeah.

0:52:37.890 --> 0:52:38.450

Joe M. Dehnert

Can you all hear me?

0:52:39.210 --> 0:52:40.50

Analeshia Rodriguez

Yes, I can.

0:52:41.340 --> 0:52:41.590

Joe M. Dehnert

Great.

0:52:41.600 --> 0:52:44.340

Joe M. Dehnert

Well, hopefully other folks on the call can hear me.

0:52:44.620 --> 0:52:50.120

Joe M. Dehnert

My name is Joe Dennert, the EHNRT and I work for image and Missoula.

0:52:50.130 --> 0:52:55.30

Joe M. Dehnert

We're representing the applicant Smitty's for the proposed rezone being discussed here this evening.

0:52:56.210 --> 0:53:2.100

Joe M. Dehnert

Umm, I'll keep my introduction pretty brief here and and see where the conversation takes us.

0:53:2.790 --> 0:53:10.540

Joe M. Dehnert

But First off, Zoe, thank you so much for, you know, your staff report, the work you put in to date and obviously the quality presentation.

0:53:10.550 --> 0:53:12.880

Joe M. Dehnert

I think it's gonna lay the groundwork.

0:53:12.890 --> 0:53:33.80

Joe M. Dehnert

For what I hope is a good discussion this evening, you know some of the things that that so we touched on that I just want to highlight are are really more of a a a rezoning conversation writ large obviously here this evening we're we're discussing two different rezonings and City Council voted on one last night.

0:53:33.670 --> 0:53:44.870

Joe M. Dehnert

It seems that this stage in in Missoula there really becoming ubiquitous and in in most cases or at least in some of the more recent ones, you have properties that are not within the current relatable zoning designations.

0:53:44.880 --> 0:53:46.140

Joe M. Dehnert

And this is one of them, right?

0:53:46.150 --> 0:54:3.10

Joe M. Dehnert

You're not within the growth policy recommended zoning designations, and you have to rezone the onus is on the applicant, the landowner, the developer, to request to rezone to get within what's envisioned for the city, and it's a similar case right next door.

0:54:3.360 --> 0:54:12.520

Joe M. Dehnert

You know, for the residences to the east and I don't know if you guys had time to read over those public comments, but I think they were really well thought out.

0:54:12.530 --> 0:54:27.500

Joe M. Dehnert

They were intentional and you have people that are, you know, currently in a zoning designation that's not relatable to what their comped at, you know, residential high density is 24 dwelling units per acre and they're capped it really one single.

0:54:29.210 --> 0:55:4.770

Joe M. Dehnert

Family dwelling unit per per lot with the RT 5.4 and I'm just bringing all this up to kind of set the stage for obviously what I think everyone here is aware of and and that's that it's these are difficult conversations and I don't want to be condescending whatsoever, but in this particular case and in most cases for razones folks, applicants don't really step into them without a why you know in this case the applicant Smitty's has put in significant effort for the the water main extension that would need to be done for this to be permitted.

0:55:5.630 --> 0:55:14.100

Joe M. Dehnert

As well as the site plan, design excellence typologies have very specific requirements along reserve St and I would say that that's the case for most reasons.

0:55:14.110 --> 0:55:29.110

Joe M. Dehnert

There's quite a bit of effort that goes into it and the decision space is obviously what could be done there and the hope is that with the cities comp designation here that it does fit in with the overarching plan.

0:55:29.120 --> 0:55:35.790

Joe M. Dehnert

And I believe that's the case along reserve and it can, there are definitely growing pains associated with it, obviously umm.

0:55:36.70 --> 0:55:44.520

Joe M. Dehnert

But I was fortunate enough to speak to some of the neighbors in this case, and after explaining that, yes, these are the things that would be permitted.

0:55:45.190 --> 0:55:48.900

Joe M. Dehnert

Yes, you know, it's kind of alarming to read a 65 foot building height.

0:55:48.910 --> 0:55:58.360

Joe M. Dehnert

It's really alarming to read certain things, and as you get into the nuances of the code, you realize it's 35 feet and you realize that maybe some of that density couldn't be actualized on the property.

0:55:58.370 --> 0:56:4.780

Joe M. Dehnert

But, umm, you know, I do have a layout of the proposed car wash, if that's helpful for tonight's discussion.

0:56:4.790 --> 0:56:18.330

Joe M. Dehnert

I do have some images of the proposed car wash if discussions lead in that direction and and obviously I'm here to help answer any questions as they come up, I really appreciate everyone's time and thank you so much for letting me speak briefly.

0:56:21.230 --> 0:56:21.530

Analeshia Rodriguez

Great.

0:56:21.540 --> 0:56:21.860

Analeshia Rodriguez

Thank you.

0:56:21.870 --> 0:56:28.740

Analeshia Rodriguez

Joe, just planning board members need any clarifying questions from the presentation staff.

0:56:28.750 --> 0:56:30.750

Analeshia Rodriguez

Anything before we move to public comment.

0:56:30.760 --> 0:56:32.360

Analeshia Rodriguez

Yeah, go ahead, too.

0:56:32.650 --> 0:56:33.240

Analeshia Rodriguez

Hey, Zoe.

0:56:33.250 --> 0:56:37.720

Analeshia Rodriguez

So did I read that right in your slide, the the current zoning would allow for car wash already?

0:56:37.730 --> 0:56:38.460

Analeshia Rodriguez

Or does they?

0:56:38.470 --> 0:56:44.90

Analeshia Rodriguez

Do they need to upzone to to the C3 or C2 rather to opposite?

0:56:42.990 --> 0:56:46.850

Zoe Walters

The current the current zoning does not allow for a car wash.

0:56:46.920 --> 0:56:48.950

Zoe Walters

C2 would allow for it as a permitted use.

0:56:48.550 --> 0:56:52.190

Analeshia Rodriguez

The thank you, Dave. Go ahead.

0:56:53.970 --> 0:57:4.240

Analeshia Rodriguez

Well, I I think if if the staff may may help me out on this thing about I didn't see any comments on here from the state or the city about left turns or not.

0:57:4.250 --> 0:57:12.880

Analeshia Rodriguez

Maybe that's just not an issue, but I am interested in how the design excellence with a typology for what does it give the city?

0:57:12.950 --> 0:57:18.50

Analeshia Rodriguez

I I I sure would like some explanation or details of.

0:57:18.60 --> 0:57:18.580

Analeshia Rodriguez

OK.

0:57:18.590 --> 0:57:19.340

Analeshia Rodriguez

So we do that.

0:57:19.350 --> 0:57:20.290

Analeshia Rodriguez

What does that mean?

0:57:22.430 --> 0:57:22.730

Analeshia Rodriguez

And then.

0:57:25.130 --> 0:57:32.300

Analeshia Rodriguez

The staff comment from the the letter from M German on 9th St You know, good points are made.

0:57:32.530 --> 0:57:37.680

Analeshia Rodriguez

None of these streets go through 8th or 9th, meaning they don't go through.

0:57:38.370 --> 0:58:4.640

Analeshia Rodriguez

So these are like dead end streets, if you will, in terms of how do you handle the traffic and maybe that's you know, maybe that's not our job anymore or ever was city engineer in terms of Halley's people turning off of reserve St into this type of commercial, I'd sure like more discussion of starting with staff if she would would appreciate that great.

0:58:4.650 --> 0:58:5.280

Analeshia Rodriguez

Thank you, Joe.

0:58:5.320 --> 0:58:9.30

Analeshia Rodriguez

Dave, I just about combined your name with Zoe.

0:58:10.60 --> 0:58:11.810

Analeshia Rodriguez

Zoe, can you touch on that?

0:58:12.980 --> 0:58:13.810

Analeshia Rodriguez

Did you understand it?

0:58:13.820 --> 0:58:13.970

Analeshia Rodriguez

What?

0:58:13.980 --> 0:58:14.510

Analeshia Rodriguez

He was asking.

0:58:14.820 --> 0:58:15.150

Zoe Walters

Yeah.

0:58:15.160 --> 0:58:16.510

Zoe Walters

So your question about Xcellence.

0:58:16.680 --> 0:58:36.40

Zoe Walters

So in this case, in technology for you're on reserve to some extent is looking at sort of larger commercial developments for drivers, but also is helping to buffer the pedestrian and create more visually appealing environments along a major corridor.

0:58:36.310 --> 0:58:38.290

Zoe Walters

So some of the.

0:58:40.330 --> 0:58:45.470

Zoe Walters

Design standards are related to like location of parking, sidewalks.

0:58:47.460 --> 0:58:51.670

Zoe Walters

Just to maximize the use of the space and sort of Orient it to the public.

0:58:55.10 --> 0:58:56.710

Cassie Tripard

And I'm Cassie.

0:58:56.720 --> 0:59:2.100

Cassie Tripard

Jeopardy planning supervisor and I can hopefully help with the comments about the dead end streets.

0:59:2.850 --> 0:59:11.10

Cassie Tripard

So while it's Street is a true end, 9th St does connect to some different routes to the South, like Clark St Margaret, St Umm.

0:59:11.60 --> 0:59:21.770

Cassie Tripard

We did receive agency comment from public works and mobility so that design would need access points into the site from 8th to 9th rather than reserve since that would be safer.

0:59:24.500 --> 0:59:32.880

Cassie Tripard

Otherwise, I don't know that we received much other comment on that other than they cannot access directly onto reserve St.

0:59:41.610 --> 0:59:43.170

Analeshia Rodriguez

I had two questions.

0:59:43.180 --> 0:59:53.260

Analeshia Rodriguez

If I'm allowed one is, do we have an A map of the what the property would look like with this the the car wash on it?

0:59:56.760 --> 0:59:57.410

Analeshia Rodriguez

I believe so.

0:59:57.420 --> 0:59:59.0

Analeshia Rodriguez

Is that something you might have, Joe?

0:59:59.10 --> 1:0:0.640

Analeshia Rodriguez

You talked about having a design.

1:0:1.800 --> 1:0:3.490

Joe M. Dehnert

Yeah, I I can.

1:0:3.570 --> 1:0:7.250

Joe M. Dehnert

If I can share my screen, folks can see that I have that capability here.

1:0:9.430 --> 1:0:9.740

Analeshia Rodriguez

Great.

1:0:9.740 --> 1:0:10.360

Analeshia Rodriguez

Why don't you go?

1:0:10.650 --> 1:0:10.980

Analeshia Rodriguez

Yeah, yeah.

1:0:7.260 --> 1:0:13.10

Joe M. Dehnert

Give me a second and yeah, I I oh, go ahead.

1:0:14.170 --> 1:0:26.690

Analeshia Rodriguez

No, what the the other question was one of wastewater recycling use, does the do we have any concerns about waste water use from facility that uses as much water?

1:0:34.530 --> 1:0:38.660

Cassie Tripard

On the wastewater, I think that would be in the realm of the health department.

1:0:38.670 --> 1:0:39.750

Cassie Tripard

I am not familiar.

1:0:41.880 --> 1:0:43.210

Cassie Tripard

With their requirements.

1:0:43.220 --> 1:0:44.820

Cassie Tripard

But I know they do have requirements.

1:0:46.320 --> 1:0:46.750

Joe M. Dehnert

Yeah.

1:0:46.760 --> 1:0:48.230

Joe M. Dehnert

Cassie, you're you're spot on.

1:0:48.240 --> 1:0:50.620

Joe M. Dehnert

There'd be some sort of pretreatment associated with this.

1:0:51.50 --> 1:0:51.510

Joe M. Dehnert

Umm.

1:0:51.970 --> 1:0:59.800

Joe M. Dehnert

And just for the record, and anybody watching here, this is a preliminary site layout to kind of give some context on what we're discussing.

1:0:59.950 --> 1:1:4.360

Joe M. Dehnert

As you can see, and as noted in the staff report, you do see that inlet off of reserve.

1:1:4.840 --> 1:1:7.340

Joe M. Dehnert

That this is an ongoing site plan.

1:1:7.510 --> 1:1:12.960

Joe M. Dehnert

So as noted there, it would be off 8th and 9th and the corridor and the tunnel might change slightly.

1:1:12.970 --> 1:1:24.760

Joe M. Dehnert

As far as ingress and egress, but generally this is what across the three different parcels, the car wash would look like and I hope everybody can see my screen at this point, otherwise I just wasted a lot of breath, OK?

1:1:25.450 --> 1:1:26.300

Analeshia Rodriguez

No, you're good, Joe.

1:1:26.310 --> 1:1:26.880

Analeshia Rodriguez

We can see it.

1:1:26.890 --> 1:1:27.230

Analeshia Rodriguez

Thank you.

1:1:27.320 --> 1:1:27.490

Joe M. Dehnert

OK.

1:1:31.450 --> 1:1:35.200

Analeshia Rodriguez

Any further clarifying questions for anybody, everybody.

1:1:35.210 --> 1:1:35.420

Analeshia Rodriguez

Good.

1:1:37.300 --> 1:1:38.910

Rick Hall

Yep, that's me.

1:1:39.240 --> 1:1:39.490

Rick Hall

Yep.

1:1:35.430 --> 1:1:39.830

Analeshia Rodriguez

For the moment, Rick, I thought I saw your hand. Great.

1:1:40.700 --> 1:1:54.770

Rick Hall

Umm, I guess that's the question for the planning and Joe Umm is there a legal requirement for noise mitigation or noise limits at the edge of the property?

1:1:55.740 --> 1:2:1.570

Rick Hall

Given this zoning designation, and Joe, can you tell me what's anticipated?

1:2:1.580 --> 1:2:7.840

Rick Hall

It looks like based upon the drawing, that those parking spots would have probably vacuum cleaners.

1:2:8.900 --> 1:2:15.270

Rick Hall

UM, and I'm just kind of curious as to how those, if there's any plans for mitigation?

1:2:20.960 --> 1:2:21.430

Joe M. Dehnert

Cassie.

1:2:21.440 --> 1:2:22.220

Joe M. Dehnert

Or or planning.

1:2:22.230 --> 1:2:24.320

Joe M. Dehnert

Do you wanna go first on on noise mitigation?

1:2:26.930 --> 1:2:28.400

Cassie Tripard

I'm earlier.

1:2:28.410 --> 1:2:34.320

Cassie Tripard

Zoe had mentioned that abutting residential development of buffer is required.

1:2:34.390 --> 1:2:40.550

Cassie Tripard

We have a few different options, but the most common ends up being a solid fence with landscaping along that to buffer noise.

1:2:41.50 --> 1:2:54.670

Cassie Tripard

Otherwise, I believe noise complaints go to the least environment and just as a reminder, this is helpful to just get an idea of what they're proposing, but the rezoning criteria do need to focus on the zoning district as.

1:2:58.630 --> 1:2:58.880

Joe M. Dehnert

Yeah.

1:2:58.890 --> 1:2:59.240

Joe M. Dehnert

Thank.

1:2:59.250 --> 1:3:0.360

Joe M. Dehnert

Thanks for reiterating that.

1:3:0.370 --> 1:3:1.860

Joe M. Dehnert

And Rick, you're spot on.

1:3:2.110 --> 1:3:6.720

Joe M. Dehnert

I I I do believe in those parking stalls, there is the pull in vacuum spots.

1:3:6.890 --> 1:3:9.630

Joe M. Dehnert

I'm not sure if the plan is shared between the two stalls.

1:3:10.510 --> 1:3:15.440

Joe M. Dehnert

You know, I I haven't been able to take a look at the Smitty's design specifically for this.

1:3:15.450 --> 1:3:24.360

Joe M. Dehnert

It hasn't been fully baked in like 3D and all that, but you're right there would be, I imagine, some sort of shared service or self service there and some of these stalls.

1:3:24.570 --> 1:3:46.110

Joe M. Dehnert

And then the preliminary landscaping requirements that we put together to make sure that this would actually work or that Smitty's landscape architect put together to make sure it actually work for the requirements in both design excellence and just generally on the site for commercial development, does show exactly what Cassie just said, which is a a landscape buffer.

1:3:46.380 --> 1:3:47.760

Joe M. Dehnert

That's really the extent of it.

1:3:51.520 --> 1:3:52.170

Analeshia Rodriguez

OK, great.

1:3:52.180 --> 1:3:53.510

Analeshia Rodriguez

Thank you, Peter.

1:3:53.520 --> 1:3:54.470

Analeshia Rodriguez

I'm sorry, Derek.

1:3:56.300 --> 1:4:2.540

Analeshia Rodriguez

Just as a follow up related to proximity and noise, I'm just wondering if there's any.

1:4:4.790 --> 1:4:5.360

Analeshia Rodriguez

Let's see.

1:4:5.370 --> 1:4:18.700

Analeshia Rodriguez

Accommodation in terms of like business hours, that might be kind of deep in the details, but I can imagine neighbors would certainly appreciate hours that, you know, don't go into the evening.

1:4:24.900 --> 1:4:26.910

Cassie Tripard

And that is not an answer.

1:4:26.920 --> 1:4:28.290

Cassie Tripard

I know off the top of our head.

1:4:28.300 --> 1:4:32.550

Cassie Tripard

Uh, something code does not have hours of operation restrictions though.

1:4:32.840 --> 1:4:37.60

Cassie Tripard

Glaze organisms may that's something I can try to pull up in the mean time.

1:4:39.900 --> 1:4:40.250

Analeshia Rodriguez

Great.

1:4:40.260 --> 1:4:40.740

Analeshia Rodriguez

Thank you.

1:4:43.80 --> 1:4:45.920

Analeshia Rodriguez

Shane, I saw your hand go up, I think.

1:4:47.940 --> 1:4:54.760

Shane Morrissey

Yeah, I was just wondering if, if so we could maybe share the spot zoning slide again just so I can take that in.

1:4:56.180 --> 1:4:57.300

Zoe Walters

Yeah, I will pull it up now.

1:4:59.320 --> 1:4:59.880

Analeshia Rodriguez

Thank you, Zoe.

1:5:14.960 --> 1:5:16.590

Zoe Walters

OK, I've shared it.

1:5:16.680 --> 1:5:17.400

Zoe Walters

Can you use it yet?

1:5:18.980 --> 1:5:19.600

Zoe Walters

OK, there it is.

1:5:18.960 --> 1:5:19.710

Analeshia Rodriguez

Yes. Yeah.

1:5:19.790 --> 1:5:20.100

Shane Morrissey

Yeah.

1:5:20.110 --> 1:5:20.410

Shane Morrissey

Thank you.

1:5:31.840 --> 1:5:36.980

Shane Morrissey

And you said that this that this was not spot zoning because two and three were not?

1:5:38.790 --> 1:5:39.150

Shane Morrissey

Present.

1:5:41.130 --> 1:5:43.960

Zoe Walters

Yeah, it doesn't meet Criteria 1, two or three.

1:5:44.770 --> 1:5:46.10

Shane Morrissey

OK, none of them.

1:5:48.920 --> 1:5:49.230

Shane Morrissey

OK.

1:5:49.240 --> 1:5:49.540

Shane Morrissey

Thank you.

1:5:53.80 --> 1:5:53.450

Analeshia Rodriguez

Great.

1:5:53.460 --> 1:5:54.590

Analeshia Rodriguez

Thank you, Shane.

1:5:54.800 --> 1:5:56.920

Analeshia Rodriguez

Anybody else have?

1:5:58.420 --> 1:6:0.470

Analeshia Rodriguez

OK, need anything from staff?

1:6:0.760 --> 1:6:3.90

Analeshia Rodriguez

OK, my missing.

1:6:3.100 --> 1:6:4.810

Analeshia Rodriguez

Any hands? No.

1:6:4.860 --> 1:6:6.430

Analeshia Rodriguez

OK. OK.

1:6:6.500 --> 1:6:14.530

Analeshia Rodriguez

With that, we will move on to public comment for this public hearing.

1:6:14.820 --> 1:6:21.310

Analeshia Rodriguez

And once again, we will put up the instructions for anybody joining us online.

1:6:21.640 --> 1:6:32.550

Analeshia Rodriguez

If you've already joined us via teams, you can raise your hand, and if folks are in the House, want to just come up at your leisure or whichever.

1:6:32.560 --> 1:6:46.0

Analeshia Rodriguez

However, you wanted decide to the MIC and for those that want to make public comment, please try and state your name for the record and spell it and then if you want to say the neighborhood you're in, that helps as well.

1:6:46.80 --> 1:6:54.740

Analeshia Rodriguez

But for those that are interested, now is the time I will read through these instructions one more time off folks make their way up.

1:6:55.460 --> 1:6:55.900

Analeshia Rodriguez

Umm.

1:6:56.260 --> 1:7:20.690

Analeshia Rodriguez

If you need to call in via telephone, you can call 4062724824 the phone conference ID is 127489322#, press star 5 to raise and lower your hand to be recognized for public comment and star 6 to mute and unmute yourself.

1:7:21.640 --> 1:7:24.390

Analeshia Rodriguez

And with that, we have a gentleman here in House.

1:7:24.400 --> 1:7:24.760

Analeshia Rodriguez

Please, Sir.

1:7:25.970 --> 1:7:26.240

Analeshia Rodriguez

Yeah.

1:7:26.250 --> 1:7:27.620

Analeshia Rodriguez

My name is Reagan Callaway.

1:7:27.630 --> 1:7:35.890

Analeshia Rodriguez

I own a property that is directly to the east of these, the most of what is being proposed for rezoning.

1:7:36.100 --> 1:7:40.30

Analeshia Rodriguez

No one has has spoken with me personally about this.

1:7:40.780 --> 1:7:50.540

Analeshia Rodriguez

I think you guys are gonna hear a lot of questions are an issues about traffic on 8th and 9th because it's this is gonna be problematic.

1:7:51.530 --> 1:7:57.160

Analeshia Rodriguez

But what I first wanna do is try to understand the kind of the big picture and then what?

1:7:57.170 --> 1:8:16.980

Analeshia Rodriguez

I'm sure you'll get more questions about traffic, so if I look at your zoning map and I, you got to forgive me for not knowing much about zoning, I don't know, overlays and all of the terminologies, terminology that you guys are using, but the statement is not consistent or the plan is not consistent with what is there now.

1:8:17.230 --> 1:8:29.650

Analeshia Rodriguez

So it if it seems to me like the the rezoning to to see two of which is no C2 between 3rd and South is basically the city.

1:8:29.940 --> 1:8:36.550

Analeshia Rodriguez

Maybe using this car wash to begin a whole bunch of sea 2 zoning along that stretch of land?

1:8:36.560 --> 1:8:37.640

Analeshia Rodriguez

Is that what I'm understanding?

1:8:38.300 --> 1:8:46.690

Analeshia Rodriguez

Umm in other words, because it it doesn't all the C2 and and really dark red is down below South.

1:8:46.940 --> 1:8:48.110

Analeshia Rodriguez

So is the plan.

1:8:48.120 --> 1:9:1.690

Analeshia Rodriguez

Is this just kind of like part of the bigger plan and Smitty's car wash is basically the the first one in with this C2 designation instead of C1, UMM.

1:9:1.870 --> 1:9:4.600

Analeshia Rodriguez

And so you guys probably know what all the letters are.

1:9:4.610 --> 1:9:8.930

Analeshia Rodriguez

I don't, but if you look at your own map, there's none of that dark red.

1:9:9.730 --> 1:9:25.650

Analeshia Rodriguez

Umm it it between South and 3rd where we are matter of fact a lot of blue and so that's doesn't seem consistent with what's there, but it may be consistent with what you all are planning to do and we don't know about that.

1:9:26.270 --> 1:9:29.20

Analeshia Rodriguez

So am I on well?

1:9:29.30 --> 1:9:31.690

Analeshia Rodriguez

Might close to what's going on here in terms of the big picture.

1:9:33.590 --> 1:9:37.840

Analeshia Rodriguez

You can ask your questions and then we'll try.

1:9:37.850 --> 1:9:42.950

Analeshia Rodriguez

We, as the board members are writing your questions down and we'll try and address them later on.

1:9:42.960 --> 1:9:44.160

Analeshia Rodriguez

It helps with.

1:9:44.170 --> 1:9:44.340

Analeshia Rodriguez

OK.

1:9:44.350 --> 1:10:10.740

Analeshia Rodriguez

So that's I guess that would be my first and most important question and probably let others talk about the streets, but I would suggest that anybody that's gonna make an important vote on this first drive South on reserve, enter the center lane, the suicide lane and try to turn into 8th St sometime between Ohh 8 in the morning and six at night.

1:10:11.80 --> 1:10:24.600

Analeshia Rodriguez

And then I would suggest go down to South and drive north on reserve St and try to turn right without breaking the law into 8th St and and and get have that experience.

1:10:24.910 --> 1:10:31.490

Analeshia Rodriguez

If there's, unless you want to get into the bike lane there, there's no there's often no safe way to get in.

1:10:31.500 --> 1:10:34.410

Analeshia Rodriguez

Two cars don't fit easily in and out at the same time.

1:10:34.660 --> 1:10:37.570

Analeshia Rodriguez

If someones there you stop you block traffic.

1:10:37.780 --> 1:10:48.830

Analeshia Rodriguez

You, you, you guys really should experience 8th and 9th isn't quite so bad, but I can't even fathom another hundred cars going in and out of eight.

1:10:49.160 --> 1:10:52.240

Analeshia Rodriguez

I can't turn left when I leave my house.

1:10:52.320 --> 1:10:55.390

Analeshia Rodriguez

I have to turn right even if I wanna go South, there's no way.

1:10:55.400 --> 1:10:55.550

Analeshia Rodriguez

What?

1:10:55.560 --> 1:10:57.250

Analeshia Rodriguez

Maybe at midnight, but I can't.

1:10:57.260 --> 1:11:9.360

Analeshia Rodriguez

I can't turn left, and this proposal is talking about putting hundreds of cars through these same, you know, what is a dead end St through these same streets.

1:11:9.670 --> 1:11:17.700

Analeshia Rodriguez

So this is not consistent with the review criteria that I received in a letter, but about half of them in terms of physical safety.

1:11:18.480 --> 1:11:31.420

Analeshia Rodriguez

Ohh transportation and so on and and I can go through them in detail but I I think probably others should you know share their own experiences turning in and out of 8th and 9th St Thank you.

1:11:33.540 --> 1:11:33.850

Analeshia Rodriguez

Great.

1:11:33.860 --> 1:11:34.370

Analeshia Rodriguez

Thank you, Sir.

1:11:34.380 --> 1:11:35.680

Analeshia Rodriguez

Appreciate your comments.

1:11:37.620 --> 1:11:38.890

Analeshia Rodriguez

And I forgot to mention it.

1:11:38.900 --> 1:11:48.990

Analeshia Rodriguez

I don't get too tight on time, but I will put the timer up so everybody can kind of see the three minutes you have, but more often than not we can be laid back and give folks a little bit of leeway.

1:11:50.120 --> 1:11:54.930

Analeshia Rodriguez

Umm is there anybody else that would like to speak tonight?

1:11:55.180 --> 1:11:56.410

Analeshia Rodriguez

Umm, not here.

1:11:56.620 --> 1:11:58.120

Analeshia Rodriguez

Planning on putting in a light?

1:11:59.530 --> 1:12:8.980

Analeshia Rodriguez

I definitely cannot speak to that type of planning, and my guess is right here.

1:12:9.390 --> 1:12:13.110

Analeshia Rodriguez

I don't know how they're going to get in and out for sure.

1:12:13.180 --> 1:12:15.40

Analeshia Rodriguez

Well, we will definitely note that.

1:12:17.960 --> 1:12:30.130

Analeshia Rodriguez

For sure and I can try and address some of these questions here once we get through public comment, I'll make a right turn go down the sideline, get the 7th turn down 7 to 5.

1:12:31.840 --> 1:12:32.480

Analeshia Rodriguez

Back out on.

1:12:34.410 --> 1:12:35.540

Analeshia Rodriguez

The only way I can get out.

1:12:35.770 --> 1:12:38.390

Analeshia Rodriguez

Yes, yes, I am familiar.

1:12:38.400 --> 1:12:39.330

Analeshia Rodriguez

I don't live.

1:12:39.340 --> 1:12:45.0

Analeshia Rodriguez

I'm a little S north of you guys, but I'm in these neighborhoods as well as anybody else.

1:12:45.10 --> 1:12:46.620

Analeshia Rodriguez

Want to make public comment tonight?

1:12:46.630 --> 1:12:49.340

Analeshia Rodriguez

OK, we got so many coming up.

1:12:51.100 --> 1:12:53.410

Analeshia Rodriguez

The state, your name and spell it for the record, please.

1:12:53.420 --> 1:12:55.230

Analeshia Rodriguez

Hi, I'm Tara Jensen.

1:12:55.640 --> 1:12:58.670

Analeshia Rodriguez

TARAJENSENI live on 9th.

1:13:0.590 --> 1:13:2.680

Analeshia Rodriguez

There's no doubt traffic's gonna be an issue.

1:13:2.810 --> 1:13:11.260

Analeshia Rodriguez

I mean, I have no idea how that's gonna work, and actually I'm more concerned seeing the drawing having people come in on 9th.

1:13:11.450 --> 1:13:13.900

Analeshia Rodriguez

That road is tiny.

1:13:13.950 --> 1:13:20.260

Analeshia Rodriguez

I mean, and if anybody's parked there, I just can't even get my head around how that would actually work.

1:13:20.810 --> 1:13:37.870

Analeshia Rodriguez

Also, there are not far from there, like 8th is 2 blocks, 9th is 2 blocks like we're talking very short streets and just on the end of 9th and I guess 10 eighth two was just put in a really large low income senior housing.

1:13:39.400 --> 1:13:46.370

Analeshia Rodriguez

So we are taking on the density this two blocks is taking on a ton of density without any of the infrastructure to go with it.

1:13:46.750 --> 1:13:48.550

Analeshia Rodriguez

Tons of people are walking their dogs.

1:13:48.860 --> 1:13:49.890

Analeshia Rodriguez

Tons of people are out.

1:13:49.900 --> 1:13:58.40

Analeshia Rodriguez

We've got lots of seniors in, you know, wheelchairs and canes and all sorts of things in our neighborhood.

1:13:58.50 --> 1:13:59.820

Analeshia Rodriguez

There's no infrastructure.

1:13:59.890 --> 1:14:6.600

Analeshia Rodriguez

I've been worried now that somebody's gonna get injured and I cannot imagine if we have hundreds of cars moving through there.

1:14:7.270 --> 1:14:8.720

Analeshia Rodriguez

It's a huge concern.

1:14:8.730 --> 1:14:12.260

Analeshia Rodriguez

I, like you know, I don't know what's gonna happen to like people.

1:14:12.530 --> 1:14:15.930

Analeshia Rodriguez

And then in addition, it doesn't fit the neighborhood at all.

1:14:16.430 --> 1:14:24.730

Analeshia Rodriguez

Umm, you know the where people are driving in a person lives right there like 6 feet for they're gonna sit and breathe.

1:14:26.390 --> 1:14:33.350

Analeshia Rodriguez

Exhaust all day long and here compressors all day long and lights like I cannot.

1:14:33.430 --> 1:14:46.40

Analeshia Rodriguez

It's a real health problem for the people who live so close and I'm talking about from me to you like that close is how people are gonna be breathing in whatever toxins they're putting out that we can't control.

1:14:46.160 --> 1:14:49.210

Analeshia Rodriguez

Whatever you know, exhaust is happening.

1:14:49.280 --> 1:14:53.700

Analeshia Rodriguez

The traffic I mean, we have a real health and safety concern here for our neighbors.

1:14:54.800 --> 1:14:56.210

Analeshia Rodriguez

I was like, it's not going down at all.

1:14:57.80 --> 1:15:0.70

Analeshia Rodriguez

I can talk as long as they want, but yeah, I think I can.

1:15:0.780 --> 1:15:3.600

Analeshia Rodriguez

I could do like 20 points about why this is a bad idea.

1:15:3.610 --> 1:15:5.430

Analeshia Rodriguez

It doesn't fit with our neighborhood.

1:15:5.660 --> 1:15:7.280

Analeshia Rodriguez

We are a quiet little neighborhood.

1:15:7.290 --> 1:15:15.350

Analeshia Rodriguez

We might be off of reserve, but we take care of each other and we're just neighbors who walk dogs and talk to each other and talk about our gardens.

1:15:15.410 --> 1:15:28.470

Analeshia Rodriguez

And just like walk around and having and I know that it's like this zone is this, but it's gonna be a car wash that's gonna have huge impacts on our ability to breathe clean air.

1:15:28.480 --> 1:15:30.370

Analeshia Rodriguez

I don't know what the wastewater is gonna be like is.

1:15:30.380 --> 1:15:31.680

Analeshia Rodriguez

There's just so many questions.

1:15:31.690 --> 1:15:33.80

Analeshia Rodriguez

Just doesn't belong there.

1:15:33.250 --> 1:15:35.620

Analeshia Rodriguez

There's lots of places in Missoula to put in a car wash.

1:15:36.110 --> 1:15:36.430

Analeshia Rodriguez

Thank you.

1:15:37.620 --> 1:15:37.920

Analeshia Rodriguez

Great.

1:15:37.930 --> 1:15:38.390

Analeshia Rodriguez

Thank you.

1:15:42.500 --> 1:15:43.490

Analeshia Rodriguez

OK.

1:15:43.700 --> 1:15:44.30

Analeshia Rodriguez

Hi.

1:15:44.140 --> 1:15:44.570

Analeshia Rodriguez

Hello.

1:15:44.620 --> 1:15:45.910

Analeshia Rodriguez

I'm Katie hutchin.

1:15:45.980 --> 1:15:55.50

Analeshia Rodriguez

HUTCHEONI own a house right across the street on 9th from where the car wash is going or is trying to go.

1:15:56.600 --> 1:16:3.50

Analeshia Rodriguez

You know, I it's hard for me to look at the points on spot zoning and not see how this is spot zoning.

1:16:3.360 --> 1:16:5.190

Analeshia Rodriguez

This is wildly different from the neighborhood.

1:16:5.200 --> 1:16:12.650

Analeshia Rodriguez

Currently this is going to benefit one business owner who's already operating a new car wash on North reserve.

1:16:14.80 --> 1:16:19.950

Analeshia Rodriguez

Umm, this is not something that's going to benefit the community, our community, our neighborhood and bring in jobs.

1:16:20.320 --> 1:16:29.110

Analeshia Rodriguez

This is a low paying, low number sort of job opportunity or business proposition.

1:16:29.640 --> 1:16:31.950

Analeshia Rodriguez

Umm, you know, I have a lot of the same questions.

1:16:31.960 --> 1:16:34.30

Analeshia Rodriguez

Some of you had like, what are the hours?

1:16:34.40 --> 1:16:36.410

Analeshia Rodriguez

How is this going to affect traffic?

1:16:36.520 --> 1:16:48.230

Analeshia Rodriguez

The streets on I don't know as much about 8 because I live on 9th, but 9th is constantly being patched and is completely like the pavements destroyed and we're gonna add a bunch more cars getting through on Clark and Margaret.

1:16:48.300 --> 1:16:49.120

Analeshia Rodriguez

These are tiny.

1:16:49.130 --> 1:16:50.620

Analeshia Rodriguez

These are small neighborhood streets.

1:16:50.630 --> 1:16:53.680

Analeshia Rodriguez

These aren't thoroughfares right off our reserve.

1:16:53.690 --> 1:16:56.310

Analeshia Rodriguez

They these neighborhood, this is a neighborhood where people live.

1:16:56.830 --> 1:16:57.270

Analeshia Rodriguez

Umm.

1:16:57.630 --> 1:17:0.40

Analeshia Rodriguez

And we all like terraced garden walk.

1:17:0.50 --> 1:17:4.820

Analeshia Rodriguez

Our dogs get to know each other and this would be a really detrimental impact to the neighborhood.

1:17:5.150 --> 1:17:10.490

Analeshia Rodriguez

I bought my house seven years ago and it makes me wonder if we were to sell our House.

1:17:10.900 --> 1:17:14.630

Analeshia Rodriguez

How many more homes that people are living in are gonna get turned into businesses?

1:17:14.640 --> 1:17:18.200

Analeshia Rodriguez

We're in a time in Missoula where people can't afford to live.

1:17:19.70 --> 1:17:30.40

Analeshia Rodriguez

We're getting pushed out of affordable housing opportunities and it's not as if this zoning is going to impact or change and benefit housing.

1:17:30.250 --> 1:17:31.260

Analeshia Rodriguez

We talk about density.

1:17:31.270 --> 1:17:32.350

Analeshia Rodriguez

This is 1 business.

1:17:32.360 --> 1:17:38.200

Analeshia Rodriguez

That's gonna be a parking lot with vacuums and a car wash, of which there are so many in this town.

1:17:38.210 --> 1:17:39.390

Analeshia Rodriguez

It's not a business we need.

1:17:41.590 --> 1:17:41.930

Analeshia Rodriguez

And.

1:17:43.940 --> 1:17:45.160

Analeshia Rodriguez

Oh, I just lost me trade off.

1:17:46.120 --> 1:17:52.560

Analeshia Rodriguez

Ohh, and there aren't any other car washes in town that have homes abutting them right next.

1:17:52.570 --> 1:18:1.870

Analeshia Rodriguez

I mean, there's literally yards that are gonna go up against where these where they're gonna have fencing to, for what to like, deaden some vacuum noise.

1:18:1.880 --> 1:18:2.790

Analeshia Rodriguez

It's gonna be constant.

1:18:2.800 --> 1:18:7.910

Analeshia Rodriguez

I have a coworker that worked at a car washing college, went into a neighborhood.

1:18:8.200 --> 1:18:11.90

Analeshia Rodriguez

They got noise complaints constantly.

1:18:11.100 --> 1:18:12.700

Analeshia Rodriguez

The cops were constantly being called.

1:18:12.710 --> 1:18:13.760

Analeshia Rodriguez

This is gonna be a problem.

1:18:13.770 --> 1:18:18.440

Analeshia Rodriguez

That's going to affect the community and it will affect some of our local resources if it goes in.

1:18:19.530 --> 1:18:19.910

Analeshia Rodriguez

Thank you.

1:18:21.730 --> 1:18:22.60

Analeshia Rodriguez

Great.

1:18:22.70 --> 1:18:22.470

Analeshia Rodriguez

Thank you.

1:18:24.200 --> 1:18:27.890

Analeshia Rodriguez

And we got anybody online reason handsome that I'm not seeing?

1:18:28.300 --> 1:18:28.670

Analeshia Rodriguez

No.

1:18:28.780 --> 1:18:29.0

Analeshia Rodriguez

OK.

1:18:29.850 --> 1:18:31.560

Analeshia Rodriguez

Anybody else like to come up and speak?

1:18:35.520 --> 1:18:42.10

Analeshia Rodriguez

My name is Lee Rodriguez RODRIGUEZ live at 2418 S 9th.

1:18:42.260 --> 1:18:44.460

Analeshia Rodriguez

We are very close to what's gonna be happening.

1:18:44.740 --> 1:18:55.710

Analeshia Rodriguez

Umm, I'm worried about my children and their safety with that amount of traffic coming through, we're already nervous about it because of the senior housing that was put in at the end of the street.

1:18:55.960 --> 1:19:1.50

Analeshia Rodriguez

We've had a hit and run happen in our driveway recently because of that.

1:19:1.580 --> 1:19:3.250

Analeshia Rodriguez

Things stolen from our mailbox.

1:19:3.260 --> 1:19:4.830

Analeshia Rodriguez

Stuff stolen off our porch.

1:19:5.420 --> 1:19:12.630

Analeshia Rodriguez

I'm just concerned about the safety of the neighborhood with the impact of something like this, and we don't have the infrastructure for it.

1:19:12.880 --> 1:19:13.610

Analeshia Rodriguez

We've got nothing.

1:19:13.620 --> 1:19:18.650

Analeshia Rodriguez

We don't have sidewalks, don't have lights in our neighborhood like there's no safety.

1:19:19.100 --> 1:19:19.790

Analeshia Rodriguez

I'm just.

1:19:20.340 --> 1:19:27.760

Analeshia Rodriguez

I don't know what the plan is with you guys and I just don't think it's the neighborhood and that's really all I wanted to say.

1:19:29.320 --> 1:19:29.670

Analeshia Rodriguez

Great.

1:19:29.680 --> 1:19:30.60

Analeshia Rodriguez

Thank you.

1:19:35.410 --> 1:19:37.20

Analeshia Rodriguez

OK, we got any.

1:19:37.30 --> 1:19:41.920

Analeshia Rodriguez

Anybody else that would like to comment at this time?

1:19:43.540 --> 1:19:44.600

Analeshia Rodriguez

Give it a second here.

1:19:46.920 --> 1:19:48.830

Analeshia Rodriguez

Sometimes it's hard to get up to the mic.

1:19:54.480 --> 1:19:56.220

Analeshia Rodriguez

Nobody online still, right?

1:19:58.140 --> 1:19:58.460

Analeshia Rodriguez

OK.

1:20:4.800 --> 1:20:13.760

Analeshia Rodriguez

OK, well, I'm not seeing anybody else stepping up to the plate, so I think we'll twice go ahead.

1:20:14.730 --> 1:20:16.740

Analeshia Rodriguez

I'll be less than you.

1:20:16.790 --> 1:20:19.900

Analeshia Rodriguez

You may not get the same obligations from City Council.

1:20:20.770 --> 1:20:23.440

Analeshia Rodriguez

Yeah, but as an advisor, you guys are nicer.

1:20:23.450 --> 1:20:27.940

Analeshia Rodriguez

I know the the perhaps a little less, I just want to make one quick point because it came up quickly.

1:20:27.950 --> 1:20:44.490

Analeshia Rodriguez

There are depending Google right 19 car washes and I mean number #3 review criteria or whether the proposed zoning or whether the proposed zoning amendment is in the best interests of the city as a whole.

1:20:45.490 --> 1:20:46.180

Analeshia Rodriguez

That's a big one.

1:20:46.190 --> 1:20:48.210

Analeshia Rodriguez

It's it's kind of far out on the margins.

1:20:48.220 --> 1:20:55.510

Analeshia Rodriguez

You know it gets a 3, so we have 19 of them with one with another one going in on North Reserve.

1:20:56.380 --> 1:20:59.220

Analeshia Rodriguez

It's this isn't in the best interest of the city as a whole.

1:20:59.610 --> 1:21:4.850

Analeshia Rodriguez

It might be to expand the zonation the zoning, but not the car wash so.

1:21:6.680 --> 1:21:6.940

Analeshia Rodriguez

Great.

1:21:6.950 --> 1:21:7.770

Analeshia Rodriguez

Thank you, Sir.

1:21:8.0 --> 1:21:9.540

Analeshia Rodriguez

Ohh wait, did we get a name?

1:21:10.620 --> 1:21:11.570

Analeshia Rodriguez

Didn't matter for them.

1:21:12.80 --> 1:21:14.940

Analeshia Rodriguez

Did you state your Reagan Callaway?

1:21:17.740 --> 1:21:22.30

Analeshia Rodriguez

OK, alright, not seeing anybody else.

1:21:22.40 --> 1:21:30.130

Analeshia Rodriguez

We will go ahead and close public comment for this particular part of tonight's hearing.

1:21:35.340 --> 1:21:42.210

Analeshia Rodriguez

And I think unless somebody needs something answered, will entertain a motion.

1:21:42.220 --> 1:21:43.890

Analeshia Rodriguez

So we can have some discussion.

1:21:46.470 --> 1:21:48.200

Analeshia Rodriguez

Anybody wants to take a stab at that?

1:21:48.210 --> 1:21:48.520

Analeshia Rodriguez

Maybe.

1:21:48.530 --> 1:21:51.740

Analeshia Rodriguez

Zoe, could you put up that slide, please?

1:21:56.650 --> 1:21:56.990

Analeshia Rodriguez

Great.

1:21:57.0 --> 1:21:57.340

Analeshia Rodriguez

Thank you.

1:22:4.390 --> 1:22:5.620

Analeshia Rodriguez

I can give it a try.

1:22:5.690 --> 1:22:6.60

Analeshia Rodriguez

Alright.

1:22:6.70 --> 1:22:6.860

Analeshia Rodriguez

Thank you, Peter.

1:22:6.910 --> 1:22:57.940

Analeshia Rodriguez

OK, the recommendation before the board today is to adopt an ordinance to rezone the subject property located at the subject property located at 10, ten, 10:20 and 10:30 Reserve St and legally described as lot 6 and lot 7 of geesey addition and lot 1 of Davis Edition located in section 29, Township 13 N, range 19 W PMM from B32 business mixed use Dec Design Excellence overlay, corridor typology 42C23 community

commercial slash Dec Design Excellence overlay, corridor typology for based on the findings of fact and conclusions of law in the staff report.

1:23:2.110 --> 1:23:2.400

Analeshia Rodriguez

Great.

1:23:2.410 --> 1:23:3.300

Analeshia Rodriguez

Thank you, Peter.

1:23:3.490 --> 1:23:4.100

Analeshia Rodriguez

Well done.

1:23:4.110 --> 1:23:4.790

Analeshia Rodriguez

Do we have a second?

1:23:11.580 --> 1:23:12.60

Shane Morrissey

I'll second.

1:23:11.990 --> 1:23:14.920

Analeshia Rodriguez

I'll second seconded by Shane. Uh.

1:23:14.930 --> 1:23:16.20

Analeshia Rodriguez

Just barely beat you, Dave.

1:23:17.370 --> 1:23:18.240

Analeshia Rodriguez

OK.

1:23:18.250 --> 1:23:24.500

Analeshia Rodriguez

And with that, umm, we can entertain discussion if anybody wants to jump us off.

1:23:24.510 --> 1:23:25.720

Analeshia Rodriguez

Or maybe, maybe we'll.

1:23:25.730 --> 1:23:37.70

Analeshia Rodriguez

I'll break Norm and lead us out with a couple of UM just explanations as far as this board goes, just to some of the questions that you're asking about.

1:23:37.80 --> 1:23:39.650

Analeshia Rodriguez

A light like we're all volunteers.

1:23:39.660 --> 1:23:44.530

Analeshia Rodriguez

We don't have any plan as far as like how the zoning comes out.

1:23:45.0 --> 1:23:56.900

Analeshia Rodriguez

I think as far as the planning board goes, you know, like we're looking to the growth policy, which is what staff relies upon as well to like try and make decisions about how to do these things.

1:23:57.290 --> 1:23:58.940

Analeshia Rodriguez

And the same goes for a light.

1:23:58.950 --> 1:24:13.320

Analeshia Rodriguez

I'm not sure if you know, like usually the city and my experience doesn't have the funding to look at infrastructure 1st and all my time on this board, we are usually looking at doing rezoning and subdivisions well before the infrastructure is put in place.

1:24:13.990 --> 1:24:28.560

Analeshia Rodriguez

UM and we could have a deeper philosophical question on why that is, but that's kind of how things end up happening for the most part, just to try and answer those in general, we got, Rick, I see your hand up.

1:24:28.570 --> 1:24:29.40

Analeshia Rodriguez

Go ahead, Rick.

1:24:32.110 --> 1:24:32.320

Analeshia Rodriguez

It.

1:24:31.690 --> 1:24:39.460

Rick Hall

Did we wanna answer questions from the the people in the room before we ask a question?

1:24:41.30 --> 1:24:41.620

Analeshia Rodriguez

Yes.

1:24:41.630 --> 1:24:42.300

Analeshia Rodriguez

Absolutely.

1:24:42.670 --> 1:24:42.950

Rick Hall

OK.

1:24:42.960 --> 1:24:43.870

Rick Hall

Then I'll I'll wait.

1:24:42.430 --> 1:24:45.320

Analeshia Rodriguez

We can do that or a lot of times.

1:24:45.330 --> 1:24:48.630

Analeshia Rodriguez

Board members will have very similar questions and they'll incorporate it.

1:24:49.100 --> 1:24:55.260

Rick Hall

Well, mine is what was what is the future zoning designation for that whole strip along reserve?

1:25:4.980 --> 1:25:6.190

Analeshia Rodriguez

Do you want to feel that one, Zoe?

1:25:9.620 --> 1:25:14.240

Cassie Tripard

Sorry, can you share the slide showing the land use designation again?

1:25:16.920 --> 1:25:18.190

Rick Hall

I'm pretty sure you told us.

1:25:18.200 --> 1:25:19.180

Rick Hall

I just don't remember.

1:25:20.130 --> 1:25:21.380

Cassie Tripard

Yes, it's commander.

1:25:21.390 --> 1:25:21.840

Cassie Tripard

Be mixed.

1:25:21.850 --> 1:25:29.40

Cassie Tripard

Use and the relatable zoning districts are C1C2 and M1R2 commercial districts.

1:25:29.50 --> 1:25:31.530

Cassie Tripard

And then M1R is limited industrial residential.

1:25:35.700 --> 1:25:47.110

Rick Hall

So the answer to the question from one of the people in the room is that it is proposed to be this designation in the future for the area, correct?

1:25:48.350 --> 1:25:48.660

Cassie Tripard

Correct.

1:25:59.990 --> 1:26:6.300

Analeshia Rodriguez

And if I could just, I wanna make sure I'm clear on this, because I'm also not an expert on zoning.

1:26:6.830 --> 1:26:27.540

Analeshia Rodriguez

So when we say C1 and C2 see two includes, anything underneath that designation, that's like C2-3 or I don't know if there's more, but like C2-2 or one or three, anything that falls under C2 as part of that relatable zone zones from the growth policy.

1:26:27.550 --> 1:26:28.200

Analeshia Rodriguez

Is that correct?

1:26:29.10 --> 1:26:30.140

Cassie Tripard

Yep, that's correct.

1:26:30.150 --> 1:26:34.960

Cassie Tripard

And those numbers at the end you're referencing 12-3-4.

1:26:34.970 --> 1:26:37.60

Cassie Tripard

Those all just indicate the height.

1:26:37.450 --> 1:26:41.950

Cassie Tripard

All of the uses and stuff backs are controlled by the first part of the zoning district.

1:26:44.710 --> 1:26:45.420

Analeshia Rodriguez

OK, great.

1:26:45.430 --> 1:26:45.960

Analeshia Rodriguez

Thank you.

1:26:46.70 --> 1:26:47.400

Analeshia Rodriguez

Rick did do you have more?

1:26:50.470 --> 1:26:52.240

Rick Hall

Well, I'm just gonna share my two cents.

1:26:52.250 --> 1:26:53.380

Rick Hall

While while I got the mic.

1:26:55.950 --> 1:26:56.220

Rick Hall

Why?

1:26:56.230 --> 1:26:56.790

Rick Hall

You know I'm.

1:26:56.800 --> 1:26:57.240

Rick Hall

I'm.

1:26:57.880 --> 1:27:9.750

Rick Hall

I'm loathed to turn down things that my pretties chops, because we certainly need those, but I'm having a real hard time with this.

1:27:11.780 --> 1:27:18.430

Rick Hall

There are a lot of things in C1 and C2 that aren't as ohm.

1:27:19.40 --> 1:27:24.710

Rick Hall

I guess noise intensive as this is abutting residences.

1:27:24.760 --> 1:27:29.990

Rick Hall

I'm just really having a hard time, so that's my my my feelings.

1:27:32.680 --> 1:27:32.990

Analeshia Rodriguez
Great.

1:27:33.0 --> 1:27:33.770

Analeshia Rodriguez
Thank you, Rick.

1:27:33.970 --> 1:27:35.80

Analeshia Rodriguez
Peter, you wanna go next?

1:27:36.90 --> 1:27:37.530

Analeshia Rodriguez
My thoughts are are similar.

1:27:39.580 --> 1:27:41.340

Analeshia Rodriguez
I will not oppose to having.

1:27:43.450 --> 1:27:53.550

Analeshia Rodriguez
A landowner come to us and ask for the the new designation on the zoning to address the issues of high dense a higher density in Missoula.

1:27:55.130 --> 1:28:1.740

Analeshia Rodriguez
But this is not a good example of a of a use for the land that increases or or or.

1:28:1.850 --> 1:28:5.730

Analeshia Rodriguez
If anything, it decreases the density of use. Umm.

1:28:7.990 --> 1:28:26.950

Analeshia Rodriguez
The other thing that we look at and think about when we consider changing zones is the buffering between what exists now and what we want to exist, or think we want exist and that area in the future and we do pay attention to communities that say this is a one.

1:28:26.990 --> 1:28:43.720

Analeshia Rodriguez
These are one home communities where we have gardens and we have our children play in the backyards and we pay attention to that kind of issue and we're gonna put in a senior, a apartment building and we worry about the density increases there.

1:28:46.170 --> 1:28:47.930

Analeshia Rodriguez

So I I.

1:28:49.900 --> 1:28:55.760

Analeshia Rodriguez

I don't see how this is a benefit to the Community, large writ large, or writ small.

1:28:56.970 --> 1:29:3.70

Analeshia Rodriguez

Umm and my sense right at the moment is, unless I'm talked out of it, is to oppose this proposal.

1:29:5.950 --> 1:29:6.240

Analeshia Rodriguez

Great.

1:29:6.250 --> 1:29:6.990

Analeshia Rodriguez

Thank you, Peter.

1:29:7.350 --> 1:29:14.800

Analeshia Rodriguez

Dave, yes, I I believe my issue mostly has to do with that.

1:29:15.430 --> 1:29:40.560

Analeshia Rodriguez

Well, first I'll say that I think C2 in general is appropriate a zoning designation as called out in in the growth policy in the proposal, except this project is a very intensive use of vehicles on a very dangerous street that has no left turned and they turn into.

1:29:40.620 --> 1:29:40.730

Analeshia Rodriguez

To.

1:29:43.210 --> 1:29:44.280

Analeshia Rodriguez

Dead end streets.

1:29:44.500 --> 1:29:56.950

Analeshia Rodriguez

So this use would be appropriate on a nice intersection where you get two way traffics, especially a light, but at least there'd be through traffic on both sides of Reserve Street on a light.

1:29:59.490 --> 1:30:12.380

Analeshia Rodriguez

This used would be way more appropriate and not appropriate in this particular site because of all the vehicle movements and then people stuck in these dead end streets.

1:30:12.390 --> 1:30:13.460

Analeshia Rodriguez

If you will, because they will.

1:30:14.410 --> 1:30:19.500

Analeshia Rodriguez

And so that's why I'm I'm having a hard time finding that.

1:30:19.570 --> 1:30:26.680

Analeshia Rodriguez

That's why how this use is has proposed is consistent with the overall C2.

1:30:29.860 --> 1:30:30.170

Analeshia Rodriguez

Great.

1:30:30.180 --> 1:30:30.830

Analeshia Rodriguez

Thank you, Dave.

1:30:32.290 --> 1:30:35.530

Analeshia Rodriguez

Anybody else wanna jump in there yet?

1:30:36.520 --> 1:30:37.240

Analeshia Rodriguez

Tune.

1:30:37.700 --> 1:30:46.450

Analeshia Rodriguez

I just wanted to address one of the questions in terms of the traffic, obviously a big concern reserve is I happen to serve on the transportation community as well.

1:30:46.460 --> 1:30:48.150

Analeshia Rodriguez

And I've I've learned this the hard way.

1:30:48.460 --> 1:30:53.200

Analeshia Rodriguez

Reserve is particularly tricky because it's a highway, and so there's mixed jurisdictions.

1:30:53.210 --> 1:30:56.40

Analeshia Rodriguez

There are city, county and federal involved in so.

1:30:57.610 --> 1:30:59.970

Analeshia Rodriguez

Get something as simple as a stoplight is.

1:31:0.50 --> 1:31:3.320

Analeshia Rodriguez

It's not as simple, which is really unfortunate, but so I wanted to point that out.

1:31:3.330 --> 1:31:5.210

Analeshia Rodriguez

And again, we have no control over that from the.

1:31:6.560 --> 1:31:7.410

Analeshia Rodriguez

Ohh, I'm sorry.

1:31:7.420 --> 1:31:7.690

Analeshia Rodriguez

Go.

1:31:7.700 --> 1:31:9.350

Analeshia Rodriguez

Yeah, please, could you speak up to him?

1:31:11.280 --> 1:31:17.70

Analeshia Rodriguez

Sorry, I was just commenting that the traffic issue and the question about whether not there's gonna be a light.

1:31:17.360 --> 1:31:19.930

Analeshia Rodriguez

The challenge with Reserve Street is that there's multiple jurisdictions.

1:31:19.940 --> 1:31:23.950

Analeshia Rodriguez

It's a highway, and so that falls under Montana as well.

1:31:23.960 --> 1:31:25.70

Analeshia Rodriguez

And it's a through through way.

1:31:25.80 --> 1:31:30.30

Analeshia Rodriguez

So any kind of project there is incredibly difficult because of funding issues and jurisdiction issues.

1:31:30.320 --> 1:31:41.790

Analeshia Rodriguez

So and with that being said, we have no control over that from the zoning from the planning board perspective and then also to the build on Sean's or the comments and staff, definitely keep me honest here.

1:31:42.970 --> 1:31:48.780

Analeshia Rodriguez

I'm struggling with this as well because strictly speaking the planning board can only take into account the growth policy.

1:31:49.730 --> 1:32:2.250

Analeshia Rodriguez

The growth policy has clearly stated that C1C2M, whatever the other one is, and and again, if we didn't know that it was gonna be a car wash and we were just evaluating it based on the zoning, this would be a no brainer.

1:32:2.260 --> 1:32:31.630

Analeshia Rodriguez

It wouldn't be like, OK, alright, I think the challenge that we're having is is that the applicants have been very clear like this is gonna be a car wash and so we know that looks like my I guess my question for staff and I don't know if they can really answer it is is that from a zoning future looking zoning perspective as as Missoula looks at doing a comprehensive rezone is the the the intensity of youth gonna be in consideration meaning in the future in two years when we have a new zones will a car wash.

1:32:31.790 --> 1:32:32.790

Analeshia Rodriguez

Still be appropriate?

1:32:32.800 --> 1:32:35.730

Analeshia Rodriguez

I don't, I don't know because I think the issue here isn't zoning.

1:32:35.740 --> 1:32:45.370

Analeshia Rodriguez

The issue is the specific use and as a planning board, we actually can't do anything like it would actually get us in trouble if we specifically said we don't want a car wash, we can only approve the rezone.

1:32:47.800 --> 1:32:49.140

Cassie Tripard

Umm yeah.

1:32:49.150 --> 1:32:50.980

Cassie Tripard

To comment on that, that is correct.

1:32:50.990 --> 1:33:1.550

Cassie Tripard

With code reform, we do need to be looking at uses allowed within specific districts with those districts will be intensities and where those more intensive uses go.

1:33:2.40 --> 1:33:9.270

Cassie Tripard

I will note that all of our zoning districts, aside from limited and heavy industrial, do allow housing as well.

1:33:9.720 --> 1:33:20.60

Cassie Tripard

So there is other Suite 2 zoning districts in town, a budding residential, and that could have residential on those parcels zone C2, uh.

1:33:20.750 --> 1:33:27.340

Cassie Tripard

So while you may not see many car washes next to residential today, there's a lot of parcels in town where that could happen in the future.

1:33:32.120 --> 1:33:32.410

Analeshia Rodriguez

Great.

1:33:32.420 --> 1:33:35.200

Analeshia Rodriguez

Thank you, Cassie tune, Derek.

1:33:38.680 --> 1:33:53.300

Analeshia Rodriguez

Yeah, this is a a challenging 1U M definitely acknowledge uh tuned statements and definitely want to acknowledge all the public comment that came through in terms of letters and people were showed up today.

1:33:54.190 --> 1:34:6.120

Analeshia Rodriguez

I think that ultimately is one of the roles that planning board plays is we don't actually make the decisions, but what we do is recommend a decision to City Council.

1:34:6.690 --> 1:34:26.750

Analeshia Rodriguez

And my concern I think is maybe represented by what I'm hearing from comments is that Missoula is really in a tight spot in terms of trying to establish and develop homes, a place to call home.

1:34:27.100 --> 1:34:34.600

Analeshia Rodriguez

And we are investing so much time and energy into establishing new save affordable homes.

1:34:35.840 --> 1:34:46.130

Analeshia Rodriguez

And to me, this development say, for example, imagine that a car wash is not approved, or there's rezoning is not approved.

1:34:46.540 --> 1:35:11.960

Analeshia Rodriguez

We don't know what that next development project may be, but at this time I feel like in addition to trying to establish and develop new housing opportunities, we also probably have some responsibility to try and preserve the housing options that we have, especially for the neighborhoods that.

1:35:14.880 --> 1:35:32.460

Analeshia Rodriguez

UM, China Day may maybe are not necessarily the most expensive homes in our Missoula, and those are the people that are probably most vulnerable to different types of rezoning and development projects.

1:35:32.750 --> 1:35:40.820

Analeshia Rodriguez

So with all that, I am leaning towards uhm, I know on this one.

1:35:42.280 --> 1:35:42.640

Analeshia Rodriguez

Thank you.

1:35:44.120 --> 1:35:44.440

Analeshia Rodriguez

Great.

1:35:44.450 --> 1:35:44.770

Analeshia Rodriguez

Thank you.

1:35:44.780 --> 1:35:50.180

Analeshia Rodriguez

Derek, any other comments or should I go ahead and jump in?

1:35:50.370 --> 1:35:51.270

Analeshia Rodriguez

Ohh change.

1:35:51.280 --> 1:35:51.820

Analeshia Rodriguez

You beat me to it.

1:35:51.830 --> 1:35:52.370

Analeshia Rodriguez

Go ahead, Shane.

1:35:54.970 --> 1:35:56.560

Shane Morrissey

Well, I gotta save the best for last, Sean.

1:35:58.90 --> 1:35:58.510

Analeshia Rodriguez

Hardly.

1:35:58.310 --> 1:35:58.730

Shane Morrissey

Umm.

1:36:0.730 --> 1:36:7.750

Shane Morrissey

I yeah, I guess similar to my colleagues, I'm having a real tough time with this one.

1:36:7.970 --> 1:36:10.10

Shane Morrissey

Umm, I guess.

1:36:12.670 --> 1:36:16.200

Shane Morrissey

I I honestly don't see how this is not spot zoning.

1:36:16.210 --> 1:36:23.0

Shane Morrissey

However, I do think that it does meet all three conditions of spot zoning.

1:36:23.880 --> 1:36:53.240

Shane Morrissey

Umm, you know, and the way that this the that the zoning works is when we look at parcels and transition zones and things like that, we've had these discussions in the past and I think what we're doing with the proposal here is doing is it's yeah, maybe taking something that could be AC1AC2 or an M1 or whatever it was and putting it into.

1:36:54.740 --> 1:37:5.960

Shane Morrissey

You know something that that matches the land use policy, but it is ignoring you know, the neighbors and the existing zoning that is right next door that exists today.

1:37:7.290 --> 1:37:12.750

Shane Morrissey

And so, umm, I don't think that we can really do that.

1:37:12.760 --> 1:37:14.200

Shane Morrissey

I don't think that it's a compatible.

1:37:14.210 --> 1:37:20.460

Shane Morrissey

Use at this time and I think I disagree with some of the findings of fact and the staff report.

1:37:20.990 --> 1:37:28.960

Shane Morrissey

I'm sure we might have some C twos that about our districts on the zoning map right now is Cassie pointed out.

1:37:28.970 --> 1:37:56.970

Shane Morrissey

But I think we can all acknowledge that there are mistakes and things that need to be changed in the zoning map when we revisit this is a comprehensive project and I can't see upzoning this to directly to AC2 right now without addressing the neighborhood that is directly adjacent to it, because I don't think that these are compatible.

1:37:57.300 --> 1:38:6.980

Shane Morrissey

Land zoning uses at the moment, so I plan to vote no on this and I'll just leave that there.

1:38:10.280 --> 1:38:10.650

Analeshia Rodriguez

Great.

1:38:10.660 --> 1:38:12.580

Analeshia Rodriguez

Thank you, Shane. Cassie.

1:38:14.170 --> 1:38:14.670

Cassie Tripard

Yeah.

1:38:14.680 --> 1:38:39.780

Cassie Tripard

Just hoping to, but at the moment on the spot zoning last night after a different rezoning at Council, the city attorney messaged me to state that, per Montana Supreme Court case, uh, the decision at Hertz Horn versus city of Whitefish in 2021, the decision was essentially that if it complies with the growth policy, it does not meet any of the criteria for spot zoning.

1:38:40.620 --> 1:38:41.110

Cassie Tripard

Umm.

1:38:41.180 --> 1:38:46.130

Cassie Tripard

And I guess just another request for the Planning Board summary that goes to Council.

1:38:46.280 --> 1:38:54.610

Cassie Tripard

If we could just get some comments focusing on which review criteria or not in this case thinking.

1:38:59.590 --> 1:38:59.930

Analeshia Rodriguez

Great.

1:38:59.940 --> 1:39:0.570

Analeshia Rodriguez

Thank you, Cassie.

1:39:2.580 --> 1:39:9.710

Analeshia Rodriguez

OK, I'll give folks a second to think about Cassie's request while I try and add my two cents.

1:39:13.640 --> 1:39:14.180

Analeshia Rodriguez

Excuse me.

1:39:17.60 --> 1:39:25.300

Analeshia Rodriguez

OK, so wow, that's an interesting 2021 decision because I would think that they were independent of each other.

1:39:26.560 --> 1:39:27.650

Analeshia Rodriguez

Did you have something, Peter?

1:39:37.670 --> 1:39:37.910

Cassie Tripard

Umm.

1:39:27.660 --> 1:39:43.520

Analeshia Rodriguez

Before I go, go ahead, I'm not quite sure what the implications of Cassie last remarks are about, what clarity she's looking for and what how would that affects the conversation that we're having here now, do you OK.

1:39:43.640 --> 1:39:45.70

Cassie Tripard

I I can clarify that.

1:39:45.80 --> 1:39:47.940

Cassie Tripard

So legally, your vote needs to be based.

1:39:47.950 --> 1:39:58.0

Cassie Tripard

Whether that's yes or no on the review criteria in zoning code for map amendment, we pass along a planning board summary to City Council to consider out their vote.

1:39:58.10 --> 1:40:3.760

Cassie Tripard

And so I'm just hoping to clarify which review criteria the board does not feel are met.

1:40:5.830 --> 1:40:6.280

Cassie Tripard

Does that help?

1:40:11.890 --> 1:40:15.520

Analeshia Rodriguez

Are we prepared to make A to answer that question at tonight?

1:40:16.530 --> 1:40:18.360

Analeshia Rodriguez

I think some of us will be.

1:40:18.710 --> 1:40:19.520

Analeshia Rodriguez

We'll see.

1:40:19.650 --> 1:40:22.70

Analeshia Rodriguez

Do you think I think it would be helpful.

1:40:22.130 --> 1:40:23.60

Analeshia Rodriguez

Cassie and Zoe.

1:40:23.70 --> 1:40:27.410

Analeshia Rodriguez

Maybe we get the review criteria put up as a slide for folks.

1:40:34.360 --> 1:40:34.590

Analeshia Rodriguez

Yeah.

1:40:33.880 --> 1:40:41.70

Cassie Tripard

As in, these are in short hands, so let us know if this is sufficient or if you'd like to see the actual code.

1:40:44.980 --> 1:40:45.390

Analeshia Rodriguez

Good.

1:40:45.820 --> 1:40:54.770

Analeshia Rodriguez

So if my logic flow follows, I can say the best interest of the city is whole are not met by this ordinance.

1:40:54.780 --> 1:40:56.30

Analeshia Rodriguez

And so I vote no.

1:40:56.500 --> 1:40:57.100

Analeshia Rodriguez

Is that fair?

1:41:2.350 --> 1:41:3.30

Analeshia Rodriguez

Oh, sure.

1:40:58.810 --> 1:41:3.260

Cassie Tripard

Yeah, and preferably with a little context or if finding effect on how you feel.

1:41:3.270 --> 1:41:4.20

Cassie Tripard

It's not that.

1:41:4.170 --> 1:41:4.520

Cassie Tripard

Thank you.

1:41:7.920 --> 1:41:8.940

Analeshia Rodriguez

OK, great.

1:41:8.950 --> 1:41:14.80

Analeshia Rodriguez

OK, I think Peter is feeling good about his understanding.

1:41:14.90 --> 1:41:15.410

Analeshia Rodriguez

Sorry, ohm.

1:41:16.160 --> 1:41:16.880

Analeshia Rodriguez

Go ahead, Dave.

1:41:16.890 --> 1:41:20.170

Analeshia Rodriguez

Question of the review criteria.

1:41:20.180 --> 1:41:26.170

Analeshia Rodriguez

How many are supposed to be adhere to and passed by this project?

1:41:26.180 --> 1:41:28.580

Analeshia Rodriguez

Or is there?

1:41:28.590 --> 1:41:28.840

Analeshia Rodriguez

A.

1:41:29.150 --> 1:41:29.920

Analeshia Rodriguez

There a.

1:41:29.930 --> 1:41:31.280

Analeshia Rodriguez

How many are you?

1:41:31.290 --> 1:41:32.340

Analeshia Rodriguez

Have eight of them there.

1:41:32.810 --> 1:41:33.640

Analeshia Rodriguez

How many are they?

1:41:33.650 --> 1:41:35.520

Analeshia Rodriguez

All of them need to be met then.

1:41:35.930 --> 1:41:47.520

Analeshia Rodriguez

If that's true for the up for a yes vote on the zoning because I'm looking at it, I can see in the 8 some of them are meant and some of them not.

1:41:49.710 --> 1:41:51.120

Analeshia Rodriguez

Yes, that's kind of how I feel.

1:41:51.380 --> 1:41:51.850

Analeshia Rodriguez

Go ahead.

1:41:50.40 --> 1:41:53.190

Cassie Tripard

Hey, good question.

1:41:53.280 --> 1:42:4.490

Cassie Tripard

There's no set number unless Dave is here and can help me out on the code states that just in reviewing and making these decisions, planning board and City Council must consider the following criteria.

1:42:5.540 --> 1:42:6.60

Cassie Tripard

Umm.

1:42:6.520 --> 1:42:8.430

Cassie Tripard

But no magic number.

1:42:8.440 --> 1:42:10.350

Cassie Tripard

Dave, do you have anymore insight?

1:42:11.140 --> 1:42:11.310

Dave DeGrandpre

Yeah.

1:42:11.320 --> 1:42:11.860

Dave DeGrandpre

Thanks, Cassie.

1:42:11.870 --> 1:42:11.970

Dave DeGrandpre

You.

1:42:11.980 --> 1:42:12.570

Dave DeGrandpre

Good evening.

1:42:12.580 --> 1:42:16.610

Dave DeGrandpre

I'm Dave Degrant, parade planning supervisor with City Missoula development services.

1:42:16.880 --> 1:42:19.210

Dave DeGrandpre

No, I agree that there isn't a magic number.

1:42:19.640 --> 1:42:54.30

Dave DeGrandpre

I think the board knows charged with weighing the criteria, looking at the preponderance of evidence, looking at the the proposal for the zone change in light of what the growth policy calls for, as well as the other eight criteria that you have before you staff has proposed specific findings under the criteria that you have, umm, and if you feel it's the board feels that several of or any of the criteria are not met, then it would be very helpful to to pass that on to City Council.

1:42:54.40 --> 1:43:1.60

Dave DeGrandpre

Right now you have a motion on the table to adopt Staffs, recommendations and so you can vote on that.

1:43:1.140 --> 1:43:5.680

Dave DeGrandpre

One option is to vote on that motion and then follow them it.

1:43:5.880 --> 1:43:20.850

Dave DeGrandpre

If the motion does not, if the motion does or is supported by the board, then it will move on to Council, as is, with an affirmative recommendation and of course staff is noting is taking notes on the board discussion as we go.

1:43:20.860 --> 1:43:22.830

Dave DeGrandpre

So we'll certainly pass that on as well.

1:43:23.80 --> 1:43:29.90

Dave DeGrandpre

But if the motion fails, then it would be very helpful to clarify for what reason.

1:43:29.100 --> 1:43:35.550

Dave DeGrandpre

Maybe some board members can explain what criteria they think are not met, why you voted as you have.

1:43:35.560 --> 1:43:38.100

Dave DeGrandpre

We've heard some of your testimonial running, which is super helpful.

1:43:38.420 --> 1:43:44.760

Dave DeGrandpre

Pass that on, but we have a motion on the table, and so again there's no. It's so voting on that would be helpful.

1:43:44.770 --> 1:43:55.460

Dave DeGrandpre

Again, there's no magic number, but but teasing out some of the details, some of your thoughts on whether the proposal which against the rezoning, it's not a car wash, it's a rezoning that you're considering.

1:43:55.790 --> 1:44:12.110

Dave DeGrandpre

And I think it's important to differentiate because let's say, let's say the the property is rezoned is proposed Smitty's car wash can go away and all of the other land uses that are permitted or conditional could be developed on the property as well.

1:44:12.120 --> 1:44:20.970

Dave DeGrandpre

So it's not, you know, this is one of the difficulties when you're rezoning a property, you're not looking at a particular site plan, at least you're not supposed to be looking particular site plan.

1:44:20.980 --> 1:44:26.570

Dave DeGrandpre

It helps to illustrate what might go there, but that's not the only thing that could go there.

1:44:26.880 --> 1:44:34.30

Dave DeGrandpre

And so that's why it's important to kind of think about what does the growth policy say, what's the vision for this area that's been adopted by the Community?

1:44:34.260 --> 1:44:38.480

Dave DeGrandpre

What are the current relatable zoning districts that could fall under it and go from there?

1:44:38.490 --> 1:44:57.360

Dave DeGrandpre

The specific land uses there was discussion of infrastructure, for example, how it's not compatible or how it's not set up today to absorb a car wash that may be true, but there are building permit and site development permit infrastructure improvements that can be required as a result.

1:44:57.370 --> 1:45:16.710

Dave DeGrandpre

So it's, I know it's hard to kind of separate what's proposed or what a particular developer might want on a site today, but from the rezoning request, but there is an order of operations and start to put the plan then goes to the rezoning, then goes to the site specific development project at the board actually doesn't have a role in that.

1:45:16.990 --> 1:45:27.80

Dave DeGrandpre

But staff and review this so I hope I didn't just make it a lot more confusing than it already is, but I'd be happy to try to assist Zoe and Cassie moving forward.

1:45:28.510 --> 1:45:30.500

Analeshia Rodriguez

I think that was a great explanation.

1:45:30.510 --> 1:45:31.980

Analeshia Rodriguez

Good to see you again, Dave.

1:45:31.990 --> 1:45:32.330

Analeshia Rodriguez

In a while.

1:45:33.580 --> 1:45:34.880

Analeshia Rodriguez

Umm, does anybody? Ohh.

1:45:34.890 --> 1:45:35.760

Analeshia Rodriguez

Hold on, Shane.

1:45:35.770 --> 1:45:36.540

Analeshia Rodriguez

You had your hand up.

1:45:36.930 --> 1:45:38.240

Analeshia Rodriguez

Rick, did you take your hand down?

1:45:41.630 --> 1:45:42.10

Analeshia Rodriguez

OK.

1:45:42.20 --> 1:45:43.70

Analeshia Rodriguez

All right, Shane then, Rick.

1:45:44.850 --> 1:45:54.120

Shane Morrissey

It I was just gonna dive in and say the things that I I thought were not that that I maybe disagreed with on the review criteria.

1:45:54.130 --> 1:45:58.260

Shane Morrissey

Just for to give Cassie a little more information.

1:45:59.700 --> 1:46:3.590

Shane Morrissey

You know, obviously the C2 does meet the growth policy.

1:46:3.860 --> 1:46:19.800

Shane Morrissey

AC1 also would and a car wash would be a conditional use as far as I can tell, and that zoning district umm, so you know this is not the only compatible zoning district and but sure it doesn't meet the growth policy.

1:46:20.490 --> 1:46:28.610

Shane Morrissey

Uh, not so sure that it meets the promotes public health and safety with some of the testimony that we've heard here tonight.

1:46:30.940 --> 1:46:42.10

Shane Morrissey

I you know, I don't see it being compatible with urban growth necessarily and the district character and suitability of uses, I I kind of disagree with.

1:46:42.20 --> 1:46:53.870

Shane Morrissey

I mean, we're talking about reserved St as you know it's an arterial, it's it's a, it's a street, it's linear, but we can't just focus on the uses that are North and South of it necessarily.

1:46:53.880 --> 1:47:18.580

Shane Morrissey

I think we need to consider all of JSON property owners, especially when they're not separated by a street, and I don't think that I I guess at least in my good conscience right now, I could consider as CO2 directly adjacent to this residential district without the entire district being uplifted in at the same time, the value of buildings.

1:47:18.590 --> 1:47:21.200

Shane Morrissey

Is it appropriate and appropriate use of land?

1:47:21.210 --> 1:47:22.280

Shane Morrissey

I disagree with that.

1:47:22.290 --> 1:47:24.230

Shane Morrissey

I mean, there are existing buildings on there.

1:47:26.150 --> 1:47:33.950

Shane Morrissey

And I guess you know to the last point is that in the best interest of the city as a whole, I I suppose I don't see that either right now, so.

1:47:37.220 --> 1:47:37.570

Analeshia Rodriguez

Great.

1:47:37.580 --> 1:47:38.370

Analeshia Rodriguez

Thank you, Shane.

1:47:38.380 --> 1:47:39.430

Analeshia Rodriguez

Well articulated.

1:47:39.440 --> 1:47:39.650

Analeshia Rodriguez

Uh.

1:47:39.660 --> 1:47:40.920

Analeshia Rodriguez

Go ahead, Rick, and then Dave.

1:47:43.70 --> 1:47:44.870

Rick Hall

Umm yeah.

1:47:44.880 --> 1:47:49.920

Rick Hall

You know, when I was considering this, I was thinking, you know, I we know there's a car wash going in there.

1:47:49.930 --> 1:47:51.370

Rick Hall

I'm not gonna hold that against it.

1:47:51.820 --> 1:48:7.420

Rick Hall

I'm just gonna look at it as a CTO and for me as a C2 today, that property is not suited in the growth policy findings of fact, #4 says.

1:48:7.430 --> 1:48:24.680

Rick Hall

The City growth policy calls for a focus and we're approach to encourage infill development in the urban core, where infrastructure already exists and promote mixed use, compact development and enhance connectivity while limiting sprawl and promoting efficient use of existing infrastructure.

1:48:25.30 --> 1:48:40.780

Rick Hall

In this case, because of where the property is with two fairly unique either limited access or no access, it's there is no way to access this business without accessing it from reserve.

1:48:41.170 --> 1:48:42.440

Rick Hall

Other car washes.

1:48:42.450 --> 1:48:45.380

Rick Hall

There are many ways to coming back ways to them.

1:48:45.490 --> 1:48:48.420

Rick Hall

I know I'm a car wash fanatic.

1:48:48.430 --> 1:48:49.670

Rick Hall

My car's always clean.

1:48:51.420 --> 1:48:58.900

Rick Hall

So, you know, I think this site has specific limitations that mean that it doesn't meet the criteria.

1:48:59.890 --> 1:49:12.850

Rick Hall

UM and it isn't suitable considering the existing housing in the area and then actually to decrease his housing in in the city.

1:49:13.120 --> 1:49:20.260

Rick Hall

So, umm, I've got some, some very uh some issues about C2 period.

1:49:20.270 --> 1:49:24.790

Rick Hall

I mean, I know it's zoned that way in the future, but I think there are certainly better.

1:49:26.800 --> 1:49:35.240

Rick Hall

Parcels on reserve than this one to do this kind of a traffic intensive or any kind of traffic intensive C2 use.

1:49:38.710 --> 1:49:39.20

Analeshia Rodriguez

Great.

1:49:39.30 --> 1:49:39.880

Analeshia Rodriguez

Thank you, Rick.

1:49:39.950 --> 1:49:40.380

Analeshia Rodriguez

Uh.

1:49:40.390 --> 1:49:40.880

Analeshia Rodriguez

Go ahead, Dave.

1:49:43.160 --> 1:49:48.730

Analeshia Rodriguez

Well, I'm looking at this as a site C2 site, OK?

1:49:48.790 --> 1:50:2.300

Analeshia Rodriguez

In the site in in looking at the review criteria is not consistent in my opinion in #2 cause it doesn't promote the public health and safety due to the traffic and safety concerns there.

1:50:4.270 --> 1:50:21.660

Analeshia Rodriguez

#3 the basically the same issue, public service transportation until reserve St and access to vehicle access in safe manner is figured out for reserve trees, especially in this stretch.

1:50:22.650 --> 1:50:37.920

Analeshia Rodriguez

I don't believe it meets the test and #3 and then in #6 that definitely does not meet the district character right now and suitability of use, and that's the job for the city that they're already in the process of looking in detail.

1:50:37.930 --> 1:50:44.580

Analeshia Rodriguez

And this is a good place for them to start looking well for what is appropriate fit and what isn't.

1:50:44.590 --> 1:50:51.190

Analeshia Rodriguez

But anyway, it doesn't right now and the value buildings appropriate land use is questionable.

1:50:51.240 --> 1:51:11.50

Analeshia Rodriguez

So I you know, to me it doesn't mean the test and it doesn't meet the changing condition, whatever those conditions are right now this site in this location for C2 and and because of all this, it does not mean the best interest of the city of a whole and that's why I would vote no one.

1:51:15.110 --> 1:51:15.520

Analeshia Rodriguez

Dang it.

1:51:15.560 --> 1:51:17.100

Analeshia Rodriguez

Sorry, my mic went out.

1:51:17.210 --> 1:51:17.820

Analeshia Rodriguez

Uh, great.

1:51:17.830 --> 1:51:18.570

Analeshia Rodriguez

Thank you, Dave.

1:51:20.340 --> 1:51:23.940

Analeshia Rodriguez

Anything else from anybody right now?

1:51:24.0 --> 1:51:27.650

Analeshia Rodriguez

OK, I'll go ahead and see if I can add my two cents.

1:51:27.880 --> 1:51:38.140

Analeshia Rodriguez

Umm well, as usual, thank you board members for laying out some very well articulated points and also thank you to staff.

1:51:38.150 --> 1:51:53.710

Analeshia Rodriguez

I think you guys did a great job kind of leading us back to the criteria that we need to make a decision based on a little bit more than what we might think about something, you know whether or not we know it's a car wash or not.

1:51:53.720 --> 1:52:7.50

Analeshia Rodriguez

We've got to review this as a C2, so I appreciate staff efforts in that and getting us more within the legal framework, which is much more beneficial for City Council's ability to make decisions.

1:52:9.10 --> 1:52:11.600

Analeshia Rodriguez

I also want to thank all the public and for everybody coming out.

1:52:11.650 --> 1:52:13.60

Analeshia Rodriguez

I know it's time consuming.

1:52:13.70 --> 1:52:13.970

Analeshia Rodriguez

I know it's hard.

1:52:14.50 --> 1:52:17.660

Analeshia Rodriguez

Bureaucracy is not easy to wade through and put up with.

1:52:17.810 --> 1:52:18.780

Analeshia Rodriguez

It's slow.

1:52:18.850 --> 1:52:22.570

Analeshia Rodriguez

It's daunting, and it doesn't always go our way or it rarely does.

1:52:23.520 --> 1:52:26.70

Analeshia Rodriguez

So appreciate everybody that's in house here tonight.

1:52:27.10 --> 1:52:34.420

Analeshia Rodriguez

Umm, so I think some of my thoughts are very similar to my fellow board members.

1:52:34.690 --> 1:52:35.950

Analeshia Rodriguez

I think we're.

1:52:37.200 --> 1:53:12.270

Analeshia Rodriguez

I was trying to imagine this earlier this afternoon when I was reading through this as just see two and how this would look on reserve St as just as a whole and then looking at all of the different things that are available under C2 and was struggling with its applicability to reserve as it is now because of so many of the concerns that we've raised here, umm, within the number one growth policy, I would challenge that in some respects to a couple of the places that were already pointed out as well as the one that I.

1:53:12.480 --> 1:53:18.330

Analeshia Rodriguez

Typically point out which is within compatibility for the the general area and the neighborhood.

1:53:18.820 --> 1:53:19.960

Analeshia Rodriguez

Umm and.

1:53:22.170 --> 1:53:25.720

Analeshia Rodriguez

You know, I think that also brings us to the public health and safety.

1:53:25.730 --> 1:53:34.510

Analeshia Rodriguez

I think there's a real question there as far as how Reserve Street is going to develop in this site and in the future.

1:53:34.580 --> 1:53:45.250

Analeshia Rodriguez

Like we all know what it's like to be on reserve and to try and make a right or left, right, like I go to the archery shop once a week and it's terrible to get out of there.

1:53:45.360 --> 1:53:46.530

Analeshia Rodriguez

And that's on the same side.

1:53:46.540 --> 1:53:47.610

Analeshia Rodriguez

It's just a little further north.

1:53:48.700 --> 1:54:3.710

Analeshia Rodriguez

Umm, public services and transportation a little less so, but compatible with urban growth also brings me into, you know, question as far as how this relates.

1:54:3.800 --> 1:54:8.90

Analeshia Rodriguez

Well, I think we could do something better, hopefully with the future.

1:54:8.100 --> 1:54:25.780

Analeshia Rodriguez

As far as what we create for reserve and how that complements the urban growth, we're looking to develop and then best interest of the city as a whole I think is also really challenged here based on the number of car washes we have.

1:54:25.950 --> 1:54:30.290

Analeshia Rodriguez

And you know, like just this site.

1:54:30.300 --> 1:54:45.470

Analeshia Rodriguez

And I know it's hard to look at just the site, but no matter what the zoning is, even if we maxed out our housing here would be facing many of the exact same challenges as far as health and safety, transportation and so on and so forth.

1:54:46.300 --> 1:55:22.920

Analeshia Rodriguez

So I think that kind of lands to one of the things that I've also mentioned in the past is I also think this is a very good example for staff and highlights the challenges that we have in this zoning renew the you know, this updated zoning that we're going to do here in the future and our updated urban are our growth policy that we're going through now like I think it's very important that we reexamine reserve St and how we're looking at trying to develop it and what we already have as our overlay, I'm not sure.

1:55:23.0 --> 1:55:29.930

Analeshia Rodriguez

C1C2 and the third one fit as well in our current situation.

1:55:30.530 --> 1:55:47.110

Analeshia Rodriguez

So I think this is, you know, an opportunity to evaluate that for staff and to you know like bring this into the conversation around what we're trying to do with updating our policies and updating our zoning.

1:55:47.470 --> 1:56:1.500

Analeshia Rodriguez

And again, I think this is another example of where flexibility is going to give staff the most options as far as how to try and work through these challenges that we face, because we can't get around the challenges.

1:56:2.410 --> 1:56:4.930

Analeshia Rodriguez

So we have to figure out the best ways to deal with them.

1:56:6.840 --> 1:56:14.290

Analeshia Rodriguez

And so with that, I think that is why I will also vote no on this proposal for rezone tonight.

1:56:15.320 --> 1:56:21.400

Analeshia Rodriguez

Is there anything else from anybody else at the time at this time?

1:56:21.410 --> 1:56:22.10

Analeshia Rodriguez

Excuse me?

1:56:23.240 --> 1:56:25.610

Analeshia Rodriguez

Let me take a second here to look at my notes and.

1:56:28.220 --> 1:56:28.630

Analeshia Rodriguez

OK.

1:56:28.640 --> 1:56:29.110

Analeshia Rodriguez

Go ahead, Peter.

1:56:31.980 --> 1:56:47.630

Analeshia Rodriguez

Well, I'd under underscore what both Shane and Sean have said and looking at the review criteria and I I think about the fact that if this was not a car wash but some other higher density.

1:56:50.70 --> 1:56:53.80

Analeshia Rodriguez

Higher use facility built there.

1:56:53.90 --> 1:57:5.60

Analeshia Rodriguez

I would still have major concerns about transportation into and out of that land site because of reserve and because of what our Community is talked about available.

1:57:5.70 --> 1:57:7.670

Analeshia Rodriguez

I mean access via 8, eighth and 9th St.

1:57:9.980 --> 1:57:22.310

Analeshia Rodriguez

So I would even with out looking at what use the owners wish to use it for, I would still vote I believe against it.

1:57:26.180 --> 1:57:26.530

Analeshia Rodriguez

Great.

1:57:26.540 --> 1:57:27.100

Analeshia Rodriguez

Thank you, Peter.

1:57:28.40 --> 1:57:29.930

Analeshia Rodriguez

Ohh anything else? Anybody?

1:57:31.250 --> 1:57:34.440

Analeshia Rodriguez

OK, I think, uh, let me double check online.

1:57:34.770 --> 1:57:35.220

Analeshia Rodriguez

OK.

1:57:35.230 --> 1:57:37.910

Analeshia Rodriguez

Well, let's go ahead and do a roll call.

1:57:37.920 --> 1:57:38.390

Analeshia Rodriguez

Vote, please.

1:57:41.560 --> 1:57:43.880

Analeshia Rodriguez

Roll call vote Shane Morrissey.

1:57:47.80 --> 1:57:47.280

Shane Morrissey

No.

1:57:48.670 --> 1:57:49.950

Analeshia Rodriguez

Tune Farm no.

1:57:51.790 --> 1:57:54.420

Analeshia Rodriguez

Derek kanwisher no.

1:57:54.910 --> 1:57:57.0

Analeshia Rodriguez

Dave Loomis no.

1:57:57.390 --> 1:58:0.140

Analeshia Rodriguez

Peter Benson no recall.

1:58:1.430 --> 1:58:1.660

Rick Hall

No.

1:58:2.980 --> 1:58:3.750

Analeshia Rodriguez

Sean McCoy.

1:58:4.220 --> 1:58:7.320

Analeshia Rodriguez

Nay, and it is unanimous.

1:58:7.330 --> 1:58:8.10

Analeshia Rodriguez

The motion fails.

1:58:11.970 --> 1:58:12.420

Analeshia Rodriguez

OK.

1:58:12.430 --> 1:58:13.820

Analeshia Rodriguez

Thank you all.

1:58:14.490 --> 1:58:16.900

Analeshia Rodriguez

Thank you, Zoe, for a great presentation.

1:58:16.980 --> 1:58:21.220

Analeshia Rodriguez

And Cassie and Dave for being here and answering questions.

1:58:21.670 --> 1:58:23.380

Analeshia Rodriguez

This this was a tough one.

1:58:24.70 --> 1:58:32.570

Analeshia Rodriguez

Like most of them are these days, these, you know, individual zoning requests are are definitely challenging, I know.

1:58:34.380 --> 1:58:37.10

Analeshia Rodriguez

OK, let us move on.

1:58:38.990 --> 1:58:39.810

Joe M. Dehnert

Thank you. Board members.

1:58:39.820 --> 1:58:40.620

Joe M. Dehnert

Thank you, city staff.

1:58:40.630 --> 1:58:41.520

Joe M. Dehnert

You'll have a wonderful evening.

1:58:42.90 --> 1:58:42.390

Analeshia Rodriguez

Great.

1:58:42.400 --> 1:58:42.980

Analeshia Rodriguez

Thank you, Joe.

1:58:42.990 --> 1:58:43.850

Analeshia Rodriguez

Appreciate your time.

1:58:48.750 --> 1:58:49.140

Analeshia Rodriguez

OK.

1:58:49.150 --> 1:58:50.530

Analeshia Rodriguez

Thanks folks for coming out.

1:58:50.540 --> 1:58:52.440

Analeshia Rodriguez

Appreciate you umm.

1:58:55.300 --> 1:59:11.560

Analeshia Rodriguez

OK, so that brings us to rezoning request at 1114 Poplar St we have, Alex Brum, Brum, Brum, late how I should have asked how to pronounce your last name when we had early meeting Alex.

1:59:13.350 --> 1:59:16.500

Analeshia Rodriguez

Senior planner with the city of Missoula tell me how you say your last name.

1:59:17.660 --> 1:59:18.110

Alex Bramlette

Scramble.

1:59:18.120 --> 1:59:18.820

Alex Bramlette

It is perfect.

1:59:19.930 --> 1:59:20.760

Analeshia Rodriguez

Dreamland OK.

1:59:20.340 --> 1:59:22.550

Alex Bramlette

Yours is way fancier, though I might have to stick with that.

1:59:22.560 --> 1:59:22.870

Alex Bramlette

I don't know.

1:59:26.70 --> 1:59:26.590

Analeshia Rodriguez

Go ahead.

1:59:31.350 --> 1:59:33.250

Alex Bramlette

Yeah, that's pulled up here real quick.

1:59:35.890 --> 1:59:36.560

Alex Bramlette

OK.

1:59:36.910 --> 1:59:38.510

Alex Bramlette

Can we see the slide? OK.

1:59:39.520 --> 1:59:40.400

Analeshia Rodriguez

Yes, I think so.

1:59:40.480 --> 1:59:43.540

Alex Bramlette

Is it in large form too or is it small?

1:59:46.170 --> 1:59:46.880

Analeshia Rodriguez

How do I know?

1:59:47.780 --> 1:59:49.100

Alex Bramlette

I don't know is it easy to read?

1:59:50.650 --> 1:59:51.180

Shane Morrissey

He looks good.

1:59:51.230 --> 1:59:51.550

Alex Bramlette

One.

1:59:51.840 --> 1:59:53.320

Alex Bramlette

OK. Perfect.

1:59:52.80 --> 1:59:53.470

Analeshia Rodriguez

Big it's great.

1:59:53.480 --> 1:59:54.620

Analeshia Rodriguez

I think we can all see it well.

1:59:55.610 --> 1:59:56.640

Alex Bramlette

That's all perfect.

1:59:56.650 --> 1:59:57.140

Alex Bramlette

OK.

1:59:57.150 --> 1:59:58.120

Alex Bramlette

Well, good evening.

1:59:58.130 --> 1:59:59.860

Alex Bramlette

My name is Alex Bramlett.

1:59:59.970 --> 2:0:13.480

Alex Bramlette

I'm a planner with the city here this evening because development services received a request from the property owner to rezone 1114 Poplar St legally disk drive, described as lots 11 to 14 and block 133 of woody Addition.

2:0:14.170 --> 2:0:21.780

Alex Bramlette

The rezoning is from R 5.4 residential with the blossoms, bud and breakfast planned unit development overlay here.

2:0:21.790 --> 2:0:26.570

Alex Bramlette

Not for I'll just call PD and Reloading 2 our 5.4.

2:0:26.580 --> 2:0:39.260

Alex Bramlette

So removing that putty overlay, this rezoning will result in a standard Title 20 zoning district, which

cannot be conditioned, and standard zoning districts must apply the same requirements to all parcels within the same zoning district equally.

2:0:43.900 --> 2:0:54.960

Alex Bramlette

So this property is located north of Interstate 90 SE of Van Buren St, West of Mount Jumbo and is in the Lower Rattlesnake neighborhood and the City Council Ward one.

2:0:57.770 --> 2:0:59.840

Alex Bramlette

So here's a closer view of the subject property.

2:0:59.850 --> 2:1:7.460

Alex Bramlette

It has frontage on Poplar St Taylor Street and the Alley popular St and Taylor Street are classified as local streets.

2:1:8.10 --> 2:1:16.980

Alex Bramlette

This property is approximately 15,594 square feet in size and it contains currently a legal non conforming 2 unit house.

2:1:17.190 --> 2:1:28.700

Alex Bramlette

This House is the appearance kind of a primary structure and is very similar to attached detached house, but the structure does contain 2 dwelling units and it is legally non non conforming.

2:1:29.330 --> 2:1:33.690

Alex Bramlette

So the surrounding properties also kind of generally contain D hatched houses in this area.

2:1:35.930 --> 2:1:37.400

Alex Bramlette

So here's our growth policy.

2:1:37.410 --> 2:1:58.70

Alex Bramlette

Map the arm Missoula City Growth policy is the applicable regional plan and recommends a land use designation of residential medium density so that is 3 to 11 dwelling units per acre and it is intended to fit with many already established residential neighborhoods and acknowledge this single dwelling residential building type as the primary use with some potential for accessory dwellings.

2:1:58.630 --> 2:2:6.290

Alex Bramlette

The current relatable zoning districts within this land use designation are RT10R8, RT 5.4 and R 5.4.

2:2:6.980 --> 2:2:18.670

Alex Bramlette

So these are all residential districts and they all permit detached houses and lot line houses and then further specifically the RT 10 and the RT 5.4 permit to unit houses and two unit townhouses.

2:2:19.140 --> 2:2:25.330

Alex Bramlette

So the applicant again is requesting to rezone the subject property to our 5.4 residential.

2:2:25.980 --> 2:2:31.610

Alex Bramlette

The proposed zoning is consistent with the residential medium density land use designation, relating zonings.

2:2:32.180 --> 2:2:39.420

Alex Bramlette

There's also a 1995 Rattlesnake Valley Comprehensive Plan, which is a neighborhood plan that is considered an attachment to the city growth policy.

2:2:40.490 --> 2:2:58.430

Alex Bramlette

So specifically with the PDA overlay, there's property went through rezoning in 2004 Some goals of the plan that are relevant to this request to include encouraging the highest density of residential development in the southern portion of Rattlesnake Valley, which this property is located, creating a diversity of housing opportunities and addressing the shortage of housing for lower and moderate income household and protecting private property rights and existing neighborhood characters.

2:2:59.490 --> 2:3:12.450

Alex Bramlette

This rezoning conserves the value of buildings and encourages the most appropriate use of land, because it would allow for continued use of the site and potential development as envisioned in the growth policy and the Rattlesnake Valley Comprehensive Plan.

2:3:15.250 --> 2:3:21.460

Alex Bramlette

So the city growth policy calls for focus inward approach to encourage infill development and promote enhanced connectivity.

2:3:21.790 --> 2:3:27.260

Alex Bramlette

The Community design section of the growth policy encourages buildings for there is existing infrastructure.

2:3:27.470 --> 2:3:34.140

Alex Bramlette

The subject property is served by city, water and sewer and is currently served by the city, fire and police.

2:3:34.350 --> 2:3:43.740

Alex Bramlette

The safety and Wellness section of the growth policy encourages healthy lifestyle by promoting a complete active transportation network to increase safety for all transportation systems.

2:3:44.230 --> 2:3:53.370

Alex Bramlette

So as you can see, I've highlighted on the slide Mountain Lion, Route 4 is roughly half a mile southwest of the subject property at the corner of East Broadway and Van Buren St.

2:3:53.380 --> 2:3:57.90

Alex Bramlette

That's where it picks up or the nearest stop, and then the Mountain Lion.

2:3:57.100 --> 2:4:2.690

Alex Bramlette

Route 5 is also roughly 1/4 mile northwest of the subject property on the corner of Van Buren and Cherry Street.

2:4:2.700 --> 2:4:11.830

Alex Bramlette

Is that near a stop the routes to get to either of these bus stops is served by existing sidewalk along the way to to both of them.

2:4:12.350 --> 2:4:19.290

Alex Bramlette

Then less than 1/2 mile from the subject property is Gregory Park Green Oak Park Waterworks, trailhead and Mount Jumbo trailhead.

2:4:22.180 --> 2:4:29.370

Alex Bramlette

So here's the current zoning map where you can see the subject property is zoned R 5.4 residential with the PUD overlay.

2:4:29.440 --> 2:4:39.160

Alex Bramlette

So this is a small putty overlay that only applies just to this subject property and then the surrounding parcels are all zoned currently that are 5.4 residential.

2:4:42.350 --> 2:4:56.800

Alex Bramlette

for the establishment of blossoms bed and Breakfast PD to supplement the existing RFID .4 residential zoning and allow for a four bedroom bed and breakfast.

2:4:56.890 --> 2:5:2.960

Alex Bramlette

So removal of the PD overlay would deem the existing bed and breakfast use a lawfully established conditional.

2:5:2.970 --> 2:5:13.500

Alex Bramlette

Use the first condition of the PD states that development of the site shall substantially comply with the proposed site plan shown in ordinance attachment A, which is the site plan.

2:5:13.510 --> 2:5:22.450

Alex Bramlette

You can see here on the left hand side adding another structure or modifying the property beyond what is shown on the site plan cannot be approved as it wouldn't substantially comply.

2:5:22.740 --> 2:5:30.740

Alex Bramlette

So at this point the applicant is requesting to rezone out of the PED in order to further develop the site in compliance with the baseline R 5.4 zoning.

2:5:34.230 --> 2:5:45.870

Alex Bramlette

The proposed map were just, visually speaking, the applicant is requesting again to rezone out of that PD in order to further develop the site in compliance with the RFI point zoning.

2:5:46.0 --> 2:5:50.40

Alex Bramlette

As mentioned previously, the surrounding parcels are all zoned R 5.4.

2:5:53.340 --> 2:6:0.910

Alex Bramlette

So for some standard comparisons and between the existing and proposed, as you can see, everything is the same.

2:6:0.920 --> 2:6:6.130

Alex Bramlette

Aside from that, removal of the PD, so the the heights are gonna be the same setbacks are the same.

2:6:6.320 --> 2:6:8.410

Alex Bramlette

Everything in that nature, it's very minor.

2:6:9.400 --> 2:6:12.860

Alex Bramlette

It's just going to be that petty overlay piece that's going to be the changing factor here.

2:6:15.760 --> 2:6:22.460

Alex Bramlette

So staff recommendation is based on the review criteria provided in Title 20 Zoning Ordinance.

2:6:22.470 --> 2:6:24.100

Alex Bramlette

That's we're now very familiar with.

2:6:24.140 --> 2:6:30.910

Alex Bramlette

So, to summarize, the proposed rezoning complies with the growth policy focus inward and the Rattlesnake Valley Comprehensive Plan.

2:6:31.160 --> 2:6:36.230

Alex Bramlette

It has served by city services and future development would be required to meet city ordinances.

2:6:36.500 --> 2:6:44.210

Alex Bramlette

The rezoning considers the location and character of the property, which is residential in nature and has easy access to urban infrastructure and services.

2:6:45.0 --> 2:6:53.400

Alex Bramlette

And lastly, the reasoning is in the best interest of the city because it implements the recommendations of the growth policy for areas designated residential medium density.

2:6:55.480 --> 2:6:58.630

Alex Bramlette

Well, we're also familiar with now is the spot zoning considerations.

2:6:58.640 --> 2:7:3.30

Alex Bramlette

And so here are the three criteria which must be met to constitute spot zoning.

2:7:3.420 --> 2:7:11.930

Alex Bramlette

This rezoning will not create spot zoning because the future development will comply with the baseline zoning district, which is the same as the surrounding areas.

2:7:12.380 --> 2:7:22.20

Alex Bramlette

The RFI .4 zoning district is compatible with the growth policy growth policies, land use designation and again the change is going to be consistent with the surrounding areas.

2:7:24.590 --> 2:7:40.220

Alex Bramlette

So with all that being said, Staffs recommendation is that the Planning board recommend the adoption of an ordinance to rezone the subject property located at 1114 Poplar Street from our 5.4 residential blossoms bed and breakfast plan Unit development overlay to our 5.4.

2:7:40.810 --> 2:7:43.440

Alex Bramlette

And that concludes the presentation.

2:7:43.450 --> 2:7:44.170

Alex Bramlette

Thank you very much.

2:7:48.620 --> 2:7:48.940

Analeshia Rodriguez

Great.

2:7:48.950 --> 2:7:49.520

Analeshia Rodriguez

Thank you, Alex.

2:7:51.180 --> 2:7:54.20

Analeshia Rodriguez

Does anybody need anything clarified from Alex?

2:7:55.970 --> 2:7:57.630

Analeshia Rodriguez

Remembers OK.

2:7:59.40 --> 2:8:0.430

Analeshia Rodriguez

Ohm.

2:8:0.680 --> 2:8:2.870

Analeshia Rodriguez

Ohh Derek got a question.

2:8:3.140 --> 2:8:5.90

Analeshia Rodriguez

Yeah, just clarifying question.

2:8:5.100 --> 2:8:26.310

Analeshia Rodriguez

The removing the PUD overlay would essentially put it in conformance with the rest of the neighborhood and essentially remove the ability of the owners to rent out is it actually to rent out parts of the property or actually rented out as a business?

2:8:26.600 --> 2:8:37.770

Analeshia Rodriguez

And I'm kind of wondering how this relates to, like Airbnb are VRBO could be completely separate subject but just curious.

2:8:41.340 --> 2:8:42.920

Alex Bramlette

Can I answer that now or should I wait?

2:8:43.340 --> 2:8:44.130

Analeshia Rodriguez

Please go right ahead.

2:8:44.750 --> 2:8:45.370

Alex Bramlette

OK, great.

2:8:45.430 --> 2:8:55.760

Alex Bramlette

So in so it's about a breakfast and at the specific use I can pull up the definition, but it's it's not an Airbnb or it's not a tourist home.

2:8:56.210 --> 2:9:0.850

Alex Bramlette

It actually in our code currently is a conditional use in all zoning districts.

2:9:1.190 --> 2:9:8.660

Alex Bramlette

Back in 2004, the to my understanding conditional use the actual process to get a permit did not exist.

2:9:8.670 --> 2:9:13.530

Alex Bramlette

You had to rezone the property to have that being allowed use, so that's what they did in 2004.

2:9:15.690 --> 2:9:33.680

Alex Bramlette

And then kind of with that specific language and the overlay itself with that site plan now to even add on to the existing structure to add another garage to really modify that site plan in any capacity would be out of the substantial compliance of what was approved and attached to that ordinance and the PD.

2:9:33.730 --> 2:9:35.660

Alex Bramlette

And so that's what they're trying to do now.

2:9:36.310 --> 2:9:39.590

Alex Bramlette

So it it wasn't a conditional use process.

2:9:39.600 --> 2:9:55.710

Alex Bramlette

In 2004, they rezoned 2 that and since it was approved through the rezoning process, it would if the PD went away, it would be considered a legally established conditional use today, which they could continue to operate as a bed and breakfast, which is not an Airbnb.

2:9:55.770 --> 2:9:58.790

Alex Bramlette

Me with that answer your question.

2:9:59.970 --> 2:10:0.810

Analeshia Rodriguez

Yes, thank you.

2:10:1.480 --> 2:10:1.950

Alex Bramlette

Absolutely.

2:10:1.790 --> 2:10:3.880

Analeshia Rodriguez

Yeah, looks like you answered a couple questions.

2:10:3.890 --> 2:10:4.430

Analeshia Rodriguez

Go ahead, Rick.

2:10:7.150 --> 2:10:14.540

Rick Hall

So based upon the letter from the applicant, they're not using it as a BNB air B as a bed and breakfast.

2:10:14.910 --> 2:10:25.180

Rick Hall

It's multi generational family housing and they intend to build a garage with an apartment for the aging parents to move into.

2:10:25.470 --> 2:10:25.970

Rick Hall

Correct.

2:10:27.180 --> 2:10:29.410

Rick Hall

That's their request that.

2:10:27.620 --> 2:10:30.300

Alex Bramlette

Ah, that's that's my understanding.

2:10:30.310 --> 2:10:43.470

Alex Bramlette

Umm so from a planning perspective, as you know, kind of what they're specifically proposing aside, they had the conditional or the well, the rezoning for that bed and breakfast use, which can continue as a conditional use.

2:10:43.480 --> 2:10:49.850

Alex Bramlette

I mean, once COVID hit, we kind of saw a lot of bed and breakfast is kind of just going a little bit of a hold, but that you still remains.

2:10:49.860 --> 2:10:58.610

Alex Bramlette

So if in two years, for example, they apply for a change of use to go out of that bed and breakfast, they can't go back to it.

2:10:58.620 --> 2:11:5.20

Alex Bramlette

Or they could, but they have to go back through a conditional use process, so if they maintain it as a button breakfast, they can do that.

2:11:5.30 --> 2:11:14.900

Alex Bramlette

They still have to meet the parking and and things of that nature and then to the point of adding, you know, the garage with the apartment above, it would still comply with the baseline zoning.

2:11:14.910 --> 2:11:20.630

Alex Bramlette

So it would just be reviewed as a building permit and at that time that we would check for height and setbacks, parking and things like that.

2:11:22.110 --> 2:11:27.0

Rick Hall

We're deep the building above the garage would be an AD U, so it made the Edu require.

2:11:27.40 --> 2:11:28.130

Rick Hall

No, it wouldn't be an AU.

2:11:28.420 --> 2:11:31.450

Alex Bramlette

No 80 years can only exist in our current code.

2:11:31.460 --> 2:11:31.760

Alex Bramlette

Umm.

2:11:31.770 --> 2:11:43.530

Alex Bramlette

With houses that have detached just one single dwelling since that existing structure is A2 unit structure, it's not really eligible for an Adu, so it wouldn't meet that criteria.

2:11:43.540 --> 2:11:51.90

Alex Bramlette

It would just be 1/3 dwelling unit, which the property is large enough for and so they could permit that outright.

2:11:51.100 --> 2:11:54.680

Alex Bramlette

They just have to meet the primary structures that backs and things and parking so.

2:11:55.700 --> 2:11:57.850

Rick Hall

Well, thank you for that very thorough answer.

2:11:58.540 --> 2:11:59.0

Alex Bramlette

Absolutely.

2:12:2.460 --> 2:12:3.50

Analeshia Rodriguez

All right.

2:12:3.60 --> 2:12:4.550

Analeshia Rodriguez

Anybody else need anything clarified?

2:12:8.710 --> 2:12:10.540

Analeshia Rodriguez

OK, let's seeing anybody.

2:12:10.550 --> 2:12:13.380

Analeshia Rodriguez

Alex was the owner with us tonight.

2:12:13.510 --> 2:12:15.70

Analeshia Rodriguez

I can't see if they're online.

2:12:14.680 --> 2:12:17.570

Alex Bramlette

Nicole, I think I got Nicole's name wrong earlier.

2:12:17.580 --> 2:12:18.510

Alex Bramlette

Shared last name.

2:12:18.520 --> 2:12:19.130

Alex Bramlette

Sorry, Nicole.

2:12:20.490 --> 2:12:21.410

Analeshia Rodriguez

Ohh great.

2:12:19.140 --> 2:12:22.610

Alex Bramlette

Nicole is here and thank you.

2:12:22.660 --> 2:12:25.990

Analeshia Rodriguez

And how would you like to speak about anything?

2:12:30.280 --> 2:12:30.890

Nicole Simmons

Umm, sure.

2:12:31.520 --> 2:12:34.70

Nicole Simmons

And thank you for this consideration.

2:12:34.80 --> 2:12:35.710

Nicole Simmons

So I'm Nicole Simmons.

2:12:35.720 --> 2:12:39.900

Nicole Simmons

My father is Troy Savage, so my parents are the current owners of the property.

2:12:40.620 --> 2:12:54.950

Nicole Simmons

Umm, we currently share the main house with them, so I live in one sort of unit with my husband and two kids and they live in the other and as my kids are getting older, we're just really outgrowing this space.

2:12:54.960 --> 2:13:2.610

Nicole Simmons

And so that's kind of our our thought process and mindset behind this is that umm, you know we need more space.

2:13:2.620 --> 2:13:13.450

Nicole Simmons

The property only has a single car garage for lots of people living here, and so this just sort of makes sense for for us in terms of long term perspective.

2:13:13.500 --> 2:13:14.760

Nicole Simmons

So thank you.

2:13:16.360 --> 2:13:16.690

Analeshia Rodriguez

Great.

2:13:16.700 --> 2:13:18.450

Analeshia Rodriguez

Thank you, Nicole, and thanks for being here.

2:13:18.460 --> 2:13:27.130

Analeshia Rodriguez

We appreciate you attending anything else from folks before we go to public comment, no.

2:13:29.160 --> 2:13:31.520

Analeshia Rodriguez

OK, not see anything online.

2:13:31.810 --> 2:13:45.780

Analeshia Rodriguez

So we will go ahead and open this portion of our tonight's hearing up to public comment and for folks joining us online staff will put up instructions.

2:13:46.10 --> 2:13:48.810

Analeshia Rodriguez

I'm going to pass on reading them for a third time tonight.

2:13:49.700 --> 2:13:50.800

Analeshia Rodriguez

I think we're safe on that.

2:13:51.290 --> 2:13:51.880

Analeshia Rodriguez

Umm.

2:13:52.370 --> 2:13:54.240

Analeshia Rodriguez

And we'll take a minute.

2:13:54.250 --> 2:14:3.180

Analeshia Rodriguez

We don't have anybody in house here, so we'll just take a take a minute and see if anybody joins us online or maybe walks in the door.

2:14:38.840 --> 2:14:42.30

Analeshia Rodriguez

Well, I'm not seeing anybody in house.

2:14:42.50 --> 2:14:43.850

Analeshia Rodriguez

Am I missing anything online there?

2:14:43.920 --> 2:14:44.860

Analeshia Rodriguez

No OK.

2:14:46.620 --> 2:14:47.410

Analeshia Rodriguez

OK.

2:14:47.500 --> 2:14:55.60

Analeshia Rodriguez

Well, I guess in this instance will reserve the right to open it back up just in case somebody comes in late.

2:14:55.70 --> 2:15:9.790

Analeshia Rodriguez

But for now, we will go ahead and close public comment for the hearing on 1114 popular St Rezone request and I think with that we could entertain a motion.

2:15:9.800 --> 2:15:12.670

Analeshia Rodriguez

Alex, could you put that slide up please?

2:15:13.290 --> 2:15:14.370

Alex Bramlette

Yep, OK here.

2:15:24.80 --> 2:15:24.340

Alex Bramlette

Good.

2:15:26.410 --> 2:15:27.760

Analeshia Rodriguez

Not yet.

2:15:28.650 --> 2:15:29.880

Analeshia Rodriguez

I don't think that's the.

2:15:31.550 --> 2:15:31.930

Analeshia Rodriguez

Motion.

2:15:33.370 --> 2:15:34.620

Alex Bramlette

Yeah, you're right. You're right.

2:15:34.920 --> 2:15:37.580

Alex Bramlette

Oh oh sorry 3.

2:15:37.280 --> 2:15:37.880

Analeshia Rodriguez

Quite alright.

2:15:40.680 --> 2:15:41.270

Analeshia Rodriguez

OK.

2:15:41.280 --> 2:15:42.630

Analeshia Rodriguez

Anybody wanna take a stab at it?

2:15:47.210 --> 2:15:47.510

Analeshia Rodriguez

I'll do it.

2:15:47.140 --> 2:15:47.540

Rick Hall

I will.

2:15:48.330 --> 2:15:50.340

Analeshia Rodriguez

Oh no.

2:15:50.410 --> 2:15:52.990

Analeshia Rodriguez

Alright, tone was going to, but Rick, go ahead.

2:15:52.820 --> 2:15:55.250

Rick Hall

Nope, don't can do it. Umm.

2:15:54.500 --> 2:15:55.660

Analeshia Rodriguez

No, it is not too.

2:15:55.670 --> 2:15:56.630

Analeshia Rodriguez

He backed out quick.

2:15:58.320 --> 2:16:7.230

Rick Hall

I make a motion that the Planning board recommend the adoption of an ordinance to rezone the subject property located at 1114 Poplar St.

2:16:7.540 --> 2:16:34.390

Rick Hall

Legally described as lots 11 through 14 and block 133 of woody addition located in section 22, Township 13 N, range 19 W PM from R 5.4 residential slash blossoms bed and breakfast planned unit development overlay to R 5.4 residential based on the findings of fact and conclusions of law and the staff report.

2:16:38.430 --> 2:16:38.740

Analeshia Rodriguez

Great.

2:16:38.750 --> 2:16:39.100

Analeshia Rodriguez

Thank you.

2:16:39.110 --> 2:16:40.140

Analeshia Rodriguez

Rick, do we have a second?

2:16:40.290 --> 2:16:48.390

Analeshia Rodriguez

I'll second second in by tune and with that we are open to discussion if anybody wants them.

2:16:48.460 --> 2:16:49.60

Analeshia Rodriguez

Jump in there.

2:16:49.70 --> 2:16:49.500

Analeshia Rodriguez

Go ahead, Peter.

2:16:51.220 --> 2:16:55.920

Analeshia Rodriguez

I'm reminded I'm a planning board.

2:16:56.790 --> 2:17:20.260

Analeshia Rodriguez

Planning staff coming to us and talking about the virtues of clarifying zoning regulations, and this seems as a perfect example to me of an attempt to clarify, simplify and make the zoning work better for everybody, especially the use the the owners of the property.

2:17:20.690 --> 2:17:22.790

Analeshia Rodriguez

So it's it seems like a great idea to me.

2:17:24.220 --> 2:17:24.940

Analeshia Rodriguez

I hope I'm right.

2:17:27.800 --> 2:17:28.130

Analeshia Rodriguez

Great.

2:17:28.140 --> 2:17:29.50

Analeshia Rodriguez

Thank you, Peter.

2:17:29.120 --> 2:17:29.740

Analeshia Rodriguez

Dave, go ahead.

2:17:31.410 --> 2:17:32.60

Analeshia Rodriguez

I will.

2:17:32.130 --> 2:17:34.620

Analeshia Rodriguez

I will support this project off.

2:17:34.810 --> 2:17:40.320

Analeshia Rodriguez

Obviously it meets all the tests as opposed to the previous hearing.

2:17:40.380 --> 2:17:45.40

Analeshia Rodriguez

This meets all the tests that are needed and therefore that's why I would vote yes.

2:17:47.30 --> 2:17:47.300

Analeshia Rodriguez

Great.

2:17:47.310 --> 2:17:48.200

Analeshia Rodriguez

Thank you, Dave.

2:17:48.310 --> 2:17:50.350

Analeshia Rodriguez

Anybody else wanna jump in there?

2:17:53.510 --> 2:17:54.240

Analeshia Rodriguez

Derek.

2:17:54.470 --> 2:17:57.10

Analeshia Rodriguez

Yeah, I will also.

2:18:0.70 --> 2:18:1.230

Analeshia Rodriguez

Agree with this one.

2:18:2.190 --> 2:18:11.70

Analeshia Rodriguez

Here, vote yes for this one because it is consistent with the review criteria as well as it really is consistent with.

2:18:14.20 --> 2:18:27.110

Analeshia Rodriguez

The densification and kind of adding to opportunities for additional housing in our neighborhoods, umm and I feel like you know specifically in the rattlesnake that tends to be an area where there isn't a lot of that.

2:18:27.120 --> 2:18:28.150

Analeshia Rodriguez

That tends to happen.

2:18:28.160 --> 2:18:50.990

Analeshia Rodriguez

So I specifically really appreciate the the owners being present in speaking on the multi generational aspect of this and being able to stay and live in place on their property and that being an option within the existing UM code amendment to make this possible.

2:18:53.430 --> 2:18:53.760

Analeshia Rodriguez

OK.

2:18:53.770 --> 2:18:56.10

Analeshia Rodriguez

Thank you, Derek, anybody else?

2:18:59.790 --> 2:19:1.360

Analeshia Rodriguez

Alright, not seeing anything.

2:19:1.370 --> 2:19:2.150

Analeshia Rodriguez

Ohh, go ahead Shane.

2:19:5.300 --> 2:19:11.90

Shane Morrissey

I there's not much that I need to add here, but yeah, I intend to support this it it first.

2:19:11.100 --> 2:19:12.930

Shane Morrissey

I appreciate your clarifications, Alex.

2:19:13.840 --> 2:19:24.250

Shane Morrissey

First I thought that we were establishing a bed and breakfast and then kind of eking our way out of that to then have a legally conforming bed and breakfast.

2:19:24.260 --> 2:19:26.820

Shane Morrissey

But then I also wanna add something on to it, but your clarification of.

2:19:28.690 --> 2:19:39.440

Shane Morrissey

It's still being a permitted conditional use made total sense, so definitely intend to support this and appreciate the thoughtfulness of the application and the responses that we got.

2:19:39.450 --> 2:19:39.970

Shane Morrissey

So thank you.

2:19:43.90 --> 2:19:43.400

Analeshia Rodriguez

Great.

2:19:43.410 --> 2:19:44.780

Analeshia Rodriguez

Thank you, Shane.

2:19:44.840 --> 2:19:59.320

Analeshia Rodriguez

UM, I guess I'll take a quick second to second that what Shane just said, I think a lot of my questions were kind of around some of the same regards as far as like how this navigates in the future.

2:19:59.380 --> 2:20:5.710

Analeshia Rodriguez

But Alex, you're clarifications made perfect sense and it seems consistent with the area.

2:20:8.890 --> 2:20:9.590

Analeshia Rodriguez

Rick, go ahead.

2:20:12.590 --> 2:20:22.980

Rick Hall

You know, I just wanted to tip my hat to any family that has multi generational housing and continues to care for uh, aging parents on property I.

2:20:23.150 --> 2:20:36.330

Rick Hall

If that's the intent, I think it's a great thing I go back to planning and a rural county where, you know, farms would build another farmhouse for the kids when the parents got too old to run the farm.

2:20:36.740 --> 2:20:40.70

Rick Hall

And that was a pretty common request to us.

2:20:40.80 --> 2:20:44.870

Rick Hall

This is sort of the urban equivalent to that, and I think it's a great, great thing.

2:20:48.110 --> 2:20:48.420

Analeshia Rodriguez

Great.

2:20:48.430 --> 2:20:49.80

Analeshia Rodriguez

Thank you, Rick.

2:20:50.500 --> 2:21:21.50

Analeshia Rodriguez

Yeah, I I think it also lends to you know, a lot of the things it meets a lot of the criteria and it you know lends to the future even if you know if we take away what we know that the proposal is and just look at

the rezone request, I think it you know it not only does it meet the criteria, but going forward in the future, it also meets the things that we're looking for as far as like in Word growth and flexibility on land and you know future people being able to own a.

2:21:21.110 --> 2:21:23.960

Analeshia Rodriguez

Blaze and maybe rent out the part of it to help meet the mortgage.

2:21:23.970 --> 2:21:27.240

Analeshia Rodriguez

So it checks a lot of boxes for missoulians I think right now.

2:21:29.700 --> 2:21:30.670

Analeshia Rodriguez

Anybody else?

2:21:30.680 --> 2:21:32.390

Analeshia Rodriguez

We ready to go to a vote?

2:21:32.460 --> 2:21:34.430

Analeshia Rodriguez

I think we're ready to go to a vote.

2:21:34.480 --> 2:21:36.910

Analeshia Rodriguez

OK, alright, let's do a roll call.

2:21:37.200 --> 2:21:37.780

Analeshia Rodriguez

Vote please.

2:21:39.910 --> 2:21:42.190

Analeshia Rodriguez

Roll call vote Shane Morrissey.

2:21:43.280 --> 2:21:43.500

Shane Morrissey

Yes.

2:21:44.700 --> 2:21:45.600

Analeshia Rodriguez

Tune form.

2:21:45.700 --> 2:21:50.90

Analeshia Rodriguez

Yes, Derek Kanwisher, yes, Dave Loomis?

2:21:50.240 --> 2:21:54.140

Analeshia Rodriguez

Yes, Peter Benson, yes, recall.

2:21:55.250 --> 2:21:55.370

Rick Hall

Yes.

2:21:56.540 --> 2:21:57.430

Analeshia Rodriguez

Draw McCoy.

2:21:58.0 --> 2:22:0.290

Analeshia Rodriguez

Yes, motion passes unanimously.

2:22:2.10 --> 2:22:2.790

Analeshia Rodriguez

Very good.

2:22:5.40 --> 2:22:10.280

Analeshia Rodriguez

Alright, thank you very much Alex for your great presentation and answering a questions.

2:22:15.510 --> 2:22:15.990

Alex Bramlette

Thank you.

2:22:10.290 --> 2:22:16.130

Analeshia Rodriguez

And Nicole, for spending the time with us and being here tonight and what?

2:22:17.500 --> 2:22:18.320

Analeshia Rodriguez

Yes, thank you.

2:22:20.610 --> 2:22:33.690

Analeshia Rodriguez

And with that, we will close out our public hearing section of tonight's meeting and we can buzz our way right through the agenda.

2:22:33.900 --> 2:22:37.30

Analeshia Rodriguez

Let's see communication special presentations and negative.

2:22:37.40 --> 2:22:43.90

Analeshia Rodriguez

We don't have any committee reports doing anything, alright, and tuning is our committee, guys.

2:22:43.100 --> 2:22:47.480

Analeshia Rodriguez

So nothing there, old business, anybody any old business?

2:22:48.720 --> 2:22:51.790

Analeshia Rodriguez

Umm, new business anybody got new business?

2:22:52.20 --> 2:22:53.70

Analeshia Rodriguez

I have.

2:22:53.220 --> 2:22:56.100

Analeshia Rodriguez

I will put in our comments, comments from board members.

2:22:58.740 --> 2:23:0.110

Analeshia Rodriguez

Negative not seen any.

2:23:0.120 --> 2:23:0.970

Analeshia Rodriguez

I have one.

2:23:0.980 --> 2:23:2.820

Analeshia Rodriguez

I have a I have a question for staff.

2:23:3.430 --> 2:23:4.30

Analeshia Rodriguez

Umm.

2:23:4.450 --> 2:23:12.560

Analeshia Rodriguez

And this might be more for city, but I was navigating through the the Cities Portal and map or not map.

2:23:12.570 --> 2:23:13.90

Analeshia Rodriguez

I'm sorry.

2:23:13.100 --> 2:23:18.580

Analeshia Rodriguez

And uh calendar with links to the various meetings.

2:23:18.590 --> 2:23:40.790

Analeshia Rodriguez

And I notice that the planning Board meeting links were no longer on that calendar and wondered if I should bring that to your guys's attention in case folks in the public are trying to access our meeting through the city portal and not the county portal and aren't able to get our old meetings that way.

2:23:41.640 --> 2:23:46.90

Analeshia Rodriguez

So I just wanted to maybe put it out there to city staff to look at that.

2:23:46.370 --> 2:23:46.850

Analeshia Rodriguez

Yeah.

2:23:47.510 --> 2:23:52.240

Analeshia Rodriguez

I I'm assuming that's something we wanna have available to folks, I don't know.

2:23:53.410 --> 2:23:54.790

Analeshia Rodriguez

I'll leave that in your guys's court.

2:23:56.810 --> 2:24:0.890

Analeshia Rodriguez

And otherwise, I think, uh, that brings us to a German.

2:24:0.900 --> 2:24:2.850

Analeshia Rodriguez

Anybody got anything else before I call it? Good.

2:24:4.130 --> 2:24:4.920

Analeshia Rodriguez

OK, alright.

2:24:4.930 --> 2:24:7.0

Analeshia Rodriguez

We're gonna call that adjourned for tonight.

2:24:7.10 --> 2:24:8.20

Analeshia Rodriguez

Thank you, everybody.

2:24:8.190 --> 2:24:10.760

Analeshia Rodriguez

Appreciate everybody being here tonight, Layne.

2:24:10.770 --> 2:24:11.540

Analeshia Rodriguez
It's nice to meet you.

2:24:11.550 --> 2:24:12.540

Analeshia Rodriguez
Thanks for hanging with us.

2:24:12.550 --> 2:24:15.570

Analeshia Rodriguez
Even though you don't have any participation yet, next time.

2:24:16.760 --> 2:24:17.290

Lynn Davis
Thank you.

2:24:17.300 --> 2:24:19.100

Lynn Davis
It's hard to keep my mouth shut, but thank you.

2:24:19.930 --> 2:24:20.170

Analeshia Rodriguez
It.

2:24:24.610 --> 2:24:25.350

Analeshia Rodriguez
Alright.

Rezone Request
—
Planning Board

**1010, 1020, & 1030
Reserve Street**

From B3-2

DE-C Design Excellence Overlay
Corridor Typology 4

to C2-3

DE-C Design Excellence Overlay
Corridor Typology 4



Zoe Walters, Associate Planner

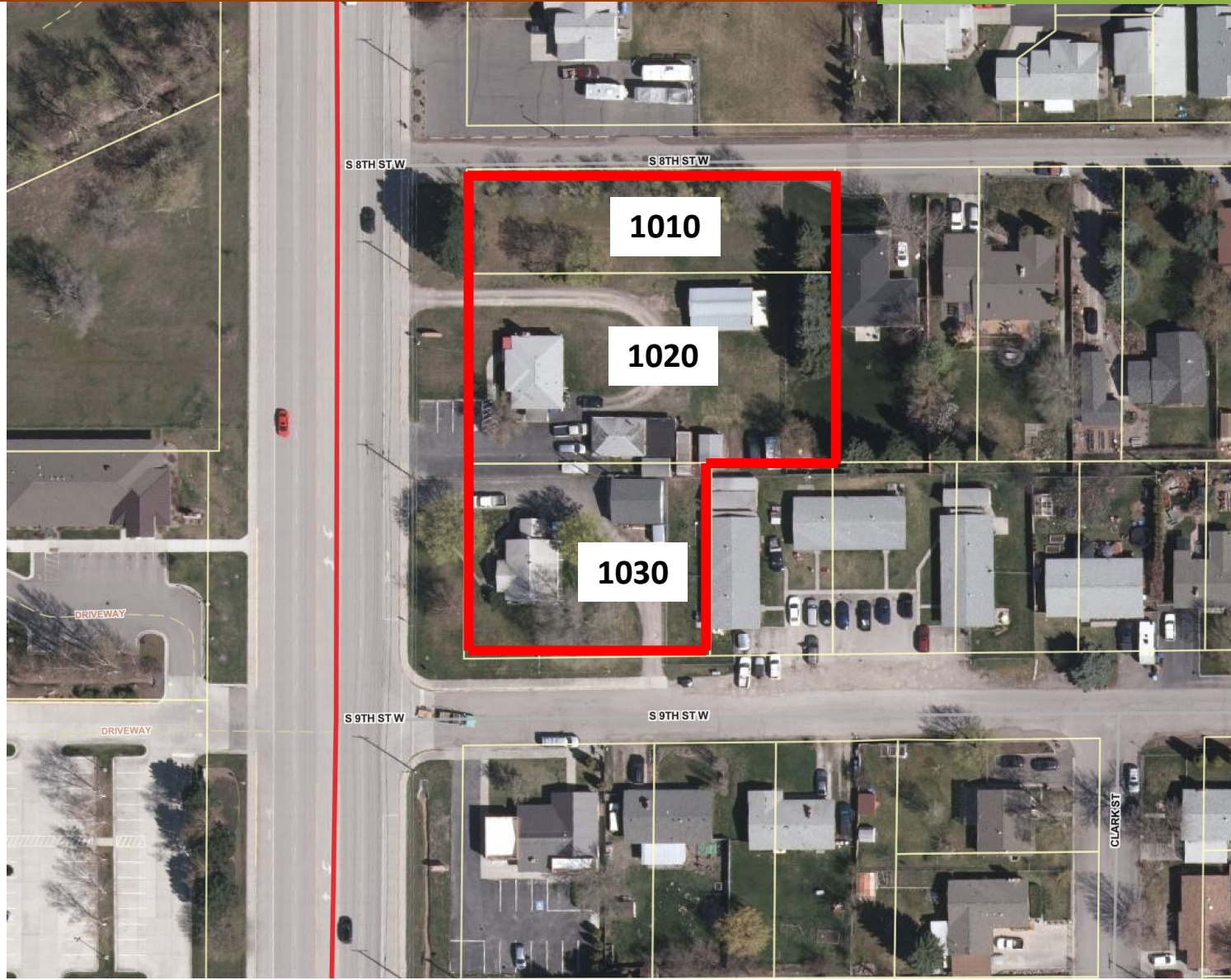
Community Planning, Development and Innovation

April 2, 2024

Property Location



Existing Site: Aerial



Growth Policy Map



Community Mixed Use

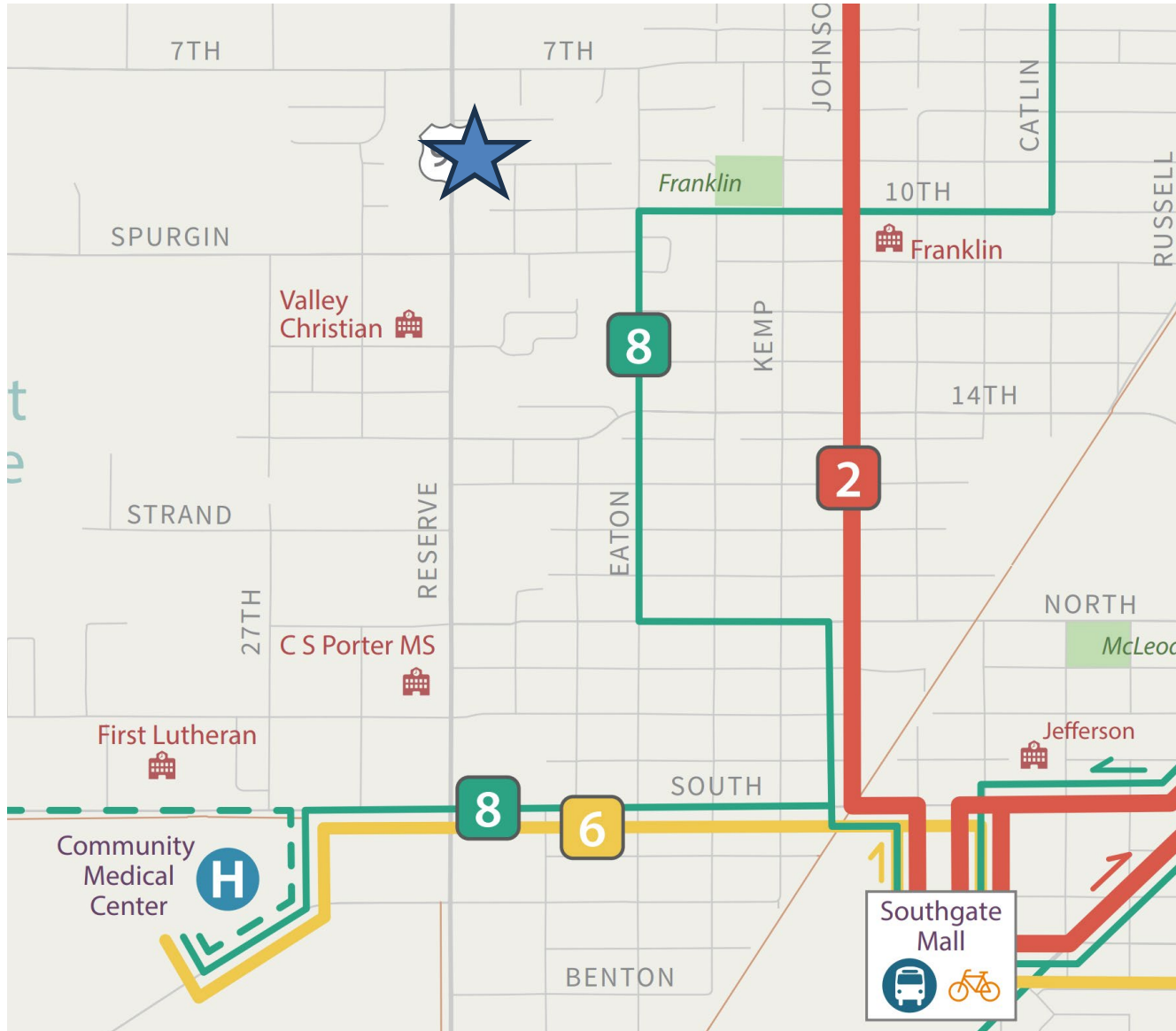
Residential
High Density

**relatable zones:*
C1, C2, M1R

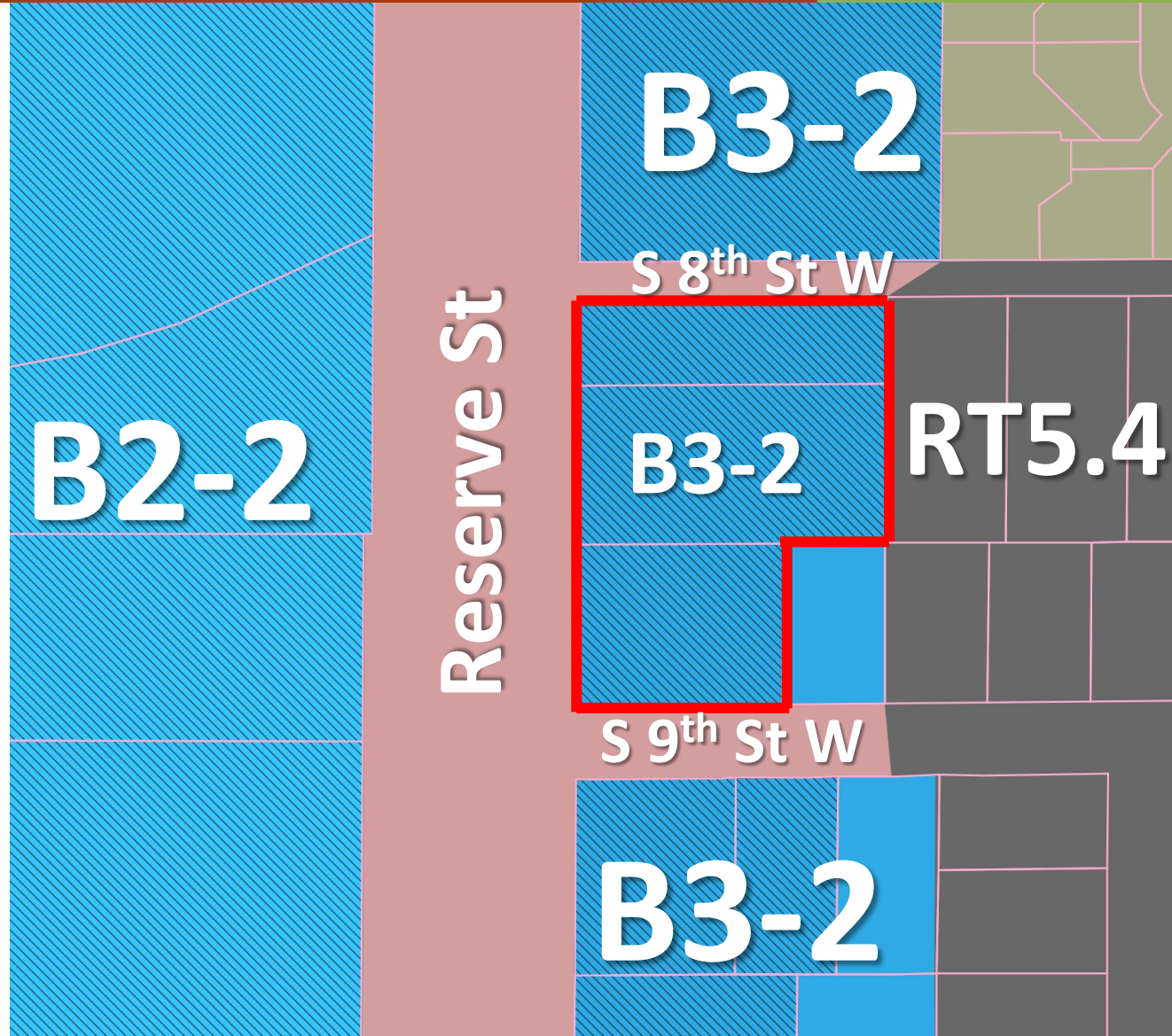
Growth Policy: Focus Inward



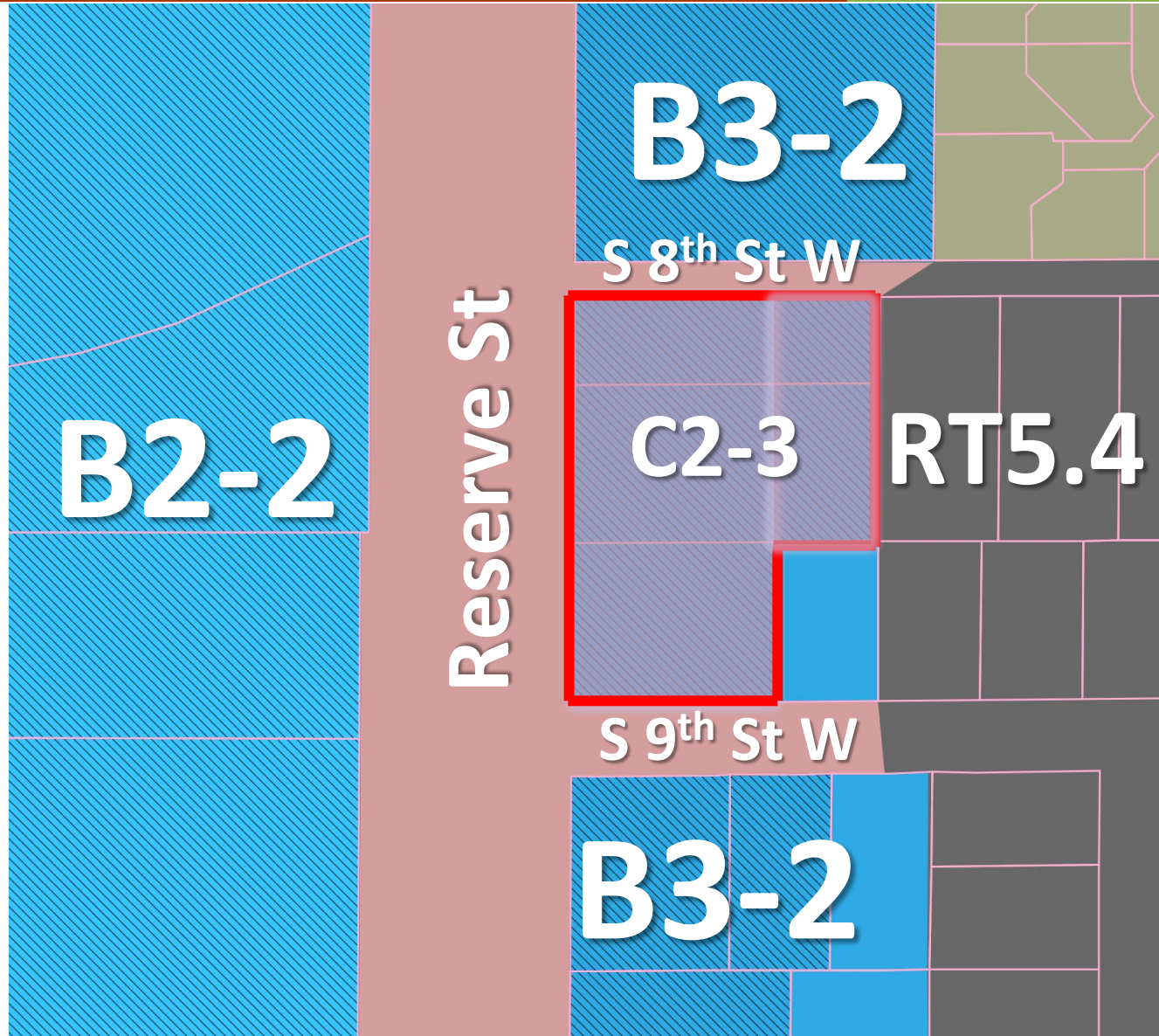
Subject
Property



Current Zoning Map



Proposed Zoning Map



Standards Comparison



	Existing	Proposed
Zoning	B3-2 / DE-C Typ. 4	C2-3 / DE-C Typ. 4
Min. Parcel Size - Residential	3,000 sqft	3,000 sqft
Min. Parcel Size - Commercial	None	None
Parcel Area / Unit	2,000 sqft	1,000 sqft
Setbacks	Reserve St: 15' Interior Side: 7.5' 8 th St: 10' 9 th St: 10'	Reserve St: 15' Interior Side: 7.5' 8 th St: 10' 9 th St: 10'
Max. Height	50'	65'

Additional Permitted Uses



Title 20, Table 20.10-1 Uses Allowed in Commercial Districts

- Building Maintenance Service
- Construction Sales and Service
- Eating and Drinking Establishments – Tavern
- Enterprise Commercial Use
- Entertainment and Spectator Sports – Medium & Large
- Hotel/Motel
- Cidery
- Hospital
- Car Wash/Cleaning Service
- Motor Vehicle Repair – Limited & General

Review Criteria



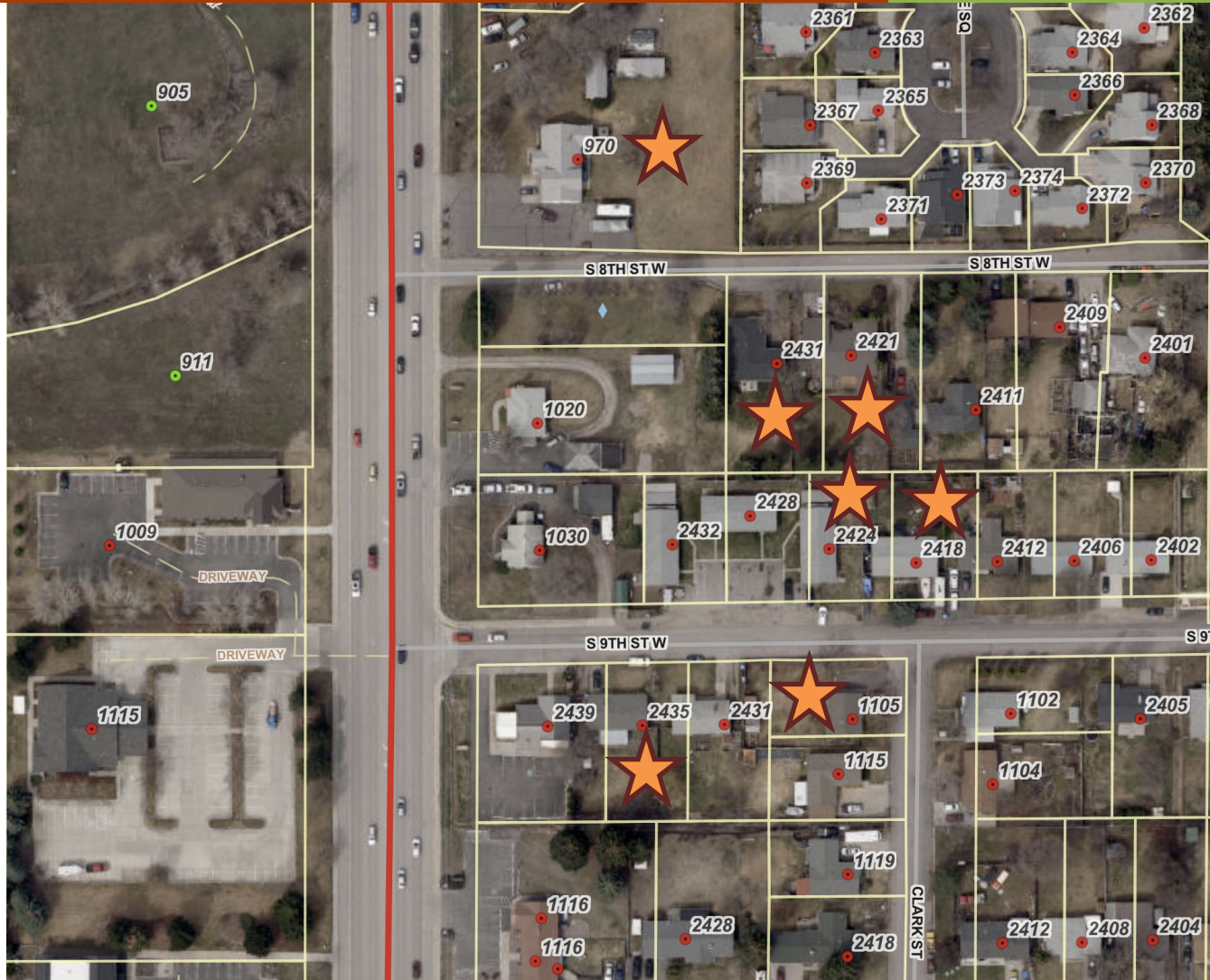
1. Growth Policy
2. Promotes Public Health and Safety
3. Public Services/Transportation
4. Provision of Light and Air
5. Compatible Urban Growth
6. District Character & Suitability of Uses
7. Value of Buildings and Appropriate Use of Land
8. Meets Changing Condition
9. Best Interest of the City as a Whole

Spot Zoning Considerations



All three criteria must be met to constitute spot zoning.

- (1) The proposed use is significantly different from the prevailing use in the area;
- (2) The area in which the requested use is to apply is rather small from the perspective of concern with the number of separate landowners benefited from the proposed change;
- (3) The change is special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public.



12

Staff Recommended Motion:

ADOPT an ordinance to rezone the subject property located at the subject property located at 1010, 1020, and 1030 Reserve Street and legally described as Lot 6 & Lot 7 of Geesey Addition and Lot 1 of Davis Addition, located in Section 29, Township 13 North, Range 19 West, P.M.M. from B3-2 Business Mixed-Use / DE-C Design Excellence Overlay Corridor Typology 4 to C2-3 Community Commercial / DE-C Design Excellence Overlay Corridor Typology 4, based on the findings of fact and conclusions of law in the staff report.

Rezone Request
—
Planning Board

1114 Poplar Street

From R5.4 Residential /
Blossom's Bed and Breakfast
Planned Unit Development
(PUD) overlay

to R5.4 Residential



Alex Bramlette, Senior Planner
Community Planning, Development and Innovation
April 2, 2024

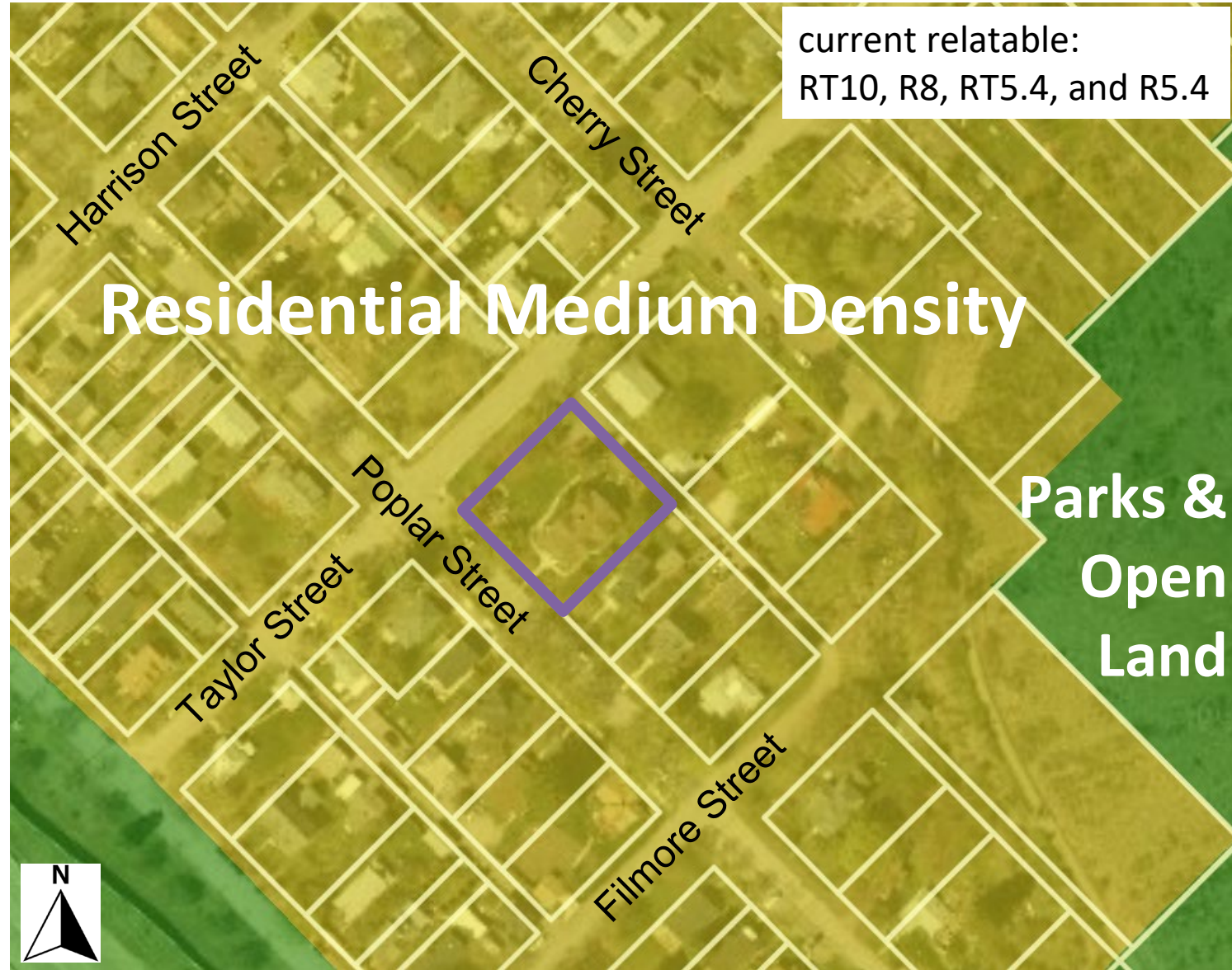
Property Location



Existing Site - Aerial



Growth Policy Map



Growth Policy: Focus Inward



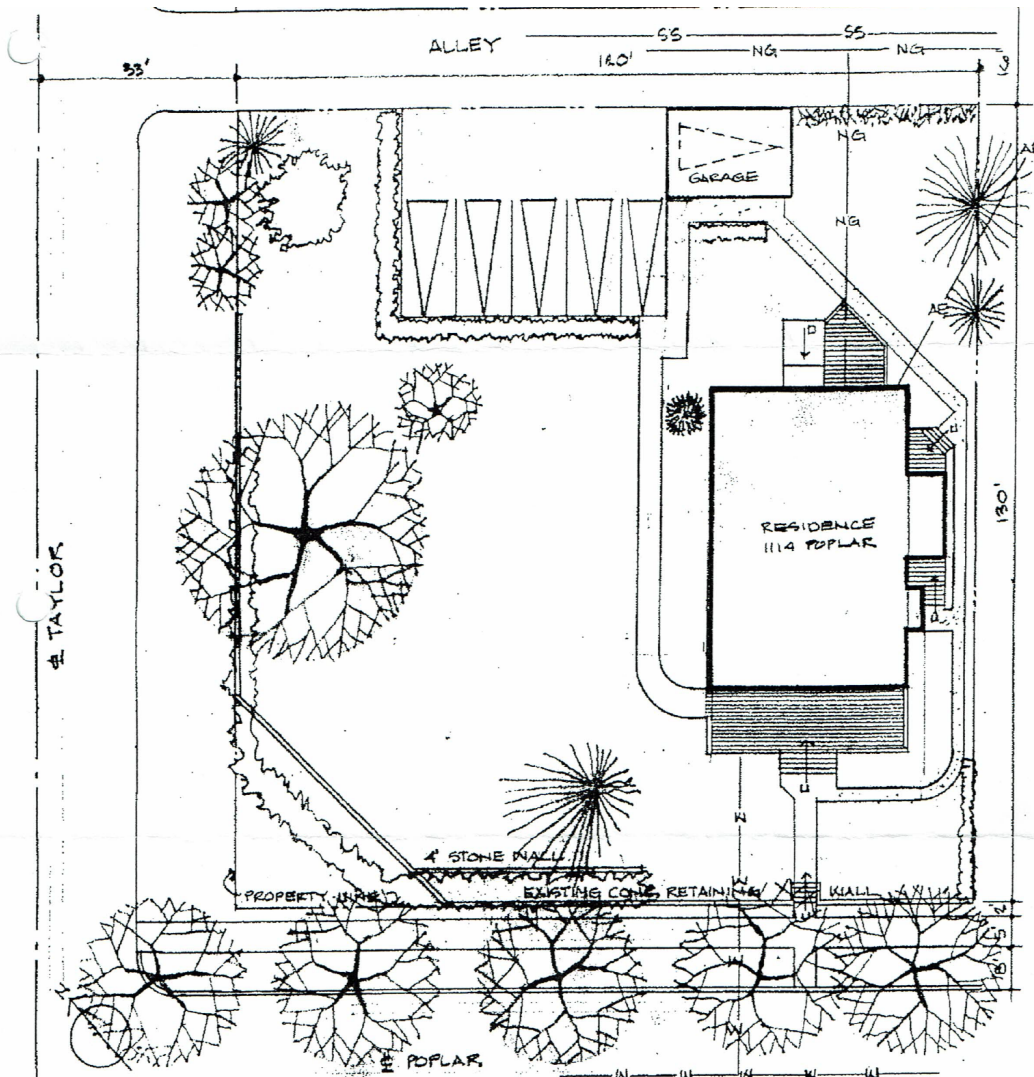
Current Zoning Map



Existing PUD



Attachment A



Condition of approval #1:

“Development of the site shall substantially comply with the proposed site plan shown in Ordinance Attachment A.”

Proposed Zoning Map



Standards Comparison



	Existing	Proposed
Zoning	R5.4/PUD overlay	R5.4
Min. Parcel Size	5,400 square feet	5,400 square feet
Parcel Area / Unit	5,400 square feet	5,400 square feet
Setbacks	Poplar Street: 20' Taylor Street: 10' Interior Side: 7.5'	Poplar Street: 20' Taylor Street: 10' Interior Side: 7.5'
Maximum Height	30'/35'	30'/35'

Review Criteria



1. Growth Policy
2. Promotes Public Health and Safety
3. Public Services/Transportation
4. Provision of Light and Air
5. Compatible Urban Growth
6. District Character & Suitability of Uses
7. Value of Buildings and Appropriate Use of Land
8. Meets Changing Condition
9. Best Interest of the City as a Whole

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- (2) The area in which the requested use is to apply is rather small from the perspective of concern with the number of separate landowners benefited from the proposed change;
- (3) The change is special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public.

Recommended Motion



Staff Recommended Motion:

Planning Board recommend the adoption of an ordinance to rezone the subject property located at 1114 Poplar Street, legally described as Lots 11-14 in Block 133 of Woody Addition, located in Section 22, Township 13 North, Range 19 West, P.M.M. from R5.4 Residential/Blossom's Bed and Breakfast Planned Unit Development (PUD) overlay to R5.4 Residential, based on the findings of fact and conclusions of law in the staff report.