



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 16, 2024, 6:00 p.m.

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

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

Members Absent: Lynn Davis (City Appt)

I. CALL TO ORDER [Time stamp – 0:19]

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

II. ROLL CALL [Time stamp – 0:59]

Analeshia Rodriguez called the roll. All regular members were in attendance.

III. APPROVAL OF MINUTES [Time stamp – 1:55]

Tung Pham moved, and Rick Hall seconded approval of the April 2, 2024, minutes as written. The motion passed by unanimous voice vote.

IV. PUBLIC COMMENT ON NON-AGENDA ITEMS [Time stamp – 3:01]

There were no public comments on non-agenda items.

V. STAFF ANNOUNCEMENTS [Time stamp – 4:55]

No staff announcements.

VI. PUBLIC HEARINGS

A. Tara Porcari, Senior Planner, City of Missoula [Time stamp – 5:52]

Rezone of 455 Mount Avenue and 910 Brooks Street

STAFF PRESENTATION

Tara Porcari, a Senior Planner, with the City of Missoula, presented a request from Joshua Phillips of Eli & Associates on behalf of CL Rentals LLC / Lanni & Curtis N. Jacobson. The subject properties are located at 455 Mount and 910 Brooks. Currently, the properties are zoned R5.4 Residential and C1-4 Neighborhood Commercial with a Design Excellence Overlay Corridor Typology 1-Node. The proposed rezoning changes both properties to M1R-3 Limited Industrial-Residential while maintaining the existing

Design Excellence Overlay, which adds additional site and building standards along major commercial corridors and downtown areas. The proposed boundary line relocation seeks to add part of the 455 Mount property to the 910 Brooks property. This proposal aligns zoning districts with the new property boundaries, because a split-zoned parcel is not allowed.

Tara provided an overview of the three criteria used in Montana to determine spot zoning and referenced the Montana Supreme Court's 2021 decision from the Hartshorne v. City of Whitefish case. She emphasized the city's position that a rezone aligning with the City's Growth Policy, or a neighborhood plan generally does not constitute spot zoning.

The applicant is requesting M1R-3 zoning, which is compatible with the land use designations and supports a focus on infill and increased residential density. This zoning would potentially allow new forms of housing and commercial uses. Tara noted while the current C1-4 zoning and the proposed M1R-3 zoning would allow similar residential building types and uses, the proposed zoning reduces the maximum building height from 125 feet to 65 feet yet maintains the same density potential. The current lot configuration under either zoning could accommodate significant redevelopment for increased dwelling units, although no new development is currently proposed.

The current C1-4 zoning and the proposed M1R-3 zoning share similar permitted uses, some permitted uses in the C1-4 are conditional uses in M1R-3. A few uses that are prohibited in C1-4 would be permitted by-right in M1R-3.

Based on the conclusions of the staff report, the rezoning would promote public health and safety by supporting residential, commercial, and low-impact industrial uses with access to urban services. The rezoning meets transportation criteria. It offers adequate light and air provision as setback requirements will buffer nearby residential properties. The rezoning aligns with growth policy recommendations, ensuring compatible urban growth. One public comment was received, and the concern was addressed through clarification. Overall, staff recommended the Planning Board advise the City Council to approve the rezoning request.

See PowerPoint presentation slides.

PUBLIC COMMENT

No public comment

RECOMMENDED MOTION

Rick Hall made the motion to approve the request, and Dave Loomis seconded the motion:

Recommend City Council approve the adoption of an ordinance to rezone the subject properties located at 455 Mount Avenue and 910 Brooks Street, legally described in Exhibit A, from R5.4 Residential and C1-4 Neighborhood Commercial / DE-C Design Excellence Overlay Corridor Typology 1 - Node to M1R-3 Limited Industrial-Residential and M1R-3 Limited Industrial-Residential / DE-C Design Excellence Overlay Corridor Typology 1 - Node, subject to the applicant filing the amended plat for subdivision exemption application 2024-MSS-SEA-00003 within one hundred and eighty (180) days of approval of the rezoning, subject to review and approval by Development 3 Services and Public

Works and Mobility, otherwise the rezoning of the property shall become null and void, and the property shall revert to its original status. The effective date of the ordinance is the date the amended plat is filed for subdivision exemption application 2024-MSS-SEA-00003.

The Board opened discussion. The applicant provided background on the zone change and Joshua Phillips, the representative, emphasized this was a required process for a boundary line relocation to avoid a split zone. Clarifying questions revolved around secondary commercial access for the site 455 Mount Avenue after rezoning, which was explained to be infeasible due to engineering standards. Access for the lot would remain from Brooks via an access easement. The impact of design overlay restrictions on the new zoning designation won't change. It was noted Design Excellence requirements might include build-to zones or landscaping if redeveloped. The discussion included additional questions about the legal easement for the house, which will remain for access if the house is sold, and the property is split. The existing height requirement under C1-4 could be up to 125 feet for the commercial building on Brooks. With the rezone, the maximum height would be 65 feet. Board members inquired about the possibilities of redevelopment for the property 455 Mount. Staff clarified redevelopment is possible within the zoning regulations but would most likely be limited in intensity of use, specifically related to size and parking requirements for commercial uses. Overall, the Board expressed their support for the proposed rezone because it would fit within the City's Growth Policy and the overall compatibility with current uses.

VOTE

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

AYES (7): Shane Morrissey, Tung Pham, Josh Schroeder, Dave Loomis, Peter Bensen, Rick Hall, Sean McCoy

Abstained (1): Derek Kanwischer

ABSENT: Lynn Davis

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 [Time stamp – 41:41]

Board Members selected Peter Bensen as the new back-up for the TPCC (Transportation Policy Coordinating Committee). Future board training was also discussed. Board members asked

about spot zoning determinations. They sought clarification and requested a follow up on the implications of a recent ruling in Broadwater County regarding the use of exempt wells for development, and how that is affecting county project review. They also asked about the city's streamlined subdivision review process and the possibility of boards re-organizing.

XI. COMMENTS FROM BOARD MEMBERS

No comments from Board Members

XII. ADJOURNMENT [Time stamp – 51:24]

The meeting was adjourned at 6:52 p.m.

Missoula Consolidated Planning Board April 16, 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/8761/media>

Missoula Consolidated Planning Board- April 16, 2024-Meeting Recording

0:26:22.240 --> 0:26:36.650

Analeshia Rodriguez

And with that, we will call to order tonight's meeting on the Missoula Consolidated Planning Board Tuesday, April 16th, 2024 at 6:02 PM look at that.

0:26:36.660 --> 0:26:38.260

Analeshia Rodriguez

That was the same time as our last meeting.

0:26:40.200 --> 0:26:41.620

Analeshia Rodriguez

I watched part of our last meeting.

0:26:56.100 --> 0:26:57.600

Analeshia Rodriguez

Sorry, I'm having mic troubles here.

0:27:0.50 --> 0:27:2.850

Analeshia Rodriguez

We'll skip my antidote and just move along here.

0:27:3.520 --> 0:27:4.300

Analeshia Rodriguez

Umm.

0:27:4.400 --> 0:27:5.110

Analeshia Rodriguez

Roll call please.

0:27:6.800 --> 0:27:8.970

Analeshia Rodriguez

Roll call Lynn Davis.

0:27:9.460 --> 0:27:11.110

Analeshia Rodriguez

Lynn is absent.

0:27:11.300 --> 0:27:13.880

Analeshia Rodriguez
Derek kanwisher here.

0:27:15.380 --> 0:27:16.260

Analeshia Rodriguez
Shane Morrissey.

0:27:18.740 --> 0:27:19.0

Shane Morrissey
Present.

0:27:18.520 --> 0:27:25.120

Analeshia Rodriguez
Shane is OK Tune farm here.

0:27:27.10 --> 0:27:29.390

Analeshia Rodriguez
Josh Raider here.

0:27:30.400 --> 0:27:34.190

Analeshia Rodriguez
Dave Loomis here, Peter Benson.

0:27:36.230 --> 0:27:36.650

Analeshia Rodriguez
Recall.

0:27:38.160 --> 0:27:38.360

Rick Hall
Here.

0:27:39.890 --> 0:27:43.120

Analeshia Rodriguez
Sean McCoy here. Mr.

0:27:43.130 --> 0:27:44.370

Analeshia Rodriguez
Chair, we have quorum.

0:27:45.940 --> 0:27:46.290

Analeshia Rodriguez
Great.

0:27:46.300 --> 0:27:46.760

Analeshia Rodriguez
Thank you.

0:27:49.360 --> 0:27:50.610

Analeshia Rodriguez

Do we need to elevate anybody?

0:27:52.190 --> 0:27:53.420

Analeshia Rodriguez

I don't believe so.

0:27:53.670 --> 0:27:53.990

Analeshia Rodriguez

Great.

0:27:55.380 --> 0:27:58.990

Analeshia Rodriguez

Alright, that brings us to.

0:28:0.690 --> 0:28:4.910

Analeshia Rodriguez

Approval of the Minutes from April 2nd, 2024.

0:28:4.920 --> 0:28:17.500

Analeshia Rodriguez

Ideally, folks got an opportunity to read through those and if you weren't here, you can still vote on, you know, if you read through them and they read fine, you can still vote on that or you're welcome to abstain.

0:28:17.510 --> 0:28:17.990

Analeshia Rodriguez

It's up to you.

0:28:19.230 --> 0:28:19.940

Analeshia Rodriguez

Umm.

0:28:20.340 --> 0:28:23.90

Analeshia Rodriguez

And not seeing any changes needed.

0:28:23.160 --> 0:28:24.630

Analeshia Rodriguez

Can we entertain a motion?

0:28:24.720 --> 0:28:25.700

Analeshia Rodriguez

I moved to approve the Minutes.

0:28:28.410 --> 0:28:29.50

Analeshia Rodriguez

To have a second.

0:28:31.590 --> 0:28:32.730

Rick Hall

I'll second it recall.

0:28:33.840 --> 0:28:36.580

Analeshia Rodriguez

Motion made by two, seconded by Rick.

0:28:40.530 --> 0:28:41.760

Analeshia Rodriguez

We need to have any discussion.

0:28:41.850 --> 0:28:42.420

Analeshia Rodriguez

No, we're good.

0:28:42.470 --> 0:28:43.220

Analeshia Rodriguez

Alright, great.

0:28:43.370 --> 0:28:45.460

Analeshia Rodriguez

Alright, we're gonna do an up and down vote.

0:28:45.510 --> 0:28:47.460

Analeshia Rodriguez

All those in favor say aye.

0:28:48.0 --> 0:28:48.260

Rick Hall

Alright.

0:28:47.860 --> 0:28:48.940

Analeshia Rodriguez

Aye, aye.

0:28:49.120 --> 0:28:49.280

Shane Morrissey

Hi.

0:28:50.260 --> 0:28:53.340

Analeshia Rodriguez

Any opposed saying, nay, any abstentions?

0:28:55.150 --> 0:29:0.10

Analeshia Rodriguez

Hearing no abstentions and no nays, motion passes unanimously.

0:29:3.380 --> 0:29:4.330

Analeshia Rodriguez

OK.

0:29:4.400 --> 0:29:9.970

Analeshia Rodriguez

Next line item on the agenda for tonight is public comment on non agenda items.

0:29:9.980 --> 0:29:16.170

Analeshia Rodriguez

So if you would like to make a comment on anything outside of tonight's agenda, we you are welcome to do that.

0:29:16.980 --> 0:29:19.370

Analeshia Rodriguez

Staff will throw up instructions for anybody online.

0:29:20.830 --> 0:29:25.670

Analeshia Rodriguez

I will go ahead and read that although I'm starting, do we need to read this and this?

0:29:28.460 --> 0:29:28.570

Analeshia Rodriguez

Yeah.

0:29:30.900 --> 0:29:31.150

Analeshia Rodriguez

OK.

0:29:33.770 --> 0:29:44.620

Analeshia Rodriguez

Maybe we should ask that question someday of ourselves if we need to read this, but I will read it just in case, because I have very strong beliefs about public participation.

0:29:45.50 --> 0:29:54.660

Analeshia Rodriguez

So if you need to join this meeting and call in via landline or something, you can call in at 4062724824.

0:29:55.30 --> 0:30:0.500

Analeshia Rodriguez

The phone conference ID is 127489322# sign.

0:30:0.970 --> 0:30:8.140

Analeshia Rodriguez

Press *5 to raise and lower your hand to be recognized for public comment and star 6 to mute and unmute yourself.

0:30:8.660 --> 0:30:15.160

Analeshia Rodriguez

And with that, we will take a minute and see if we have anybody that wants to make a comment.

0:30:48.470 --> 0:30:52.920

Analeshia Rodriguez

OK, not seeing anybody chomping at the bit to make comment.

0:30:52.930 --> 0:31:3.320

Analeshia Rodriguez

We will go ahead and close this portion of public comment for tonight's meeting and I don't believe we have any staff announcements tonight.

0:31:3.770 --> 0:31:7.270

Analeshia Rodriguez

So that brings us to our public hearing for tonight.

0:31:16.510 --> 0:31:16.840

Analeshia Rodriguez

OK.

0:31:16.850 --> 0:31:23.200

Analeshia Rodriguez

Sorry, that's my second mic to go wackadoo and I'm not doing nothing.

0:31:23.210 --> 0:31:23.720

Analeshia Rodriguez

I promise.

0:31:23.730 --> 0:31:37.270

Analeshia Rodriguez

I'm just trying to do my normal thing so we are looking at a rezone for 455 mount and 910 Brooks which is that corner right there of Mount and Brooks and Terra Porcari.

0:31:37.280 --> 0:31:38.370

Analeshia Rodriguez

Did I get that right, Tara?

0:31:40.510 --> 0:31:40.770

Tara Porcari

Yep.

0:31:38.380 --> 0:31:45.240

Analeshia Rodriguez

I meant to ask you that our pre meeting great senior planner with the City of Missoula and with that, please take it away.

0:31:46.760 --> 0:31:48.120

Tara Porcari

OK, give me a second.

0:31:48.130 --> 0:31:50.930

Tara Porcari

I'm gonna get my screen shared here.

0:31:54.530 --> 0:31:55.260

Tara Porcari

OK.

0:31:56.230 --> 0:31:57.280

Tara Porcari

So hi everyone.

0:31:57.570 --> 0:31:59.0

Tara Porcari

Again, Tara porcari.

0:31:59.10 --> 0:32:9.420

Tara Porcari

I'm a planner with the city permits and land use group like was mentioned in bringing forward a proposed rezone at 455 mount and 910.

0:32:9.430 --> 0:32:20.360

Tara Porcari

Brooks Properties are currently zoned R 5.4 residential and C1-4 neighborhood commercial with a design Excellence overlay corridor.

0:32:20.430 --> 0:32:30.990

Tara Porcari

And they're requesting to both be rezoned to M1R-3 limited industrial residential while keeping the same design excellence overlay on the property at 910 Brooks that it's currently on.

0:32:32.530 --> 0:32:40.460

Tara Porcari

The reason request is just for a standard Title 20 zoning district, which means that City Council can approve or deny the request.

0:32:41.150 --> 0:32:46.790

Tara Porcari

And just as a reminder for everyone as well that rezonings cannot be conditioned.

0:32:50.440 --> 0:32:55.250

Tara Porcari

As you can see here, umm subject properties are located at the southeast corner Brooks and Mount.

0:32:55.480 --> 0:33:7.550

Tara Porcari

I know it was kind of mentioned, but the current property line is shown in the dashed yellow there between the two properties property at 455 mount consists of a single family residence with a large garage structure.

0:33:7.560 --> 0:33:18.800

Tara Porcari

At the southeast, there's no vehicular access to this property from either mount or the alley, so it's actually accessed through the parking lot of 910 Brook Street via private access easement.

0:33:19.70 --> 0:33:33.370

Tara Porcari

Some then 910 Brook Street currently has a large commercial building that houses approximately 7 different businesses and office spaces, and as far as other surrounding uses in the area, there's a City Park just on the north side of Mount Ave.

0:33:33.380 --> 0:33:43.670

Tara Porcari

There a mix of residential detached houses to the east and southeast mostly, and then a mix of commercial uses to the east and southwest on Brooks.

0:33:48.270 --> 0:34:0.40

Tara Porcari

Umm, like I briefly touched on at the beginning there the property at 455 mount is zoned R 5.4 residential and the property at 910 Brook Street is zoned C1-4.

0:34:0.50 --> 0:34:6.790

Tara Porcari

Neighborhood commercial with the Design excellence overlay for corridor type one and a node.

0:34:12.80 --> 0:34:15.130

Tara Porcari

So this one is a little bit different from most of the rest zones.

0:34:15.140 --> 0:34:25.30

Tara Porcari

You're probably used to seeing in that boundary line relocation is also being applied for concurrently with the zoning proposal so shown on this slide.

0:34:25.120 --> 0:34:48.530

Tara Porcari

They're requesting to expand 910 Brooks to include some of the existing 455 mile property and in doing so, the Brooks property will gain the detached garage structure with the intent of using it to sounds like it actually continue to store an RV for the Missoula vet centers mobile outreach program, who are currently housed in the multi tenant commercial building at 910 Brooks.

0:34:52.960 --> 0:35:10.510

Tara Porcari

Generally, a boundary line relocation can be completed administratively through a subdivision exemption affidavit, but in this case, completing that boundary line relocation without a rezone would result in 910 Brooks becoming split zoned, which isn't allowed under Title 20 zoning regulations.

0:35:11.220 --> 0:35:32.760

Tara Porcari

So in order for that not to be the case, a rezone is required to create zoning districts that appropriate line with the new requested log boundaries, and how this looks in terms of process is rather than the rezoning becoming effective 30 days after Council approval, if approved, it will instead become effective when the amended plan is filed.

0:35:32.770 --> 0:35:37.840

Tara Porcari

So the correct zoning districts are applied to the new proposed parcels.

0:35:43.990 --> 0:35:49.810

Tara Porcari

So with the proposed boundary line relocation, here's what they're requesting for their rezone.

0:35:49.890 --> 0:36:7.260

Tara Porcari

They're asking that the residential property at 455 mount is rezoned to M1R-3 Lebanon industrial residential and that the commercial property at 910 Brooks is rezoned to the same while keeping the existing design excellence overlay on the entire new property for corridor typology.

0:36:7.460 --> 0:36:21.330

Tara Porcari

And node and then just in case we have anyone listening that's unaware of our design excellence overlays, they apply some additional site and building standards to parcels on our major commercial corridors and our downtown areas.

0:36:22.180 --> 0:36:26.470

Tara Porcari

That being said, with this rezone there's no change to the existing design excellence overlay.

0:36:26.480 --> 0:36:37.880

Tara Porcari

Other than that, it will be expanded just slightly with the concurrent boundary line location or relocation that proposes to gain just a little bit of square footage for 910 Brooks.

0:36:44.710 --> 0:37:0.30

Tara Porcari

So looking at the growth policy, the two existing properties have slightly different land use designations with the 455 mount property being neighborhood mixed use and the 910 Brooks property being community mixed use.

0:37:0.880 --> 0:37:17.590

Tara Porcari

The neighborhood mixed use designation kind of showing on this slide is intended to include a mix of neighborhood serving commercial uses and medium to high density residential development zoning districts that are noted as the most relatable in the growth policy for the neighborhood.

0:37:17.600 --> 0:37:26.920

Tara Porcari

Mixed use land use designation are B1 neighborhood business, B2 community business and M1R limited industrial residential.

0:37:28.600 --> 0:37:46.190

Tara Porcari

The Community mixed use designation is intended to include high density commercial that serves general community needs with high density residential intermixed in there, so zoning districts that are noted as the most relatable in the growth policy for that land use designation.

0:37:46.200 --> 0:37:53.120

Tara Porcari

Our C1 neighborhood commercial C2 Community commercial and M1 are limited industrial residential.

0:37:55.860 --> 0:38:6.530

Tara Porcari

So we can see that the M1R3 zoning that the applicant is requesting would be supported by the land use designations recommended and the growth policy.

0:38:6.860 --> 0:38:26.780

Tara Porcari

Since it's a relatable zoning district for both and at the same time, we'll also point out while no new development is being proposed at this time, the M1R-3 zoning does support a focus inward approach by encouraging infill, mixed use development, as well as increased residential development residential density.

0:38:28.540 --> 0:38:37.230

Tara Porcari

This is especially true for the property on mount, since it would allow for a potential redevelopment of housing or other commercial uses in the future that it currently does not.

0:38:41.940 --> 0:38:50.30

Tara Porcari

So just since I know it's been brought up lately, that spot zoning has been a bit of a concern with rezonings.

0:38:50.320 --> 0:38:55.850

Tara Porcari

Here the three criteria that Montana uses to acknowledge spot zoning, it's also called the little test.

0:38:55.860 --> 0:39:19.530

Tara Porcari

If anyone heard that language thrown around before, basically we feel confident that the redzone petition passes this test, given that the recent Montana Supreme Courts 2021 decision in Hartshorne versus city of Whitefish basically demonstrated that a rezone that complies with the city's growth policy or a neighborhood plan will pass the second and third prongs of the three part test.

0:39:19.760 --> 0:39:36.400

Tara Porcari

Therefore, not being determined spot zoning, just something we want to make sure everyone's aware of from a legal standpoint, since having such a recent example has been pretty helpful for our planning staff and we've worked with the city attorney to kind of better understand the state stance on the process.

0:39:43.390 --> 0:39:52.660

Tara Porcari

So now I'd like to just do a kind of a short comparison of the existing and proposed zoning districts for 455 Mount Ave.

0:39:52.710 --> 0:40:4.150

Tara Porcari

The existing are 5.4 residential zoning allows for detached houses and lot line houses at a density of 1 dwelling per 5400 square feet of partial area.

0:40:4.620 --> 0:40:9.270

Tara Porcari

The current lot layout and zoning would allow for up to three dwelling units.

0:40:9.540 --> 0:40:17.300

Tara Porcari

The proposed M1R-3 zoning allows one dwelling unit per 1000 square feet of parcel area umm.

0:40:17.310 --> 0:40:25.30

Tara Porcari

So technically they could go a bit higher, but parking will most likely limit that the current lot layout and zoning.

0:40:25.400 --> 0:40:26.30

Tara Porcari

Umm.

0:40:26.520 --> 0:40:27.430

Tara Porcari

Wait, sorry.

0:40:28.60 --> 0:40:30.380

Tara Porcari

Proposed M1R3 zoning district allows.

0:40:31.370 --> 0:40:34.760

Tara Porcari

Umm for so it may.

0:40:34.770 --> 0:40:37.580

Tara Porcari

Technology is going weird one second here.

0:40:37.590 --> 0:40:38.440

Tara Porcari

Let me get back to that.

0:40:42.710 --> 0:40:42.870

Tara Porcari

OK.

0:40:42.930 --> 0:40:43.410

Tara Porcari

There we go.

0:40:43.450 --> 0:40:50.180

Tara Porcari

Sorry, the R 5.4 zoning district has a maximum height of 30 or 35 feet, depending on roof pitch.

0:40:50.450 --> 0:40:55.340

Tara Porcari

The M1R-3 district has a 65 foot height maximum.

0:40:55.840 --> 0:41:10.290

Tara Porcari

Umm, our 5.4 district requires a 20 foot front and rear set back and a 7.5 foot side set back and one our zoning district doesn't have setbacks unless the parcel of butts are residential zoning district.

0:41:10.740 --> 0:41:20.260

Tara Porcari

So in this case for 55 mount would require a 20 foot front set back on mount and then a 7.5 foot side set back on the East property line.

0:41:20.690 --> 0:41:23.920

Tara Porcari

Uh, the our 5.4 zoning district.

0:41:23.930 --> 0:41:50.860

Tara Porcari

Primarily only allows residential development, but the M1R-3 zoning district allows for residential, commercial, and some limited industrial development and compliance with the growth policy vision for mixed use over on this block in general for 910 Brook Street, the existing C1-4 and proposed M1R-3 zoning district allows the same residential building types and similar uses.

0:41:51.750 --> 0:42:3.40

Tara Porcari

However, the existing C1-4 allows maximum building heights of up to 125 feet, and the requested M1R-3 only allows for buildings of up to 65 feet.

0:42:3.470 --> 0:42:17.820

Tara Porcari

Both zoning districts allow for a density of 1 dwelling unit per 1000 square feet of parcel area, and the current lock configuration would allow for 37 dwelling units if they decided to redevelop in that manner.

0:42:18.850 --> 0:42:23.570

Tara Porcari

Setbacks are the same for both zoning districts and the proposed law configuration would.

0:42:25.590 --> 0:42:27.670

Tara Porcari

Allow for 49 dwelling units.

0:42:27.680 --> 0:42:34.710

Tara Porcari

Again, that's the proposed one versus the current, though again for both properties, no new development is currently proposed.

0:42:40.740 --> 0:43:4.940

Tara Porcari

OK, so these are all the existing businesses currently in the commercial multi tenant building on the site at 910 Brooks there all the existing uses fit under proposed M1R-3 zoning, no new businesses are proposed at this time, but any new businesses or additional development in the future would be subject to all of our Title 20 zoning requirements in general.

0:43:4.950 --> 0:43:12.620

Tara Porcari

UM, the use is permitted in the existing C1-4 and proposed M1R-3 zoning districts are very, very similar.

0:43:13.190 --> 0:43:29.560

Tara Porcari

I know industrial is kind of a scary word when we're looking at rezoning, but basically how it works is following uses are conditional uses and the proposed M1R zoning districts, but are actually permitted by right in the existing C1 district.

0:43:29.680 --> 0:43:38.250

Tara Porcari

Those are emergency homeless shelter meal center construction, sales and services, enterprise commercial and check cashing loan services.

0:43:38.350 --> 0:43:39.300

Tara Porcari

So those would go from.

0:43:41.160 --> 0:43:56.610

Tara Porcari

Allowed to conditional and then umm gasoline and fuel sales and residential storage warehouses are conditional in the C1 district, but would be permitted by right in the M1R district with the rezoning.

0:43:56.620 --> 0:44:12.0

Tara Porcari

The only new uses that be permitted by right are pawn shops, cremating general motor vehicle repair and limited recycling services, vehicle storage and towing is also prohibited in C1-4, and conditional in M1R-3.

0:44:13.290 --> 0:44:26.300

Tara Porcari

So overall though, a lot of these that were permitted by right and see one would become conditional and M1R while just a few uses that are proposed are prohibited in C1 would be permitted by right and M1R.

0:44:32.100 --> 0:44:46.270

Tara Porcari

So I know some folks have probably seen this list of review criteria million times before, but just as a refresher and for the public, here's the full list of review criteria we look for when recommending the approval of real zones.

0:44:46.280 --> 0:44:54.250

Tara Porcari

And Missoula, based on the conclusions and the staff report, the criteria generally seemed to be met with no major major red flags.

0:44:55.160 --> 0:45:0.570

Tara Porcari

Our Missoula is the applicable growth policy and we went over that in the previous slide.

0:45:0.580 --> 0:45:6.470

Tara Porcari

Just kind of discussing how the proposed zoning designation fits with the recommended land use designation.

0:45:6.700 --> 0:45:27.920

Tara Porcari

So we feel like that criteria is met, the rezoning will promote public health and safety by providing for residential, commercial, mixed use and very low impact industrial uses in an area that already has access to water and sewer emergency services, schools, parks, other urban services and general.

0:45:29.970 --> 0:45:35.30

Tara Porcari

And it'll promote public health and safety by providing for residential, commercial mixed use.

0:45:37.770 --> 0:45:47.640

Tara Porcari

In general, near transportation, the transportation criteria is met since it has frontage on easily accessible roads for vehicle transportation.

0:45:48.390 --> 0:46:11.220

Tara Porcari

With current St side sidewalks and all adjacent streets, as well as additional opportunities for transit and bike pet options close by Mountain Lion, Route six runs on Higgins Ave, three blocks east of the subject properties and route seven runs on Stevens Ave approximately 3 blocks West of the subject properties.

0:46:13.800 --> 0:46:27.50

Tara Porcari

Umm, it supports adequate provision of light and air as all future development activity will be required to meet internal and external building code and zoning requirements for the activity area, landscaping and building heights.

0:46:27.460 --> 0:46:42.620

Tara Porcari

A front and side set back will be required at 450 mount, which kind of protects some light for the abutting residential properties and the height maximum at 910, Brooks will be actually significantly reduced, which also protects light and air.

0:46:44.570 --> 0:47:0.730

Tara Porcari

Compatible urban growth and districts character, as well as suitability of uses, are being met since the

proposed M1R zoning districts permit similar uses and building types as are currently allowed at 910 Brook Street.

0:47:1.580 --> 0:47:18.540

Tara Porcari

And while allowing a broader array of uses for 455 mount, it's still aligns with the growth policy recommendations, and it's also a much smaller law, which in addition to set back requirements on the front and east side will definitely limit the intensity development a little bit at that site too.

0:47:20.90 --> 0:47:28.140

Tara Porcari

Overall, allowable uses are well situated and generally supported with established urban architecture or urban infrastructure.

0:47:32.640 --> 0:47:46.310

Tara Porcari

Value of buildings and appropriate use of land as demonstrated by applying appropriate land use recommendations and by aligning with similar uses in the area and will not correcting any errors or inconsistencies in the zoning ordinance we're seeing.

0:47:46.320 --> 0:47:49.410

Tara Porcari

That proposal meets the changing conditions in Missoula.

0:47:49.420 --> 0:47:53.250

Tara Porcari

By aligning with future growth policy recommendations.

0:47:55.710 --> 0:48:5.120

Tara Porcari

And then in addition to all of these review criteria, I did receive one public comment from the neighbors at 427 mount, which is located in the meeting packet.

0:48:5.270 --> 0:48:13.320

Tara Porcari

So definitely takes some time to review that if you haven't, so some of the concerns were actually pretty easy to clarify with the neighbors.

0:48:13.330 --> 0:48:29.490

Tara Porcari

And so I did email them back and kind of correct some of the issues that they were a little bit worried about and we're not really seeing any major issues and proceeding with the application as it stands, we have staff are generally seeing the rezoning is in the best interest.

0:48:29.560 --> 0:48:41.270

Tara Porcari

Of the city as a whole because growth policy recommendations are being met and it also promotes development and a location with lots of good connectivity and access to our public services.

0:48:43.600 --> 0:48:49.100

Tara Porcari

So with that, staff recommends that planning board would recommend City Council approval.

0:48:49.940 --> 0:48:53.710

Tara Porcari

Umm for the adoption of the ordinance?

0:48:53.770 --> 0:49:1.70

Tara Porcari

And then just noting that the effective date of the rezone would be the date that the amended plat is filed for subdivision exemption.

0:49:6.60 --> 0:49:7.380

Tara Porcari

So there's our recommended motion.

0:49:9.380 --> 0:49:12.190

Tara Porcari

And with that, that's everything I have.

0:49:12.250 --> 0:49:21.930

Tara Porcari

So I can take questions and then I know that the consultant as well as the owner of 455 mount is available here as well.

0:49:21.940 --> 0:49:23.310

Tara Porcari

If you have anything else for them.

0:49:26.90 --> 0:49:26.440

Analeshia Rodriguez

Great.

0:49:26.450 --> 0:49:27.440

Analeshia Rodriguez

Thank you umm.

0:49:27.450 --> 0:49:32.930

Analeshia Rodriguez

And do either the representative or owners wanna present or speak to anything now?

0:49:39.540 --> 0:49:41.750

Curtis Jacobson

I mean, if I this is Kurt Jacobson.

0:49:42.560 --> 0:49:43.100

Curtis Jacobson

Can you hear me?

0:49:43.600 --> 0:49:44.690

Analeshia Rodriguez

Yes, we can, Kurt.

0:49:44.820 --> 0:49:45.380

Curtis Jacobson

OK.

0:49:46.460 --> 0:50:9.630

Curtis Jacobson

What we're just trying to do is we, we wanna sell off the house basically as what we're trying to accomplish here and then keep the property the VA is looking at signing another 10 year lease and we just want to make sure that the garage can stay with them so they can still use it for their mobile outreach vet program.

0:50:9.690 --> 0:50:12.40

Curtis Jacobson

So that's that's why we're doing it.

0:50:15.30 --> 0:50:19.130

Curtis Jacobson

I don't if you have questions for me, I'll answer them, but that's that's what we're trying to do.

0:50:20.430 --> 0:50:20.880

Analeshia Rodriguez

OK.

0:50:20.890 --> 0:50:21.310

Analeshia Rodriguez

Thank you.

0:50:21.320 --> 0:50:23.550

Analeshia Rodriguez

Appreciate you being here this evening as well.

0:50:25.860 --> 0:50:29.170

Analeshia Rodriguez

And I see Joshua Phillips hand up.

0:50:29.400 --> 0:50:30.250

Analeshia Rodriguez

Go ahead, Joshua.

0:50:31.770 --> 0:50:37.820

Joshua Phillips

Hey, I guess I just wanted to clarify real quick and I appreciate your work, Terra on all this.

0:50:38.630 --> 0:50:57.790

Joshua Phillips

I just wanted to point out that this was a required process for for what we were intending to do was just a simple boundary line relocation and that that would have created a a split zone and so this part of the boundary line relocation process was required.

0:50:58.370 --> 0:51:0.60

Joshua Phillips

Umm so.

0:51:0.110 --> 0:51:8.360

Joshua Phillips

So I just wanted to kind of point that out that this is a a formality of a a larger uh goal.

0:51:11.470 --> 0:51:12.460

Analeshia Rodriguez

OK, great.

0:51:12.470 --> 0:51:14.110

Analeshia Rodriguez

Thank you for that clarification.

0:51:16.30 --> 0:51:18.240

Analeshia Rodriguez

Do board members have some clarifying questions?

0:51:18.250 --> 0:51:19.160

Analeshia Rodriguez

Go ahead, Dave.

0:51:19.990 --> 0:51:21.780

Analeshia Rodriguez

Maybe staff can help me out on this.

0:51:21.790 --> 0:51:29.200

Analeshia Rodriguez

My question is on the Mount Ave property which has access now right now of course for just the House.

0:51:29.390 --> 0:51:37.840

Analeshia Rodriguez

So when it it's rezoned, does that allow a secondary access commercial type access into this site out of mount?

0:51:38.130 --> 0:51:38.890

Analeshia Rodriguez

That's the question.

0:51:41.120 --> 0:51:41.610

Tara Porcari

Nope.

0:51:42.0 --> 0:51:53.730

Tara Porcari

So basically there, what's there currently as it it kind of looks like a driveway, but there's not actual legal access per engineering standards with kind of how close it is to the corner there.

0:51:53.740 --> 0:51:58.310

Tara Porcari

So the access will remain through the private access easement through 910 Brooks.

0:52:00.630 --> 0:52:10.160

Analeshia Rodriguez

But my question is, since it's now zoned that way in the future, can a secondary commercial access to this site?

0:52:10.170 --> 0:52:15.210

Analeshia Rodriguez

Who has only one access at this time be OK, that's all.

0:52:15.290 --> 0:52:16.900

Tara Porcari

Are you and you're saying from mount?

0:52:18.100 --> 0:52:33.500

Analeshia Rodriguez

No, because I heard the applicants say that house that is going to be leaving and this rezoning in the future, I'm looking ahead to the future is this, could this be a secondary commercial access off mount or not?

0:52:34.930 --> 0:52:35.620

Analeshia Rodriguez

It's hard to tell.

0:52:34.840 --> 0:52:41.410

Tara Porcari

From my understanding from our engineering staff, there can't be an access alpha amount based on the location at that intersection.

0:52:42.700 --> 0:52:43.200

Analeshia Rodriguez

OK.

0:52:43.260 --> 0:52:43.580

Analeshia Rodriguez

Thank you.

0:52:48.150 --> 0:52:48.730

Analeshia Rodriguez

Go ahead, Peter.

0:52:51.330 --> 0:52:59.900

Analeshia Rodriguez

My question is, uh, just clarification, not sure I remember exactly with the design overlay on the property.

0:52:59.910 --> 0:53:6.590

Analeshia Rodriguez

How does that change or limit the new zoning designation?

0:53:8.790 --> 0:53:10.900

Tara Porcari

So it it won't change at all.

0:53:10.910 --> 0:53:13.10

Tara Porcari

It's going to be the exact same design excellence.

0:53:13.20 --> 0:53:20.340

Tara Porcari

Overlay, it'll just expand to the rest of the site as the 910 brook site grows a little bit, so nothing will change with that.

0:53:20.350 --> 0:53:20.820

Tara Porcari

Overlay.

0:53:26.980 --> 0:53:28.170

Analeshia Rodriguez

I under you.

0:53:28.240 --> 0:53:29.70

Analeshia Rodriguez

You had the?

0:53:20.830 --> 0:53:29.360

Tara Porcari

It will still have the same general design excellence requirements, so unless there's new development, nothing will change.

0:53:29.800 --> 0:53:37.150

Analeshia Rodriguez

Yeah, you had the two the the restrictions on depending on the different zoning up.

0:53:37.520 --> 0:53:46.460

Analeshia Rodriguez

But what I was curious about was if you apply design overlay restrictions, how does that affect what we were seeing?

0:53:47.970 --> 0:53:48.210

Tara Porcari

So.

0:53:47.550 --> 0:53:49.40

Analeshia Rodriguez

You understand what distinction?

0:53:50.460 --> 0:53:52.370

Tara Porcari

I I think I understand your question.

0:53:52.380 --> 0:53:55.390

Tara Porcari

And Cassie, you can jump in if I'm if I'm not understanding it.

0:53:55.400 --> 0:54:7.770

Tara Porcari

But those are two separate sets of requirements, so they'll have to meet everything in the M1R-3, and then they'll also still have to meet what's required of them from the design excellence overlay.

0:54:8.560 --> 0:54:9.290

Cassie Tripard

Yeah.

0:54:8.800 --> 0:54:10.900

Tara Porcari

Cassie, do you have anything that to add?

0:54:9.420 --> 0:54:14.460

Cassie Tripard

And yeah, Cassie Tripartita planning supervisor.

0:54:14.500 --> 0:54:18.230

Cassie Tripard

Just a little information about what types of requirements are involved.

0:54:18.720 --> 0:54:39.410

Cassie Tripard

If they were to say, redevelop this site, build a new building there at 9:10 Brook Street, we would require that it be up toward the street instead of the parking lot between the street and the building like you see now, it also has higher glazing, or window requirements, on the facade, some slightly different landscaping requirements.

0:54:39.500 --> 0:54:48.450

Cassie Tripard

But overall, that's really how it affects the property and it is existing today and with the reasoning would remain in place, has Terra said.

0:54:49.800 --> 0:54:51.220

Analeshia Rodriguez

Thanks that answered.

0:54:54.280 --> 0:54:54.870

Analeshia Rodriguez

Go ahead, Rick.

0:54:57.700 --> 0:55:6.130

Rick Hall

So if they sell the house and the property is split, does the house have a legal easement through that commercial property?

0:55:7.360 --> 0:55:11.500

Tara Porcari

Yep, Yep, it's existing, and that easement will remain for access.

0:55:12.690 --> 0:55:13.50

Rick Hall

Thank you.

0:55:21.610 --> 0:55:23.900

Analeshia Rodriguez

OK, I'm chewing on that last bit of information.

0:55:23.910 --> 0:55:29.40

Analeshia Rodriguez

Anybody else have any clarifying questions for staff or anybody at the moment?

0:55:29.300 --> 0:55:34.130

Analeshia Rodriguez

Yeah, I was just curious, what is the current height of the of the commercial building on Brooks?

0:55:35.570 --> 0:55:35.770

Tara Porcari

OK.

0:55:35.470 --> 0:55:36.840

Curtis Jacobson

I think it's a proxy.

0:55:35.770 --> 0:55:37.850

Tara Porcari

Gosh, I can't remember the ohh sorry.

0:55:37.310 --> 0:55:38.200

Curtis Jacobson

Ohh, go ahead.

0:55:38.370 --> 0:55:38.590

Curtis Jacobson

No.

0:55:38.600 --> 0:55:39.210

Curtis Jacobson

Go ahead, Tara.

0:55:40.420 --> 0:55:46.210

Tara Porcari

Ohh, I was just saying I don't remember the exact type, but I know it's under that 65 feet, which is why they're asking for that.

0:55:46.220 --> 0:55:48.880

Tara Porcari

I think it's somewhere around 50, but do you know for sure there?

0:55:49.660 --> 0:55:56.330

Curtis Jacobson

I think the tower is approximately 50 feet, but I believe the building itself is less than 30.

0:55:57.800 --> 0:55:58.50

Tara Porcari

Yeah.

0:55:58.60 --> 0:55:58.680

Tara Porcari

So basically what?

0:55:57.920 --> 0:55:59.320

Curtis Jacobson

It has a little tower in the front.

0:56:0.380 --> 0:56:0.690

Tara Porcari

Yeah.

0:56:0.700 --> 0:56:14.910

Tara Porcari

So basically what they're asking for there is the the lowest high intensity for what the existing building is, but it'll bring it down from the 1:25 that it technically could be right now if they were to redevelop.

0:56:18.630 --> 0:56:19.440

Analeshia Rodriguez

OK.

0:56:19.670 --> 0:56:22.70

Analeshia Rodriguez

Anything else before we moved to public comment?

0:56:24.480 --> 0:56:27.130

Analeshia Rodriguez

OK, not seeing anything.

0:56:27.220 --> 0:56:38.10

Analeshia Rodriguez

We will go ahead and move to public comment for this portion of the hearing and staff will put up the instructions for anybody joining us on MCAT or.

0:56:39.380 --> 0:56:43.100

Analeshia Rodriguez

Teams or I don't know how many other things you could get on here.

0:57:2.530 --> 0:57:4.110

Analeshia Rodriguez

Sorry, it's not my night from mikes.

0:57:7.730 --> 0:57:33.790

Analeshia Rodriguez

Public comment if you need to call in for some reason, you can call in to 4062724824 the phone conference ID is 127489322# sign and to be recognized for public comment, please raise your hand with STAR 5 and you can lower your hand with STAR 5 as well and then STAR 6 to mute and unmute yourself.

0:57:34.770 --> 0:57:41.30

Analeshia Rodriguez

And with that, we will go ahead and leave this open here for a minute and see if we get any public comment.

0:58:23.300 --> 0:58:25.260

Analeshia Rodriguez

OK, I'm not seeing anybody.

0:58:27.370 --> 0:58:30.580

Analeshia Rodriguez

And we can always reserve the right to open it back up.

0:58:30.590 --> 0:58:34.440

Analeshia Rodriguez

I think if somebody came in late or something like that.

0:58:36.510 --> 0:58:39.950

Analeshia Rodriguez

But for the time being, we'll go ahead and close public comment.

0:58:41.600 --> 0:58:50.260

Analeshia Rodriguez

Which can bring us to a motion if somebody wants to take a stab at that terror, could you put that up again, please?

0:58:56.380 --> 0:58:56.770

Analeshia Rodriguez

All right.

0:58:56.780 --> 0:58:57.570

Analeshia Rodriguez

It's a long one.

0:58:57.690 --> 0:58:58.300

Analeshia Rodriguez

Who wants it?

0:59:3.160 --> 0:59:3.590

Analeshia Rodriguez

I'm gonna.

0:59:3.660 --> 0:59:5.90

Analeshia Rodriguez
Should bring a rotating.

0:59:4.290 --> 0:59:6.300

Rick Hall
I hug, I'll give it a go.

0:59:6.980 --> 0:59:7.550

Analeshia Rodriguez
All right.

0:59:7.560 --> 0:59:8.100

Analeshia Rodriguez
Thank you, Rick.

0:59:8.700 --> 0:59:9.750

Rick Hall
It is a mouthful.

0:59:9.760 --> 0:59:10.250

Rick Hall
You're right.

0:59:10.260 --> 0:59:25.750

Rick Hall
When it came up, I thought, well, umm, I move that we recommend the City Council approve the adoption of an ordinance to rezone the subject properties located at 455 Mount Ave and 910 Brook Street.

0:59:26.140 --> 0:59:40.850

Rick Hall
Legally described in exhibit A from R 5.4 residential and C 1.1 dash 4 neighborhood commercial slash DE-C Design Excellent overlay corridor typology.

0:59:41.480 --> 0:59:44.820

Rick Hall
One dash node to MR1.

0:59:45.110 --> 0:59:59.760

Rick Hall
Our Dash 3 limited industrial, residential and M1R-3 limited industrial residential slash DE-C design Excellence overlay quarter typology.

0:59:59.770 --> 1:0:27.550

Rick Hall
One node subject to the applicant filing the amended plat and meeting the terms of approval for

subdivision exemption application 2024-MSS-SEA-0003 within 180 days of approval of the rezoning subject to review and approval by development services and public works and mobility.

1:0:27.800 --> 1:0:34.210

Rick Hall

Otherwise, the rezoning of the property shall become null and void, and the property shall revert to its original status.

1:0:34.600 --> 1:0:36.820

Rick Hall

The effective date of the ordinance is the date.

1:0:37.760 --> 1:0:47.760

Rick Hall

The amended plat is filed for subdivision exemption application 2024, Dash MS-SEA-0000 three.

1:0:50.60 --> 1:0:51.490

Analeshia Rodriguez

Well done, Sir.

1:0:51.580 --> 1:0:52.410

Analeshia Rodriguez

Do we have a second?

1:0:55.370 --> 1:0:58.620

Analeshia Rodriguez

Seconded by Dave Motion, made by Rick.

1:0:59.810 --> 1:1:2.710

Analeshia Rodriguez

All right, the floor is yours, folks.

1:1:2.720 --> 1:1:8.700

Analeshia Rodriguez

Is anybody wanna start us off comments, thoughts, questions.

1:1:14.630 --> 1:1:15.820

Analeshia Rodriguez

Ohh, it's quiet.

1:1:15.830 --> 1:1:17.700

Analeshia Rodriguez

All's quiet on the Western Front here.

1:1:17.710 --> 1:1:18.720

Analeshia Rodriguez

Alright, go ahead Shane.

1:1:21.220 --> 1:1:22.430

Shane Morrissey

Of nobody else is gonna talk.

1:1:22.440 --> 1:1:23.210

Shane Morrissey

Then I'll talk.

1:1:23.840 --> 1:1:24.990

Shane Morrissey

I intend to approve this.

1:1:25.100 --> 1:1:29.260

Shane Morrissey

It seems it seems in line with the vision for this block.

1:1:29.410 --> 1:1:30.660

Shane Morrissey

Umm uh.

1:1:30.670 --> 1:1:33.480

Shane Morrissey

Seems like in review of the.

1:1:34.750 --> 1:1:35.280

Shane Morrissey

Uh.

1:1:35.910 --> 1:1:42.200

Shane Morrissey

Permitted uses and the C1 and the M1 dash RO RM1R.

1:1:42.650 --> 1:1:51.820

Shane Morrissey

They seem pretty, pretty clean and umm, like this isn't a major change of use or anything like that, so I intend to support this.

1:1:52.130 --> 1:1:52.630

Shane Morrissey

Umm.

1:1:53.10 --> 1:1:55.50

Shane Morrissey

And yeah, I guess that's it.

1:1:57.90 --> 1:1:57.380

Analeshia Rodriguez
Great.

1:1:57.390 --> 1:1:57.820

Analeshia Rodriguez
Thank you.

1:1:57.830 --> 1:1:58.390

Analeshia Rodriguez
Go ahead, Rick.

1:2:1.860 --> 1:2:3.570

Rick Hall
Yeah, I feel the same way.

1:2:4.80 --> 1:2:15.350

Rick Hall
It looks pretty straightforward and consistent with what it is now and what the future intent is, so I intend to support it as well.

1:2:17.950 --> 1:2:18.280

Analeshia Rodriguez
Great.

1:2:18.290 --> 1:2:18.910

Analeshia Rodriguez
Thank you.

1:2:20.770 --> 1:2:21.420

Analeshia Rodriguez
Anybody else?

1:2:21.430 --> 1:2:21.980

Analeshia Rodriguez
Josh, go ahead.

1:2:23.930 --> 1:2:24.700

Analeshia Rodriguez
I agree.

1:2:25.30 --> 1:2:35.380

Analeshia Rodriguez
I would just add to that that I can't see how any of the permitted by right industrial uses would be the highest and best use for this property.

1:2:35.390 --> 1:2:37.20

Analeshia Rodriguez

So I'm not that concerned.

1:2:37.30 --> 1:2:40.30

Analeshia Rodriguez

You know that that's what would take place.

1:2:40.370 --> 1:2:42.720

Analeshia Rodriguez

So I intend to support it as well.

1:2:44.700 --> 1:2:45.100

Analeshia Rodriguez

Great.

1:2:45.110 --> 1:2:46.110

Analeshia Rodriguez

Thank you. Yeah.

1:2:48.820 --> 1:2:50.160

Analeshia Rodriguez

Alright, go ahead, Dave.

1:2:50.680 --> 1:2:59.40

Analeshia Rodriguez

Well, I will support this and one of the bases is that this rezoning actually is more consistent.

1:2:59.840 --> 1:3:6.650

Analeshia Rodriguez

Uh, with the compatibility of the neighborhood and consistent with the city.

1:3:7.80 --> 1:3:13.190

Analeshia Rodriguez

So in this case it meets and exceeds the test and makes it better.

1:3:13.200 --> 1:3:23.510

Analeshia Rodriguez

In this case, I think the previous zoning may have been a little too generous and this this fits within the growth policy.

1:3:23.720 --> 1:3:24.610

Analeshia Rodriguez

That's why I support it.

1:3:25.760 --> 1:3:26.230

Analeshia Rodriguez

Great.

1:3:26.240 --> 1:3:27.40

Analeshia Rodriguez

Thank you, Dave.

1:3:30.80 --> 1:3:33.530

Analeshia Rodriguez

Not seeing anybody else you wanna jump in there, Peter, you can.

1:3:33.540 --> 1:3:34.540

Analeshia Rodriguez

I can talk a second.

1:3:35.550 --> 1:3:36.160

Analeshia Rodriguez

All right.

1:3:36.230 --> 1:3:37.220

Analeshia Rodriguez

I just have a couple of.

1:3:39.40 --> 1:3:41.230

Analeshia Rodriguez

Questions I probably could have asked him earlier, but.

1:3:43.260 --> 1:3:58.540

Analeshia Rodriguez

I'm just kind of curious for the the property on mount once it is M1R like what becomes possible like if does get sold new owner, you know what is all possible there is it.

1:3:58.610 --> 1:4:1.820

Analeshia Rodriguez

Is it possible to tear it down and like build something up?

1:4:2.710 --> 1:4:5.330

Analeshia Rodriguez

Just kind of curious like what becomes a possibility with that?

1:4:7.100 --> 1:4:8.350

Tara Porcari

Yeah, it definitely.

1:4:8.420 --> 1:4:22.430

Tara Porcari

I mean, they could definitely read develop the size of the site is gonna be somewhat limited, just particularly for any commercial uses and things like that because they will have to meet the parking requirements.

1:4:23.380 --> 1:4:40.600

Tara Porcari

And so that that's kind of a big limiting factor if they do decide to redevelop, but they they can do any of the uses that are allowed in one R and but they will continue to have those setbacks from both mount and the property to the east.

1:4:43.200 --> 1:4:44.110

Analeshia Rodriguez

OK, great.

1:4:44.840 --> 1:4:46.510

Analeshia Rodriguez

So anybody wanna chime in?

1:4:46.520 --> 1:4:48.790

Analeshia Rodriguez

I in general intend to support this.

1:4:48.800 --> 1:4:55.120

Analeshia Rodriguez

It seems to be in line with growth policy and meets all the criterias and seems like a good plan.

1:4:58.800 --> 1:4:59.280

Analeshia Rodriguez

Go ahead, Peter.

1:5:0.280 --> 1:5:1.230

Analeshia Rodriguez

I don't have.

1:5:1.240 --> 1:5:3.910

Analeshia Rodriguez

I don't have any serious concerns about this either.

1:5:4.0 --> 1:5:7.770

Analeshia Rodriguez

I tend I agree with the what the other board members have mentioned so far.

1:5:9.410 --> 1:5:9.770

Analeshia Rodriguez

Umm.

1:5:9.810 --> 1:5:18.210

Analeshia Rodriguez

And I do agree that light industrial use in the city is appropriate part of the growth plan.

1:5:19.110 --> 1:5:28.700

Analeshia Rodriguez

Umm, I'm glad people are using the zoning designation and yeah, so I intend to support it.

1:5:31.450 --> 1:5:31.780

Analeshia Rodriguez

Great.

1:5:31.790 --> 1:5:32.420

Analeshia Rodriguez

Thank you.

1:5:33.50 --> 1:5:36.920

Analeshia Rodriguez

Anybody else before we move to a vote, we're looking like we're ready for a vote.

1:5:38.590 --> 1:5:38.970

Analeshia Rodriguez

OK.

1:5:39.300 --> 1:5:41.630

Analeshia Rodriguez

Umm, I forgot who's is it?

1:5:42.580 --> 1:5:43.200

Analeshia Rodriguez

And Alicia.

1:5:44.220 --> 1:5:45.170

Analeshia Rodriguez

Alright, great.

1:5:45.180 --> 1:5:45.590

Analeshia Rodriguez

Thank you.

1:5:45.680 --> 1:5:46.360

Analeshia Rodriguez

Roll call vote.

1:5:46.370 --> 1:5:50.470

Analeshia Rodriguez

Please roll call vote Lynn Davis Lynn is absent.

1:5:50.560 --> 1:5:51.520

Analeshia Rodriguez
Derek Kanwisher.

1:5:58.290 --> 1:6:1.60

Analeshia Rodriguez
Epstein chain Morrissey.

1:6:3.30 --> 1:6:3.150

Shane Morrissey
Yes.

1:6:4.840 --> 1:6:5.440

Analeshia Rodriguez
Tune farm.

1:6:6.610 --> 1:6:6.710

Analeshia Rodriguez
Yes.

1:6:8.210 --> 1:6:8.950

Analeshia Rodriguez
Josh Raider.

1:6:9.810 --> 1:6:12.80

Analeshia Rodriguez
Yes, they will, miss.

1:6:12.580 --> 1:6:15.50

Analeshia Rodriguez
Yes, Peter Benson?

1:6:15.470 --> 1:6:15.750

Analeshia Rodriguez
Yes.

1:6:16.910 --> 1:6:17.640

Analeshia Rodriguez
Sean McCoy?

1:6:21.630 --> 1:6:22.750

Rick Hall
He didn't ask my name.

1:6:18.190 --> 1:6:24.260

Analeshia Rodriguez
Yes, and the motion passes unanimously, with one with one no, yeah.

1:6:25.20 --> 1:6:25.840

Rick Hall

He didn't call me.

1:6:26.410 --> 1:6:27.110

Analeshia Rodriguez

Uh, recall.

1:6:27.820 --> 1:6:28.140

Rick Hall

Yes.

1:6:29.890 --> 1:6:30.50

Analeshia Rodriguez

Right.

1:6:32.260 --> 1:6:33.390

Analeshia Rodriguez

My apologies, Rick.

1:6:33.400 --> 1:6:37.570

Analeshia Rodriguez

Usually I catch that, but today I wasn't checking everybody.

1:6:38.100 --> 1:6:44.860

Analeshia Rodriguez

He did make the motion we were giving you a pass after reading all that, we really poor guys talked out.

1:6:47.430 --> 1:6:58.860

Analeshia Rodriguez

OK, the motion passes with one abstention, and with that we are finished with tonight's public hearing on the rezone.

1:6:58.970 --> 1:7:3.490

Analeshia Rodriguez

Thank you very much for staff great presentation, Tara and for.

1:7:5.570 --> 1:7:7.720

Analeshia Rodriguez

And see Joshua Phillips being here.

1:7:7.730 --> 1:7:11.280

Analeshia Rodriguez

And Curtis Jacobson is a Jacobson.

1:7:11.290 --> 1:7:12.180

Analeshia Rodriguez
Did I get that right?

1:7:12.880 --> 1:7:13.90

Curtis Jacobson
Yep.

1:7:12.350 --> 1:7:13.560

Analeshia Rodriguez
I apologize.

1:7:13.970 --> 1:7:14.500

Analeshia Rodriguez
Great.

1:7:14.690 --> 1:7:15.690

Analeshia Rodriguez
Appreciate you all being here.

1:7:16.880 --> 1:7:17.460

Curtis Jacobson
Thank you guys.

1:7:18.450 --> 1:7:18.740

Joshua Phillips
Yeah.

1:7:18.750 --> 1:7:19.390

Joshua Phillips
Thanks for your work.

1:7:22.900 --> 1:7:30.140

Analeshia Rodriguez
Alrighty, I think I think that's kind of brings us tune, do we?

1:7:30.270 --> 1:7:32.40

Analeshia Rodriguez
We got no committee reports.

1:7:32.760 --> 1:7:34.690

Analeshia Rodriguez
Uh, there was a meeting, but I didn't go.

1:7:34.700 --> 1:7:35.620

Analeshia Rodriguez
So no report.

1:7:35.800 --> 1:7:37.800

Analeshia Rodriguez

Ohh. Alright OK.

1:7:39.240 --> 1:7:40.80

Analeshia Rodriguez

Umm.

1:7:40.120 --> 1:7:42.10

Analeshia Rodriguez

Let's see old business.

1:7:42.20 --> 1:7:43.30

Analeshia Rodriguez

Anything from anybody?

1:7:44.930 --> 1:7:47.260

Analeshia Rodriguez

K uh new business.

1:7:47.270 --> 1:7:49.800

Analeshia Rodriguez

Anything from new business, any tune?

1:7:49.810 --> 1:7:52.350

Analeshia Rodriguez

Go ahead building off of my last report.

1:7:52.660 --> 1:7:58.420

Analeshia Rodriguez

We should see Ellie was the backup for the TPCC.

1:7:58.460 --> 1:8:2.710

Analeshia Rodriguez

Ohe ohe, yeah, yeah, it would be nice to have somebody who could attend in my absence.

1:8:3.930 --> 1:8:4.800

Analeshia Rodriguez

OK.

1:8:5.170 --> 1:8:6.10

Analeshia Rodriguez

Did everybody hear that?

1:8:9.360 --> 1:8:16.820

Analeshia Rodriguez

So Ellie Costello, who is no longer on the board, was our backup for the TPCC.

1:8:18.220 --> 1:8:22.920

Analeshia Rodriguez

I meeting tunes are our primary person that attends that meeting and we need a backup.

1:8:22.930 --> 1:8:27.480

Analeshia Rodriguez

Now umm, I don't feel like we did it before.

1:8:27.490 --> 1:8:28.880

Analeshia Rodriguez

I'm willing to be the backup.

1:8:28.930 --> 1:8:29.380

Analeshia Rodriguez

OK.

1:8:29.390 --> 1:8:31.200

Analeshia Rodriguez

Alright, somebody else who wants it badly.

1:8:31.400 --> 1:8:39.220

Analeshia Rodriguez

Ohh, anybody wanna arm wrestle Peter for the backup to the TPCC not seeing any takers.

1:8:39.270 --> 1:8:39.980

Analeshia Rodriguez

Alrighty.

1:8:40.30 --> 1:8:40.430

Analeshia Rodriguez

Alright.

1:8:40.440 --> 1:8:41.260

Analeshia Rodriguez

Well, thank you, Peter.

1:8:41.270 --> 1:8:42.310

Analeshia Rodriguez

Very much appreciate that.

1:8:43.910 --> 1:8:44.600

Analeshia Rodriguez

Well, there we go.

1:8:44.610 --> 1:8:45.180

Analeshia Rodriguez

That was easy.

1:8:45.190 --> 1:8:46.70

Analeshia Rodriguez
I was gonna put it off.

1:8:47.470 --> 1:8:51.590

Analeshia Rodriguez
Tell us we could think about it later, ohm and.

1:8:53.600 --> 1:8:54.120

Analeshia Rodriguez
Let's see.

1:8:55.620 --> 1:8:56.810

Analeshia Rodriguez
I'll just throw it in now.

1:8:56.820 --> 1:8:57.470

Analeshia Rodriguez
So we got.

1:8:57.820 --> 1:9:0.610

Analeshia Rodriguez
Karen Hughes is working on a couple of trainings for us.

1:9:1.640 --> 1:9:2.990

Analeshia Rodriguez
Gosh, I'm not gonna be able to remember.

1:9:3.0 --> 1:9:6.810

Analeshia Rodriguez
One is a little bit more on the legal side of things and I forgot what the other one is.

1:9:6.820 --> 1:9:7.410

Analeshia Rodriguez
Can you remember?

1:9:9.340 --> 1:9:13.590

Analeshia Rodriguez
Yeah, general planning, board training, but those are on the works.

1:9:13.600 --> 1:9:25.680

Analeshia Rodriguez
We'll get some feedback on that, umm, and if there's anything else folks want to, you know, get a presentation on and find out about if you wanna be informed on something, let us know.

1:9:26.90 --> 1:9:36.840

Analeshia Rodriguez

Shane and I did ask some more questions on spot zoning and we got some more legal paperwork that I can forward along to board members if they want.

1:9:37.370 --> 1:9:42.280

Analeshia Rodriguez

We might, umm, I think we're feeling out well.

1:9:42.290 --> 1:9:44.120

Analeshia Rodriguez

No, that I think that got passed on.

1:9:44.370 --> 1:9:46.160

Analeshia Rodriguez

We're gonna read the legal documentation.

1:9:46.170 --> 1:9:55.60

Analeshia Rodriguez

What I was getting at was we were talking about having maybe the city attorney come and talk with us, but I'm not sure that Shane, what was the response to that?

1:9:55.70 --> 1:9:55.580

Analeshia Rodriguez

Do you remember?

1:9:55.590 --> 1:9:58.720

Analeshia Rodriguez

Was that a yay or was that kind of a he wasn't interested in?

1:9:58.950 --> 1:10:0.420

Analeshia Rodriguez

Wanted us to read the legal documents.

1:10:2.440 --> 1:10:6.500

Shane Morrissey

I mean for right now I'm satisfied reading the legal documents.

1:10:6.510 --> 1:10:7.320

Shane Morrissey

Uh, certainly.

1:10:7.330 --> 1:10:15.830

Shane Morrissey

Happy to have it passed along to all board members to take it on and or to read them at their leisure.

1:10:16.660 --> 1:10:20.490

Shane Morrissey

Also, as I mentioned during our pre planning board meeting, I'm done attorney.

1:10:20.500 --> 1:10:24.120

Shane Morrissey

So some of this stuff goes over my head, so I might need.

1:10:26.90 --> 1:10:32.840

Shane Morrissey

I need to ask a couple of questions or have some of it explained to me in layman's terms.

1:10:32.900 --> 1:10:41.940

Shane Morrissey

Yes, but that's to be determined, I suppose, after I kind of get through reading the thing that has been passed through.

1:10:43.50 --> 1:10:43.410

Analeshia Rodriguez

OK.

1:10:42.800 --> 1:10:47.190

Shane Morrissey

So I suppose I would just encourage that maybe get sent out to the rest of the planning board if possible.

1:10:48.640 --> 1:10:52.470

Analeshia Rodriguez

Yes, I can do that here within the next day or two.

1:10:52.660 --> 1:10:54.330

Analeshia Rodriguez

I'll forward that along to everybody.

1:10:55.120 --> 1:10:55.720

Analeshia Rodriguez

Go ahead, Josh.

1:10:56.770 --> 1:11:11.930

Analeshia Rodriguez

I was just going to say, uh, I'd like, if possible, anymore information on the implications of that court ruling in Broadwater County on the use of exempt wells and development, but want to thank Tom for pointing me to that.

1:11:11.940 --> 1:11:15.120

Analeshia Rodriguez

That was a pretty consequential ruling.

1:11:15.470 --> 1:11:28.270

Analeshia Rodriguez

And you know, we do see subdivisions and proposed developments in the county quite frequently that use exempt wells or a combination of exempt wells and.

1:11:31.270 --> 1:11:32.290

Analeshia Rodriguez

Surface rights.

1:11:32.300 --> 1:11:35.280

Analeshia Rodriguez

Irrigation rights for development.

1:11:35.290 --> 1:11:38.370

Analeshia Rodriguez

So I would like to understand what staff feels.

1:11:39.260 --> 1:11:42.870

Analeshia Rodriguez

UM, that means for the use of.

1:11:43.100 --> 1:11:45.50

Analeshia Rodriguez

You know those rights and development?

1:11:45.280 --> 1:11:46.670

Analeshia Rodriguez

OK, alright. So.

1:11:48.700 --> 1:12:5.900

Analeshia Rodriguez

We would like to get a broader understanding of Staffs interpretation of exempt wells in relation to what we're doing, yeah, especially in light of the recent ruling in Broadwater County that my understanding is sets of pretty strong precedent.

1:12:6.10 --> 1:12:6.650

Analeshia Rodriguez

OK.

1:12:6.690 --> 1:12:8.80

Analeshia Rodriguez

OK, when was this ruling?

1:12:8.90 --> 1:12:8.480

Analeshia Rodriguez

I might have.

1:12:11.0 --> 1:12:11.720

Analeshia Rodriguez

Weeks ago.

1:12:13.60 --> 1:12:14.130

Analeshia Rodriguez
OK.

1:12:14.140 --> 1:12:16.380

Analeshia Rodriguez
Maybe I'm yeah, maybe six.

1:12:16.960 --> 1:12:18.110

Analeshia Rodriguez
Pretty recently, no.

1:12:18.600 --> 1:12:20.890

Analeshia Rodriguez
What little I know, I'm not a staff planner.

1:12:20.900 --> 1:12:23.330

Analeshia Rodriguez
I just overhear things as an admin in our office.

1:12:23.580 --> 1:12:27.770

Analeshia Rodriguez
There was pretty much a hard stop until more data was gathered.

1:12:27.780 --> 1:12:35.880

Analeshia Rodriguez
There was review of cases and decisions in different departments, like in intense review and audit.

1:12:36.290 --> 1:12:45.100

Analeshia Rodriguez
Uh sounded extremely unpleasant, but definitely I know you'll reach out to staff to get more of a summary of that and we can pass it on to.

1:12:45.810 --> 1:12:52.20

Analeshia Rodriguez
But yeah, it was pretty much a hard stop on any requests involving that until it could be unraveled.

1:12:52.890 --> 1:12:53.480

Analeshia Rodriguez
That's awesome.

1:12:53.490 --> 1:12:54.430

Analeshia Rodriguez
If you'll recall, we had.

1:12:56.340 --> 1:12:59.990

Analeshia Rodriguez

Jim from DNRC here.

1:13:0.0 --> 1:13:13.270

Analeshia Rodriguez

I forget his last name to make a presentation and my take away from that was that there really isn't an enforcement or supervision mechanism to tell us how much water is actually being consumed in these right.

1:13:13.280 --> 1:13:16.410

Analeshia Rodriguez

If you recall, you're only allowed ten acre feet a year.

1:13:16.460 --> 1:13:18.770

Analeshia Rodriguez

Think a maximum of 35 gallons per minute.

1:13:19.160 --> 1:13:23.500

Analeshia Rodriguez

But I mean, it's not being watched, not being monitored.

1:13:23.510 --> 1:13:25.740

Analeshia Rodriguez

It's so anyway. Yeah.

1:13:26.210 --> 1:13:27.20

Analeshia Rodriguez

OK.

1:13:27.610 --> 1:13:29.240

Analeshia Rodriguez

And just to well, go ahead Rick.

1:13:31.50 --> 1:13:42.850

Rick Hall

Umm, I'd sure like to hear more about the streamlined approval of subdivisions that have no variances that are compliant, that is taking effect now.

1:13:45.50 --> 1:13:45.610

Analeshia Rodriguez

With the city.

1:13:46.390 --> 1:13:46.820

Rick Hall

Right.

1:13:48.490 --> 1:13:48.730

Analeshia Rodriguez

OK.

1:13:48.470 --> 1:13:54.260

Rick Hall

Where it it appears that not require any public comment with planning or anything like that.

1:13:54.750 --> 1:13:57.860

Rick Hall

That seems have taken that step out of it so.

1:14:1.360 --> 1:14:2.960

Analeshia Rodriguez

And to clarify, Rick.

1:14:8.740 --> 1:14:9.650

Rick Hall

State law.

1:14:5.690 --> 1:14:10.80

Analeshia Rodriguez

Is that the state passed legislation essentially.

1:14:9.660 --> 1:14:11.860

Rick Hall

State law last legislature, right?

1:14:11.450 --> 1:14:12.990

Analeshia Rodriguez

OK, OK, not.

1:14:12.480 --> 1:14:20.170

Rick Hall

So, so, so subdivisions that don't that that meet all requirements that don't vary any.

1:14:20.580 --> 1:14:21.510

Rick Hall

I understand.

1:14:21.520 --> 1:14:27.270

Rick Hall

Just go directly to the city for approval, I guess would be so.

1:14:31.10 --> 1:14:33.700

Analeshia Rodriguez

Yeah, I'm not clear on that either.

1:14:33.710 --> 1:14:35.680

Analeshia Rodriguez

OK, alright.

1:14:35.690 --> 1:14:39.850

Analeshia Rodriguez

So we got a couple of requests, so ohh, Peter. Go ahead.

1:14:41.340 --> 1:14:42.150

Analeshia Rodriguez

I'm Heather.

1:14:42.160 --> 1:14:44.310

Analeshia Rodriguez

You may remember more about this than I do.

1:14:44.320 --> 1:15:0.660

Analeshia Rodriguez

I don't know if it was you who brought it up, but the Commissioners and your offices were talking about the overall structure of planning, the planning board and different ohm committees that fed into that.

1:15:0.670 --> 1:15:5.640

Analeshia Rodriguez

And there might be possibly changes and how we're all structured.

1:15:6.290 --> 1:15:7.340

Analeshia Rodriguez

Do you have any?

1:15:7.410 --> 1:15:8.630

Analeshia Rodriguez

Do you know what I'm talking about?

1:15:8.670 --> 1:15:9.500

Analeshia Rodriguez

Do you have any updates?

1:15:10.380 --> 1:15:12.210

Analeshia Rodriguez

No updates per se.

1:15:12.440 --> 1:15:21.320

Analeshia Rodriguez

Umm, a lot of that actually, from what I understand, hinges on the city and what the city decides cause the legislative changes really.

1:15:23.310 --> 1:15:28.420

Analeshia Rodriguez

If the municipalities decide to go that way, then the county will adjust accordingly.

1:15:28.430 --> 1:15:39.780

Analeshia Rodriguez

It's possible that you could see the consolidated planning boards split completely to City, county and then possibly the county boards could be consolidated in the city.

1:15:39.790 --> 1:15:43.340

Analeshia Rodriguez

Boards could be consolidated, though to what extent that might happen.

1:15:46.70 --> 1:15:51.140

Analeshia Rodriguez

My what I gathered is we're waiting to hear what the city wants to do and would be at least a year down the road.

1:15:52.70 --> 1:15:55.80

Analeshia Rodriguez

But again, that'd be a better question for Karen.

1:15:55.350 --> 1:15:57.530

Analeshia Rodriguez

Yeah, not so much concerned as interested.

1:15:58.320 --> 1:15:58.950

Analeshia Rodriguez

Gotcha.

1:15:59.10 --> 1:16:1.690

Analeshia Rodriguez

But we're very interested in that too.

1:16:1.770 --> 1:16:4.670

Analeshia Rodriguez

Has a huge impact on what we do and how we do it, so yeah.

1:16:9.500 --> 1:16:13.560

Analeshia Rodriguez

OK, just trying to make some notes on our requests here.

1:16:15.580 --> 1:16:21.330

Analeshia Rodriguez

And then Heather, for the exempt well, wait a minute, was it the exempt?

1:16:21.340 --> 1:16:57.940

Analeshia Rodriguez

Well, one umm, yeah, we we you that's the one everybody's chewing on right we make that maybe a soft request like us understanding that they are trying to chew on it too but that we would like to get something at some point giving us what they're thinking it maybe even just an initial memo something to cause yeah I I think it's definitely a work in progress and like I said I just overhear bits in the office I can't speak to it with any sort of uh yeah definitive anything I guess I would say so fair enough.

1:16:58.410 --> 1:17:0.890

Analeshia Rodriguez

Yeah, I can request an update or a memo at least.

1:17:1.140 --> 1:17:1.500

Analeshia Rodriguez

Great.

1:17:1.510 --> 1:17:3.490

Analeshia Rodriguez

That would be outstanding and then?

1:17:4.90 --> 1:17:4.750

Analeshia Rodriguez

Umm.

1:17:5.130 --> 1:17:9.750

Analeshia Rodriguez

On the other side, we'll reach out to the city for the state law subdivision.

1:17:10.120 --> 1:17:10.570

Analeshia Rodriguez

Umm.

1:17:11.180 --> 1:17:13.320

Analeshia Rodriguez

Exemption to review criteria.

1:17:14.870 --> 1:17:19.760

Analeshia Rodriguez

And let's see, I think that was about it, right?

1:17:19.770 --> 1:17:20.760

Analeshia Rodriguez

Is anybody have anything else?

1:17:22.790 --> 1:17:27.830

Analeshia Rodriguez

What is combined comments and new business altogether for that for this meeting?

1:17:28.370 --> 1:17:31.320

Analeshia Rodriguez

OK, alright, that adjourns us for tonight folks.

1:17:31.330 --> 1:17:32.510

Analeshia Rodriguez

Thanks for everybody being here.

1:17:34.470 --> 1:17:35.760

Analeshia Rodriguez

Have a good rest of your evening.

Rezone – 455 Mount Ave & 910 Brooks St

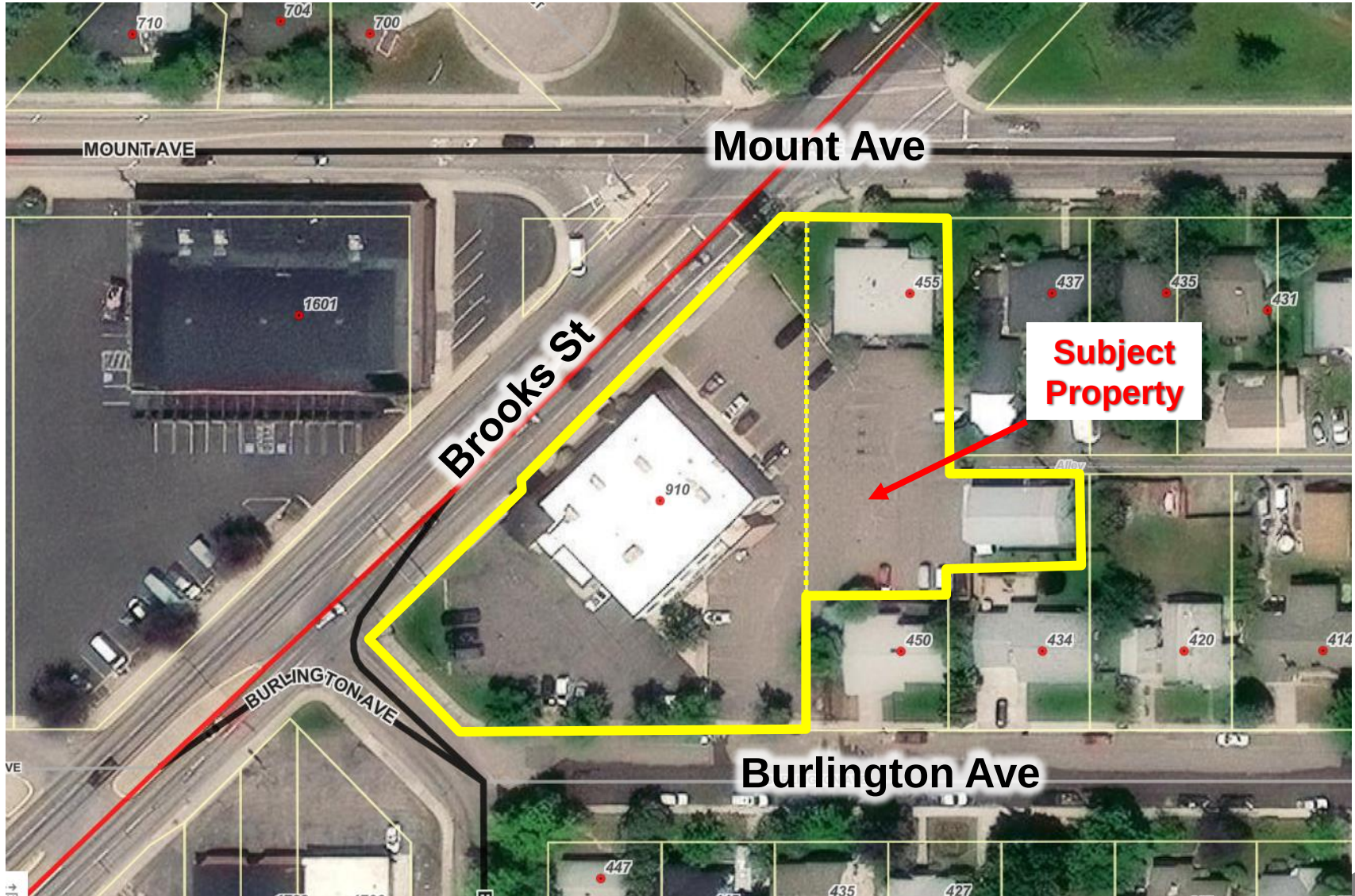
**R5.4 Residential & C1-4 Neighborhood Commercial / Design Excellence Overlay to
M1R-3 Limited Industrial-Residential &
M1R-3 Limited Industrial-Residential /
Design Excellence Overlay**

Planning Board

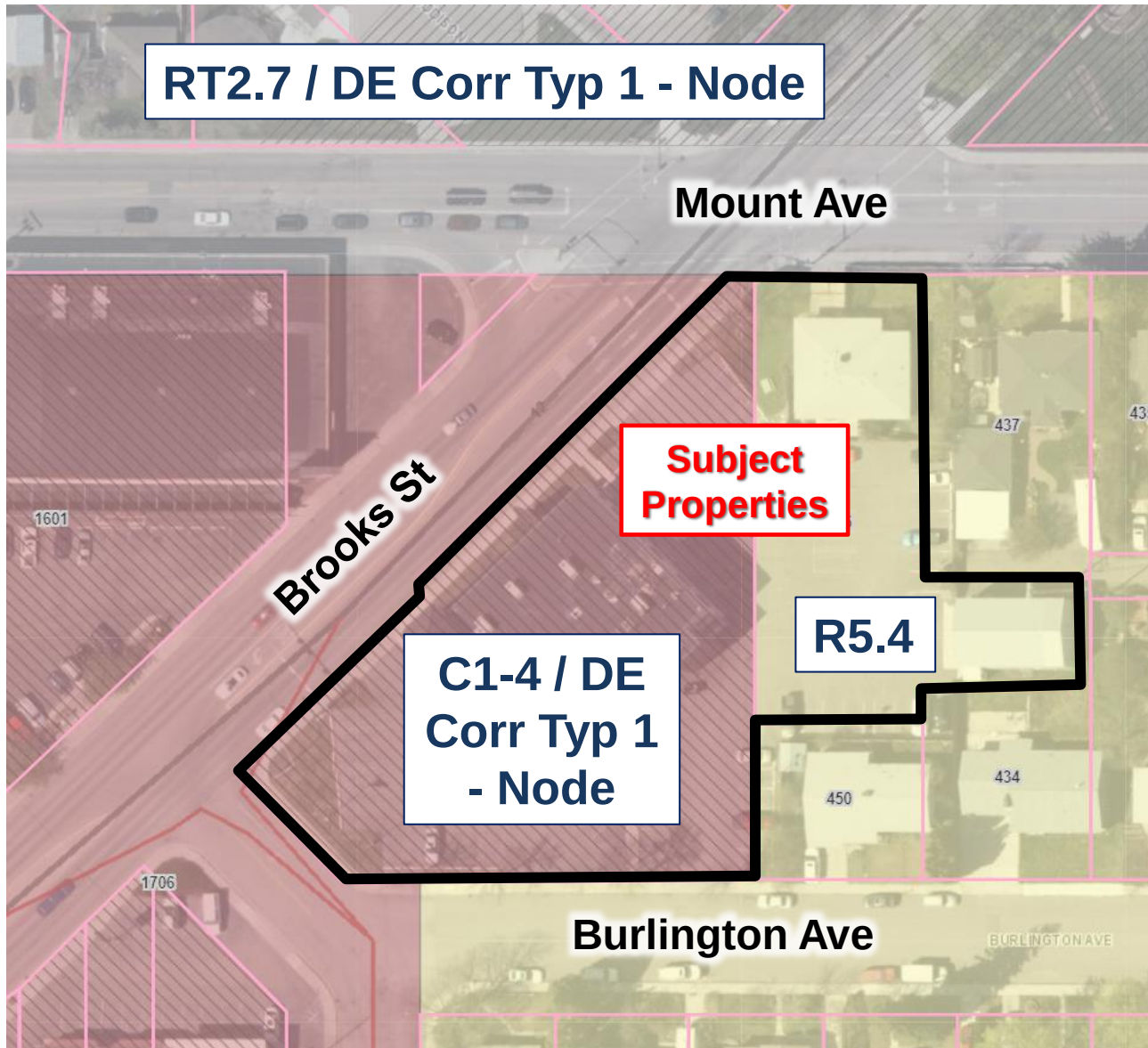
Tara Porcari
Community Planning, Development, & Innovation
April 16, 2024



Property Location



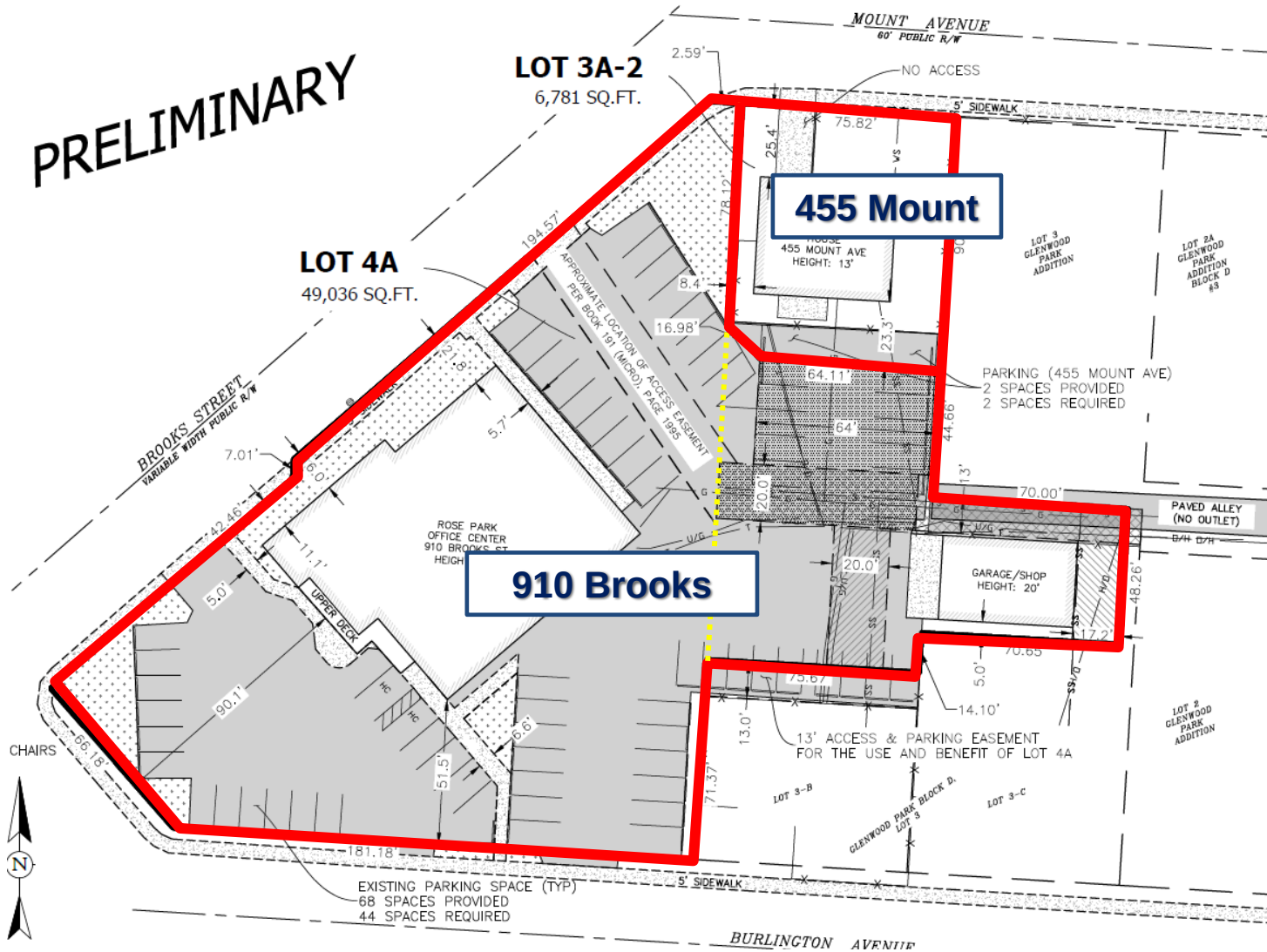
Current Zoning Map



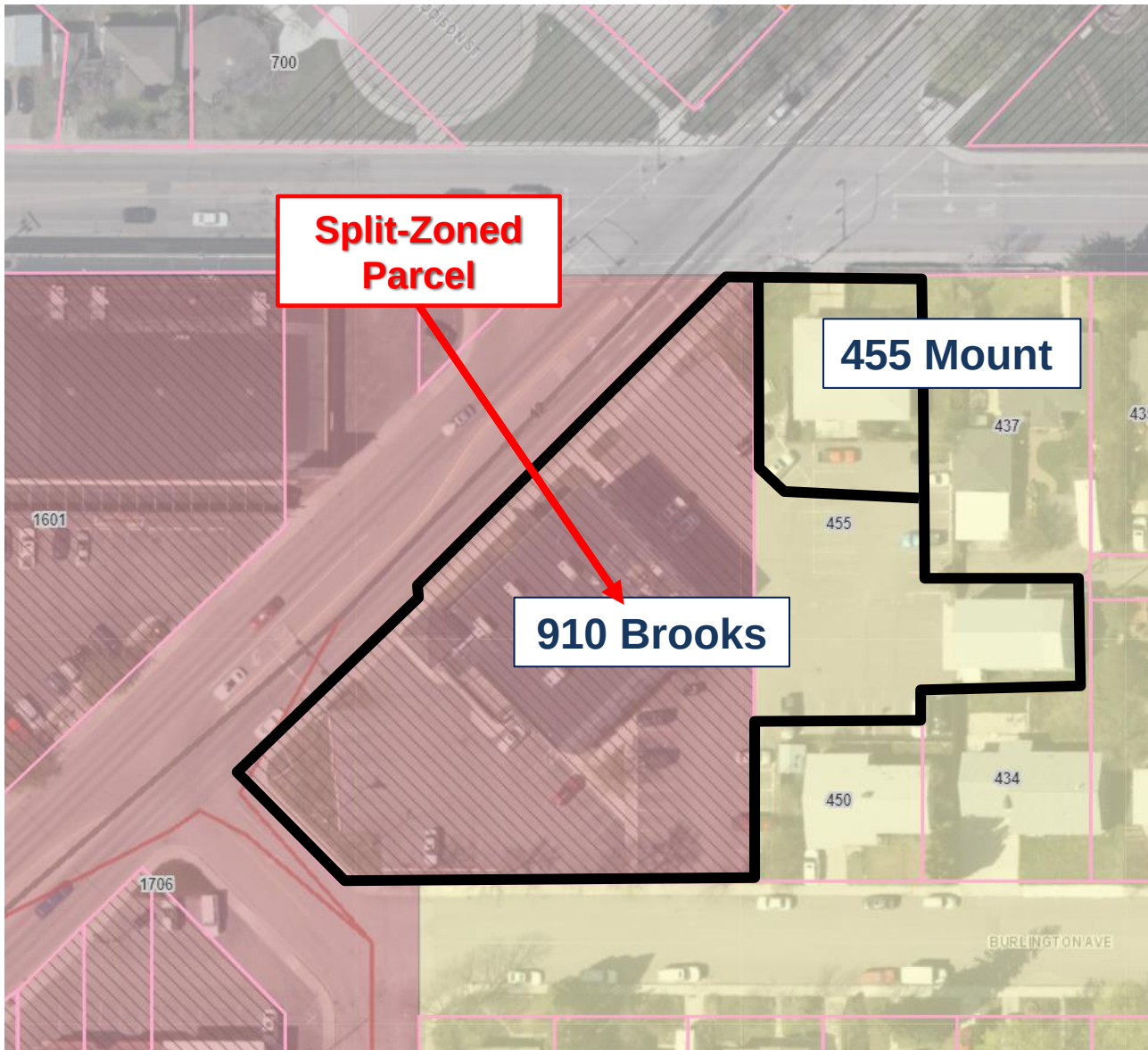
Boundary Line Relocation



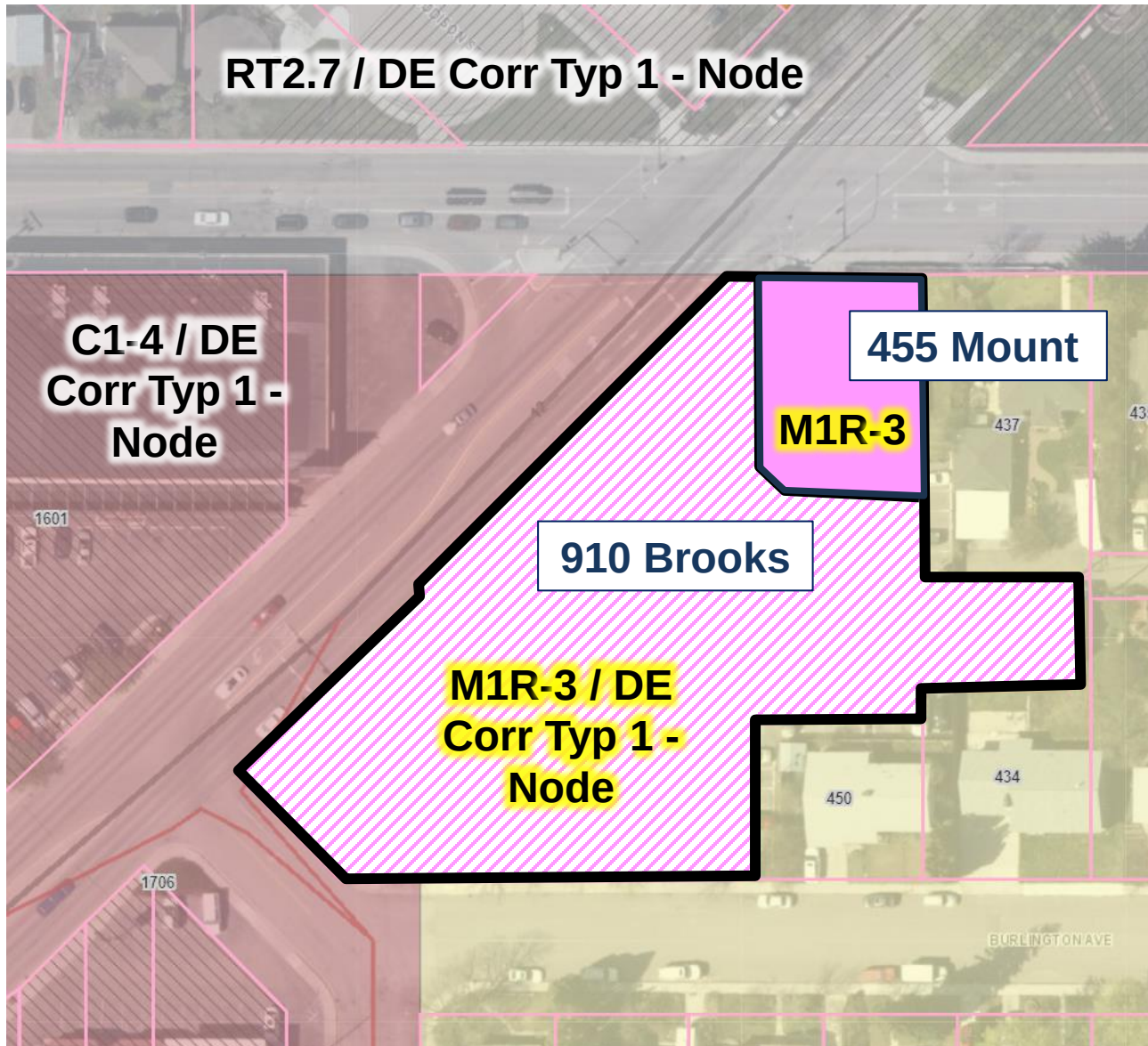
EXHIBIT - PROPOSED CONDITIONS



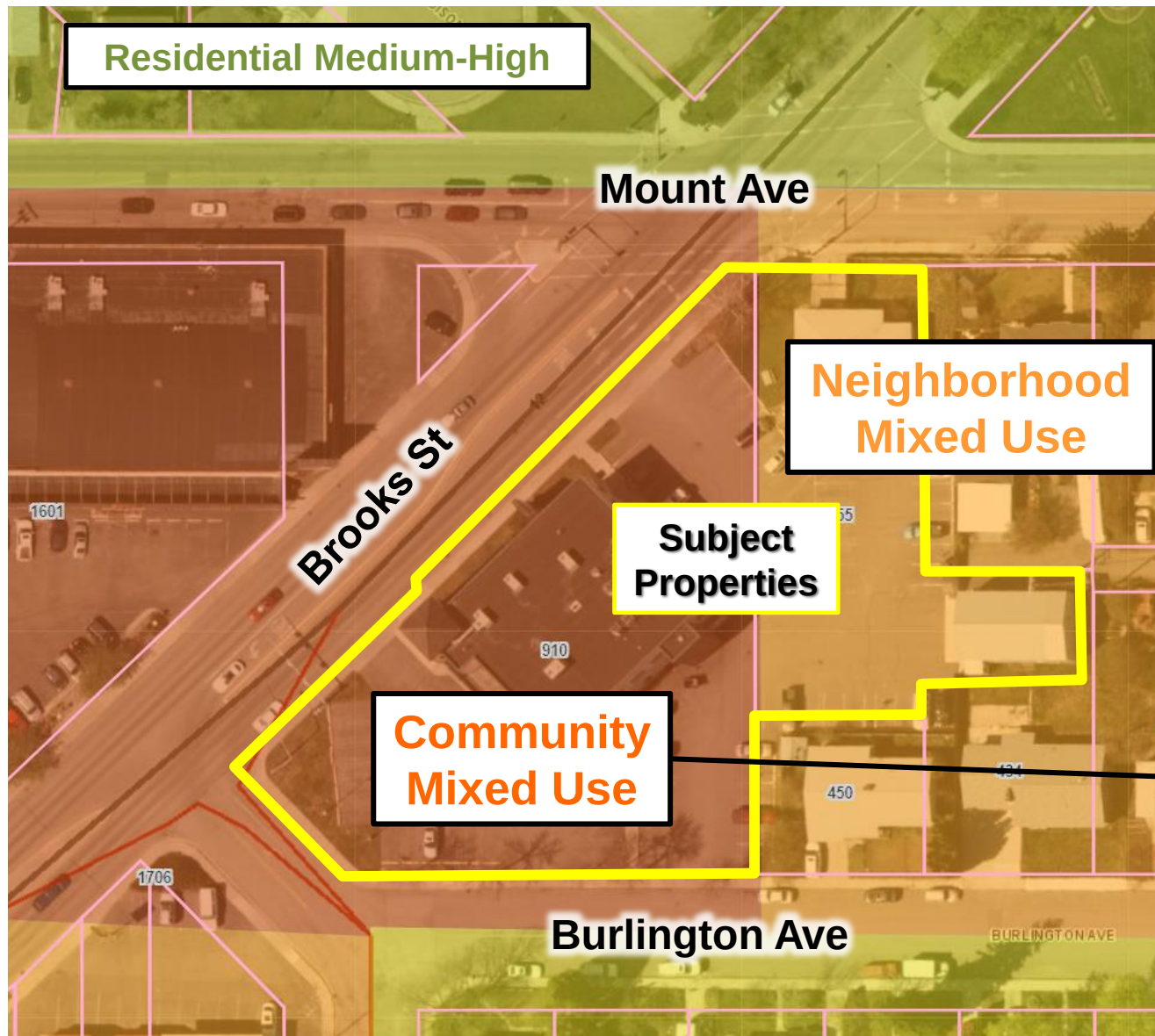
Current Zoning Map (w/ BLR)



Proposed Zoning



Our Missoula Growth Policy



Mix of neighborhood-serving commercial uses and medium-high residential density
B1, B2, M1R

High intensity commercial serving general community needs and high density residential intermixed
C1, C2, M1R

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.

Zoning Comparison



Existing

Proposed

	R5.4	C1-4	M1R-3
Minimum Parcel Size	5,400 sf	None / 3,000 sf*	5,000 sf / 3,000 sf*
Parcel Area per Unit	5,400 sf	None / 1,000 sf*	None / 1,000 sf*
Setbacks	Front: 20' Side (int): 7.5 ft Side (st): 10 ft Rear: 20 ft	None**	None**
Maximum Height	35 ft	125 ft	65 ft
General Permitted Uses	Residential, some Public/Civic	Residential, Public/Civic Commercial, Limited Industrial	Residential, Public/Civic Some Commercial, Some Industrial

*For Single-Purpose Residential / Mixed-Use Building

**No setbacks unless the parcel abuts a residentially zoned parcel.

+ Siting standards per DER

910 Brooks

- Advocates Injury Attorneys
- 107 The Ranch (radio station)
- JM Engineering
- Missoula Vet Center
- Explore Church
- Alexis D. Wagner, FNP
- Veteran's Administration (garage to park mobile outreach RV)

- 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**

Recommended Motion



Recommend City Council **approve** the adoption of an ordinance to rezone the subject properties located at 455 Mount Avenue and 910 Brooks Street, legally described in Exhibit A, from R5.4 Residential and C1-4 Neighborhood Commercial / DE-C Design Excellence Overlay Corridor Typology 1- Node to M1R-3 Limited Industrial-Residential and M1R-3 Limited Industrial-Residential / DE-C Design Excellence Overlay Corridor Typology 1- Node, subject to the applicant filing the amended plat and meeting the terms of approval for subdivision exemption application 2024-MSS-SEA-00003 within one hundred and eighty (180) days of approval of the rezoning, subject to review and approval by Development Services and Public Works and Mobility, otherwise the rezoning of the property shall become null and void, and the property shall revert to its original status. The effective date of the ordinance is the date the amended plat is filed for subdivision exemption application 2024-MSS-SEA-00003.

Questions?