



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: August 6, 2024, 6:00 p.m.

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

Members in Attendance: Dave Loomis (County Appt), Rick Hall (County Appt), Lynn Davis (City Appt), Shane Morrissey (City Appt) and Sean McCoy (County Appt)

Members Absent: Tung Pham (Mayor), Derek Kanwischer (City Appt), Peter Bensen (County Appt), Josh Schroeder (Conservation District)

I. CALL TO ORDER [Time stamp – 0:49]

Sean McCoy called the meeting to order at 6:17 p.m.

II. ROLL CALL [Time stamp – 0:59]

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

III. APPROVAL OF MINUTES [Time stamp – 2:02]

Approval of the July 30, 2024, meeting minutes were deferred to the August 20th meeting.

IV. PUBLIC COMMENT ON NON-AGENDA ITEMS [Time stamp – 2:15]

There were no public comments on non-agenda items.

V. STAFF ANNOUNCEMENTS [Time stamp – 3:59]

There were no staff announcements.

VI. PUBLIC HEARINGS

A. Dave DeGrandpre, Land Use Supervisor, Community Planning, Development & Innovation- Aspire Major Phased Subdivision, Annexation, and Rezoning
[Time stamp – 5:04]

STAFF PRESENTATION

Dave DeGrandpre, Land Use Supervisor with the City of Missoula, presented a proposal on the Aspire Phased Subdivision and Rezone. This was a continuation of the public hearing from the July 16, 2024, Planning Board Meeting. Staff is proposing 10 motions related to a rezoning ordinance, specifically focusing on the addition of the

RT5.4/Neighborhood Character Overlay, eight variance requests, and the Aspire preliminary plat application for the subdivision. Staff emphasized the Planning Board does not have a role in annexation and initial zoning of the subject property under Montana law.

The subject property is currently outside the city limits but lies within the city's preferred annexation area. A delayed annexation agreement is in place until 2034 for the entire East Missoula area, though there is no strict deadline, and landowners can petition for earlier annexation, which has occurred with this property.

The property is located near the Clark Fork River to the east, Interstate 90 to the south, and existing residential developments to the north and west. It's accessible via Waterside Drive to the north and Sommers Street at the southwest corner, both of which are county-maintained roads. The land is predominantly flat, with minimal slopes, and features riparian vegetation along the river. The property has historically been used for agricultural purposes, including irrigated grazing and pasture land, and there is no development planned within the floodplain along the river.

The proposal involves annexing land into the City limits and initially zoning it as RT5.4 Residential. The development plan includes 182 lots, with 172 single-family homes and 10 multifamily units. Two parks are planned: one on the east side with trail connections, and another on the west side adjacent to Canyon View Park, with potential plans to jointly manage these parks with the City. The property will be connected to City water and sewer, with stormwater managed on-site. Streets will include travel lanes, parking, sidewalks, and street trees, all maintained by the City. An off-site water main upgrade is needed to ensure fire safety. Development is proposed in six phases over ten years, starting with single-family lots and a riverfront park, and concluding with multifamily units. The City's Growth Policy recommends Residential Medium density, and the developer has requested RT5.4 zoning upon annexation. The proposal aligns with both City and County growth policies, and the current County zoning allows for up to 6 units per acre for maximum density. An overlay zoning district is also proposed to add additional requirements and flexibility.

Staff gave a comparison between the base RT5.4 and the proposed Neighborhood Character Overlay. Both plans maintain the same density, with a minimum area per unit of 5,400 square feet and a maximum of 284 dwelling units. The primary differences in the overlay include housing types, setbacks, and lot coverage. Additionally, the proposed overlay creates a more urban residential density with features like curb and gutter streets, treated boulevards, and sidewalks.

The presentation focused on the Rezoning Review Criteria commonly used by Board members, with particular emphasis on the proposed rezoning aligns with the Growth Policy. The overlay also complies with the recommended land uses, density of development, and supports several growth policy goals, including those related to livability, safety, wellness, and community design. Additional criteria considered include ensuring safety from fire and other dangers, the availability of emergency services, transportation infrastructure, utility infrastructure, and the absence of natural hazards. The impact on schools was addressed, with input from the Missoula County School District indicating they had no concerns about accommodating future students over time. Staff recommended approval of the rezoning based on compliance with these criteria.

The criteria and considerations for approving a preliminary plat or subdivision was highlighted. Key points included Agriculture, Local Services, and Transportation. The

property has water rights proposed to be transferred to the City for park irrigation, with no impact on other irrigated areas. Staff addressed transportation for the subdivision, specifically regarding the impact on Sommers Street, which is projected to handle up to 90% of the traffic. The developer proposes improving Sommers Street to meet City standards with formal parking lanes, curbs, gutters, and sidewalks. These improvements will need approval from Missoula County, as Sommers Street is maintained by the county.

Adjacent to the east of the development is the Clark Fork River, with wetlands along a portion of the river. The developer proposes dedicating the riverfront area to the County for management by the Parks and Recreation Department, with no disturbances planned for the riparian zone. The plan includes a weed management strategy and stormwater control measures to prevent any impact on the river. A 310 permit from the Missoula County Conservation District is required for the Riverfront Trail. Montana Fish, Wildlife, and Parks highlighted the area's importance as wildlife habitat, requesting larger setbacks from the river to maintain wildlife corridors. The City has required in their regulations the developer submit a riparian resource plan, proposing that the property be managed by the City. Staff emphasized this management approach is favored, as it's expected to offer better protection for the riparian area and public access to the riverfront. Under the Public Health and Safety criteria, there are no significant natural hazards, aside from the floodplain along the river. Staff noted, fire hydrants will be installed throughout the development, and there will be two developed ingress and egress points to ensure accessibility.

The application includes eight (8) variance requests.

Variance #1 - The developer's request a reduction in the standard right-of-way for streets from 70 feet to 62 feet.

Variance #2 - For a 415-foot segment of Waterside Drive, the developers propose a 54-foot right-of-way with parking on one side (east) and sidewalks on both sides.

Variance #3 - A 460-foot section of road along the west edge of the property (Aspire Loop) is proposed to have a sidewalk on only one side due to topographical challenges.

Variance #4: - The developers request an exception to the 480-foot block length regulation for a section of the southwestern property, which cannot connect to existing streets or trails due to the surrounding development.

Variance #5 - A block near the southern end of the property exceeds the City's 480-foot maximum block length, and developers are proposing a wider block reaching 547 feet.

Variance #6 - Another block along the eastern boundary, near the Clark Fork River, stretches to 1,815 feet and includes approximately 31 lots, exceeding the 480-foot maximum block length.

Variance #7 - Lots (62, 65, 66) in the development will only have vehicular access through alleys, not streets.

Variance #8- In the multi-dwelling area, block faces exceed the 480-foot maximum length. The developer aims to create breaks between structures with easements, rather than combining the area into one large lot.

Staff is recommending conditional approval of a preliminary plat for the subdivision application, subject to 35 conditions. These conditions must be met before final plat approval, either for the first phase or subsequent phases, depending on specifics. Final

plat planning will follow a phasing plan, with the developer responsible for building and dedicating alternate streets, internal streets, alleys, and utilities to the City of Missoula. Sommers Street will be upgraded before the final plat filing for phase one, including offsite water main improvements for fire flow, hydrants, parkland dedication, and water rights dedicated to the City.

The presentation concluded with staff explaining to the Board that the City of Missoula is currently updating its Growth Policy, particularly focusing on housing needs. They highlighted the City's Growth Policy emphasizes infill development. This approach has trade-offs, including potential impacts on existing residents, wildlife habitats, and farmland. Ultimately, the Planning Board must weigh these factors against the benefits of compact, efficient development that aligns with the City's broader goals, such as affordability, accessibility, and reducing urban sprawl.

See PowerPoint presentation slides.

DEVELOPER PRESENTATION

Brian Throckmorton, of 406 Engineering, provided a presentation on the proposed Aspire subdivision by highlighting the process of the final design and layout that has been approved by the County Commissioners. He noted a full Traffic Impact Study was completed and reviewed by County Commissioners. Project highlights included what the development would like without the /NC-A overlay. Throckmorton stated the Riparian Resource Protection meets all City of Missoula subdivision and development regulations. He explained no riparian areas will be harmed and all development is located outside of them. He also pointed out that Fish, Wildlife and Parks reviewed the proposal and appreciated the designated setbacks. Throckmorton noted that the County's 175-foot setback would limit development and lose 18% of homes, pointing out that much of the area in question is already developed or used as hay fields. I-90 noise abatement and density and affordability was also addressed for the development.

There was discussion that revolved around the subject property's annexation to the City when using City infrastructure, such as water and sewer services. Troy Monroe, City Engineer for Development Review, explained that when a new development uses City services, it is expected to be annexed into the City to ensure consistent service standards, including emergency response, which differs between urban and rural areas. Dave DeGrandpre clarified when properties are annexed into the City, they often need costly retrofits to meet City standards, which can be complicated by multiple landowners. Under Montana annexation law, the City must provide equivalent services to all areas, which is why it's crucial for developments to meet City standards from the start. He emphasized that while there are impacts from the development, there are also benefits, such as improved infrastructure. Nathan McLeod, City of Parks and Recreation, added that they have the experience and resources to manage the situation of protecting the riparian area.

See PowerPoint presentation slides.

PUBLIC COMMENT

Public comment included nearby homeowners and East Missoula community members voicing their concerns for the proposed Aspire development. They stated that four new apartment complexes have been built in East Missoula without requiring annexation, contradicting claims that annexation is necessary for water and sewer services. They argued that the proposed development will impose a decade of hardship on residents.

Community members pointed out that Sommers Street, does not meet City standards and that the increased traffic from the development will overburden the already strained infrastructure in East Missoula. They expressed concern that the developer is pushing for higher density rezoning without ensuring the necessary infrastructure upgrades, and prioritizing profits over the community's safety and well-being. It's noted that the traffic study being used to justify the development is outdated, with the most recent study from 2023 being a close copy of the 2021 study. Adjacent homeowners to the subdivision highlighted that the developers, 406 Engineering and DeNova Homes, have not addressed community concerns. They argued that the proposed zoning change would drastically alter the character of the neighborhood, increase traffic issues, and diminish property values.

Residents requested the Board to limit development to a maximum of six units per acre and restrict building heights to 20 feet, aligning with the existing zoning and environmental standards. One commenter did express support for the development, highlighting the City's housing crisis and voicing the need for positive change to maintain the community's fabric. The importance of protecting riparian habitats for future generations and caution against settling for the minimal 50-foot riparian setback was addressed. Concerns were raised about the riparian setback being misleading, as it included a golf course in the undeveloped area calculation, and not reflecting the true impact of new homes and infrastructure. They also questioned the accuracy of the traffic impact study, arguing that the focus on 2,000 cars per day reaching Highway 200 ignores the real impact on local intersections. Adding more such developments with unique zoning and safety measures will create a patchwork of disconnected neighborhoods was added as another concern. Residents had clarifying questions for the traffic study, asking if it concluded ten years' worth of construction traffic, including vehicles from the developer and subcontractors. Noise mitigation and concerns about quality of life due to the construction and density of the new housing concluded public comment.

REZONING MOTION

Rick Hall 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 as shown and legally described in Exhibits A and B from RT5.4 Residential to RT5.4 Residential / NC-A, Aspire Neighborhood Character Overlay.

Board members inquired about the dry utility easement in relation to the 62-foot right-of-way. Staff clarified that the dry utility easement is outside the right-of-way, making it more 78 feet. The maintenance of Sommer Street was addressed, with staff noting one of the conditions of approval for the subdivision includes a waiver from future residents to protest the formation of an Improvement District to handle ongoing maintenance. Shane Stack, of Public Works, added that this approach could address potential issues with road responsibilities. Board members also inquired about the plans for the intersection of Summer Street and Highway 200. Shane Stacks explained that efforts are focused on securing a grant agreement, after which detailed design work will begin.

Planning Board Members voiced concern regarding the riparian zone. They acknowledged the burden that residents are dealing with from the challenges of development in their community. Clarified questions about the placement of the walkthroughs was addressed. Brian Throckmorton stated that the traffic study does not

account for traffic during construction phases, which could differ from the final results once construction is complete. Board members acknowledged the efforts that were made by 406 Engineering to meet community needs. They suggested a potential park reconfiguration, specifically connecting a right of way right-of-way or park extensions through the west side.

Some Board members expressed opposition to the proposed overlay, arguing that it decreases setbacks, reduces livability, and creates a need for various variances. Dave DeGrandpre explained that the overlay aims to provide flexibility in housing types, supporting the City's goals of equity and varied housing.

VOTE

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

AYES: (2): Shane Morrissey, Sean McCoy

NAYS (3): Lynn Davis, Rick Hall, Dave Loomis

RECCOMENDED MOTION (Variance Request #1)

Rick Hall made the following motion to approve the request, and Shane Morrissey seconded the motion:

Recommend City Council approve a variance from City Subdivision Regulations Article 3, Section 3-020.2 Table .2A to allow Aspire Loop, Heartwood Place, Jumbo Drive, Crosscut Way, Sommers Street (onsite), and a portion of Waterside Drive (onsite) to have a 62-foot right-of-way easement instead of 70 feet for the Low Density Urban Local Street type.

Board members expressed support for the variance, mentioning that everything needed can fit within the 62 feet available for the street type. Brian Throckmorton clarified for the Board what the design would like for sound protection. Board members clarified to staff why they voted against the variance. The importance of adhering to the existing subdivision code, disagreement with certain aspects of the neighborhood character overlay (including density and riparian buffer requirements) and variances should only be granted if a legitimate hardship is proven was listed as why they voted against the variance.

VOTE

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

AYES: (2): Shane Morrissey, Sean McCoy

NAYS (3): Lynn Davis, Rick Hall, Dave Loomis

RECCOMENDED MOTION (Variance Request #2)

Rick Hall made the following motion to approve the request, and Shane Morrissey seconded the motion:

Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-020.2 Table .2A and 3-020.4.N to allow the northernmost approximately 415 feet of Waterside Drive to have a 54-foot right-of-way easement and one parking lane instead of two.

The discussion focused on Board members expressing their concerns about the proposed 54-foot width, arguing that it may be too narrow and could create future issues. Brian Throckmorton provided additional context, explaining that the 54-foot width is part of a traffic-calming measure designed to slow down vehicles as they transition from a wider section of the road.

VOTE

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

AYES: (1): Sean McCoy

NAYS (4): Lynn Davis, Rick Hall, Dave Loomis, Shane Morrissey

RECCOMENDED MOTION (Variance Request #3)

Shane Morrissey made the following motion to approve the request, and Rick Hall seconded the motion:

Recommend City Council approve a variance from City Subdivision Regulations Article 3, Section 3-020.2 Table .2A to allow a sidewalk on only one side of the street for approximately 460 feet along the northwest corner of Aspire Loop.

Board members expressed their opinion that while the variance makes sense given the topographical challenges, the rationale behind the hardship seems somewhat contrived. They suggested a reconfiguration of the plat could be reconfigured for better connectivity. The neighborhood character overlay was addressed as another concern.

VOTE

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

AYES: (3): Lynn Davis, Shane Morrissey, Sean McCoy

NAYS (2): Rick Hall, Dave Loomis

RECCOMENDED MOTION (Variance Request #4)

Shane Morrissey made the following motion to approve the request, and Rick Hall seconded the motion:

Recommend City Council approve a variance from City Subdivision Regulations Article 3, Section 3-030.2.A(2) to allow the block serving Lots 1-18 and 103-113 to exceed the maximum 480-foot block length requirement.

Planning Board Members expressed their agreement with the variance at hand, and acknowledged it made sense given the design and the neighborhood character overlay.

VOTE

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

AYES: (3): Lynn Davis, Shane Morrissey, Sean McCoy

NAYS (2): Rick Hall, Dave Loomis

RECCOMENDED MOTION (Variance Request #5)

Shane Morrissey made the following motion to approve the request, and Rick Hall seconded the motion:

Recommend City Council approve a variance from City Subdivision Regulations Article 3, Section 3-030.2.A(2) to allow the block serving Lots 19-31, 114-123, and 47 - 48 to exceed the maximum 480-foot block length requirement.

Board Members stated they intended to support the variance, finding the access to properties and block length reasonable, particularly with the inclusion of pedestrian access. Others addressed the concern of its impact as a traffic calming mitigation measure.

VOTE

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

AYES: (2): Shane Morrissey, Sean McCoy

NAYS (3): Lynn Davis, Rick Hall, Dave Loomis

RECCOMENDED MOTION (Variance Request #6)

Shane Morrissey made the following motion to approve the request, and Lynn Davis seconded the motion:

Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-030.2.A(2) to allow the block serving Lots 32-46 and 68-87 to exceed the maximum 480-foot block length requirement.

Planning Board Members expressed their support for the motion by stating that they believe this will minimize any negative impacts on the river and the riparian area.

VOTE

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

AYES: (2): Shane Morrissey, Sean McCoy

NAYS (3): Lynn Davis, Rick Hall, Dave Loomis

RECCOMENDED MOTION (Variance Request #7)

Rick Hall made the following motion to approve the request, and Shane Morrissey seconded the motion:

Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-030.1.C(3) to allow Lots 62, 65, and 66 to abut and have access to an alley instead of a public or private street or road.

Some Board members expressed support for the proposed variance and mentioned that not everything needs a structured approach and that a "cottage core" area could be appropriate for the location in question.

VOTE

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

AYES: (2): Shane Morrissey, Sean McCoy

NAYS (3): Lynn Davis, Rick Hall, Dave Loomis

RECCOMENDED MOTION (Variance Request #8)

Rick Hall made the following motion to approve the request, and Lynn Davis seconded the motion:

Recommend City Council approve a variance from City Subdivision Regulations Article 3, Section 3-030.2.A(2) to allow the block serving Lots 58 - 67 to exceed the maximum 480-foot block length requirement.

VOTE

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

AYES: (2): Shane Morrissey, Sean McCoy

NAYS (3): Lynn Davis, Rick Hall, Dave Loomis

SUBDIVISION MOTION

Rick Hall made the following motion to approve the request, and Shane Morrissey seconded the motion:

Recommend City Council **approve** the Aspire Phased Subdivision preliminary plat application, subject to the recommended conditions of approval, based on the findings of fact and conclusions of law in the staff report.

Board Members emphasized to staff that a better redesign could have eliminated the need for the number of variances and one that met both current and future regulations. It was added that the development does not fit the surrounding area and is too dense. The riparian buffer zone was addressed as another concern and concluded discussion.

VOTE

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

AYES: (0):

NAYS (5): Lynn Davis, Rick Hall, Dave Loomis, Shane Morrissey, Sean McCoy

B. Jon Sand, Associate Planner, City of Missoula - Rezone 715 W. Central Ave. and 725 W. Central Ave. from RM1-35 Residential (Multidwelling) to B2-2 Community Business

[Time stamp – 3:39:15]

Jon Sand, Associate Planner with the City of Missoula, presented a proposal from Michael Maine of IMEG Corp. representing Eagle Nest Estates Inc. and JCO Properties LLC, to rezone the subject properties on the south side of West Central Ave. between Bow St. and Bancroft St. from RM1-35 Residential (Multi-dwelling) to B2-2 Community Business. This rezoning will result in a standard zoning district under Title 20 which cannot be conditioned.

The properties are designated as "Neighborhood Mixed Use." Staff highlighted the proposed B2-2 zoning district aligns with the Growth Policy, unlike the current zoning, which does not. The subject properties are situated in a transition zone between commercial mixed-use areas along Brooks Street and residential neighborhoods to the east. The proposed rezoning aligns with the Midtown Master Plan and Growth Policy by enabling mixed-use development and additional commercial uses. However, the current zoning only allows for multifamily development. The proposed B2-2 zoning would permit more diverse uses and mixed-use development, leveraging existing infrastructure, including trails, sidewalks, greenways, and bike lanes.

Staff provided an overview of the standard comparison between the RM1-35 District and the proposed B2-2 Zoning District. He highlighted there is a notable transition in height limits from the Community Mixed-Use zone, which allows taller buildings, to the adjacent residential districts with lower height requirements.

The recommendation for rezoning is based on compliance with the City's Growth Policy and Title 20 zoning ordinance. The rezoning aligns with land use designations, supports commercial and mixed-use development, and complies with the Midtown Master Plan. The property is well-served by public services and infrastructure, making it suitable for the proposed changes. The transition in zoning is designed to protect neighboring residential areas while allowing for compatible urban growth and neighborhood-scale commercial development. The proposed B2-2 district is more compatible with the existing commercial development in the area than the current residential zoning. Staff stated that no public comment or agency comment was received for this project.

See PowerPoint presentation slides.

PUBLIC COMMENT

No public comment.

RECOMMENDED MOTION

Lynn Davis made the following motion to approve the request, and Shane Morrissey seconded the motion:

Recommend City Council adopt an ordinance to rezone the subject properties located at 725 W. Central Ave. and 715 W. Central Ave. and legally described as Lots 5-10 and the east one-half of Lot 11 in Block 35 of Homevale Addition, located Section 28, Township 13 North, Range 19 West, P.M.M. from RM1-35 Residential (Multi-dwelling) to B2-2 Community Business, based on the findings of fact and conclusions of law in the staff report

Board members asked for more clarification on the two different property owners' intentions for the subject properties. Staff clarified that there is an alley with a 20-foot

right-of-way behind the proposed development, which consists of residential and multi-dwelling unit buildings. Cassie Tripard, Planner Supervisor with the City, confirmed that the building can be constructed up to the right-of-way without rear setbacks. Staff explained that although the zoning allows a certain number of units per parcel, other requirements like parking, landscaping, and setbacks under Title 20 must still be met. Planning Board Members indicated their support for the proposal, noting that it is consistent with the neighborhood's growth and the area's mixed-use plan. A question was raised about whether a parcel is considered to be abutting a residential neighborhood if it is across an alley. The clarification was that because the right-of-way area is technically unzoned, the parcels are not considered to be abutting. The discussion concluded with members agreeing that the project fits well with the existing neighborhood and meets all necessary criteria.

VOTE

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

AYES: (5): Lynn Davis, Rick Hall, Dave Loomis, Shane Morrissey, Sean McCoy

NAYS (0):

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

Planning Board Member, Dave Loomis, emphasized that the residents of East Missoula should engage more with the Board of Commissioners and City Council. He thanked the Planning Board for his final meeting. Board members expressing their appreciation for Dave's insight as a member during his term concluded comments from Board members.

XII. ADJOURNMENT [Time stamp – 4:12:04]

The meeting was adjourned at 10:25 p.m.

Missoula Consolidated Planning Board August 6, 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/9082/media>

Missoula Consolidated Planning Board- August 6, 2024-Meeting Recording

AR **Analeshia Rodriguez** 1:09:58

With that, we will call to order tonight's Missoula Consolidated Planning Board for Tuesday, August 6th, 2024.

It is 6:17 PM and with that we will do a roll call.

Roll call vote Lynn Davis.

LD **Lynn Davis** 1:10:25

Here.

AR **Analeshia Rodriguez** 1:10:28

Derek can washer Derek is absent.

Shane Morrissey.

SM **Shane Morrissey** 1:10:36

Present.

AR **Analeshia Rodriguez** 1:10:39

Tune Farm Tunas absent Josh Raider.

Josh is absent Dave Loomis.

D **dave** 1:10:50

Here.

AR **Analeshia Rodriguez** 1:10:53

Peter Benson Peter is absent, recall.

RH **Rick Hall** 1:10:58

Here.

AR **Analeshia Rodriguez** 1:11:00

Sean McCoy here. Mr.

Chair, we have five regular members in attendance.

We have made quorum.

Great.

Thank you.

OK.

And it looks like we're deferring July 30th meeting minutes to August 20th.

Is that correct?

OK, alright.

So we don't have to worry about approving our minutes.

Which brings us down to public comment on non agenda items for so for all the folks that are here in house or online, this is an opportunity to speak about something outside the agenda.

So if you're here to talk about one of the subdivisions that we're here for tonight or the rezone, please hold your comment.

This is for things outside of tonight's agenda, so with that, I will open up public comment for non agenda items and staff will throw up instructions on the screen for anybody at home who needs to call in separately.

And if you need to call in separately, you can call 4062724824.

Conference ID is 127489322# sign star 5 to raise and lower your hand and star 6 to mute and unmute yourself, and we'll just take a minute here to see if anybody joins us online or in house.

OK, I'm not seeing anybody.

You guys see anybody online, miss?

OK, not seeing anybody for public comment on non agenda items.

We're gonna go ahead and close that and move on.

So there are no staff announcements, but before we jump into public hearings, I just wanna let folks know that we're gonna make a little adjustment to our agenda.

Our last line item for Tonight, Communications and special presentations, I think we're going to go ahead and postpone that given our difficulty reaching quorum, the length of tonight's possible meeting.

And it just seemed like a little wiser move to go ahead and postpone that to a later date.

So just to let board members know and staff that I might not have communicated, we're going to go ahead and I think move communications and special presentations to a later date.

So with that, we will move into our public hearings and we are starting with the ASPIRE Phase Subdivision and David Graham pre land use supervisor with the city.

Go ahead and gave Dave. Sorry.

It's not on.

Alright. Third try.

Good evening, folks.

Thank you, Mr.

Chairman, my name is Dave Degrant.

Right, with the city of.

City of Missoula Development Services office.

Right.

OK.

And I'm going to be presenting on the Aspire Subdivision.

I have a question for our board members.

Well, actually before I get started, so I'm also here with their other city staff available.

Troy Monroe and Tracy Freshour with the city's public works and Mobility department, are available online to ask answer questions regarding sewer, water, streets, sidewalks, other of infrastructure type improvements.

I saw that Shane Stack, who's the county Public Works director, is online, and Nathan McLeod, who is with the city parks and Rec department, is also available online to discuss how the the parks in the Aspire Subdivision might be managed over time.

So I wanted to get that out there.

Let me share my screen.

Mumbai.

It's not sharing now, is it?

Ohh you are excellent.

Alright, so board members, is there anyone here tonight?

Who was not at the previous or initial Aspire Subdivision hearing?

SM **Shane Morrissey** 1:16:04
I was not.

AR **Analeshia Rodriguez** 1:16:06
OK.

SM **Shane Morrissey** 1:16:06
Is a shame.

AR **Analeshia Rodriguez** 1:16:07
OK, Shane.
Well, thanks.
Then what I'll do is I'll go through the presentation again.
I will try to abbreviate it.
It's quite lengthy.
I'll try not to, you know, I'll try to just hit the high notes, but there are several moving parts to this project, so I'll have to hit those details for the benefit of members of the public and also board members.
So umm, this is a continuation of the public hearing and tonight Board members, I'm looking for 10 motions and they have to do with a rezoning ordinance, variance requests and the preliminary plat application or the subdivision.
So you're making a recommendation to the Missoula City Council Planning Board does not have a role in in annexation and initial zoning of the property under Montana law that goes straight to City Council.
But the property is currently outside of city limits.
You can see the Red Star on the map in yellow that so this is based on.
This is a map from the city's annexation policy, and in yellow are areas that are already within the city limits in green are areas that are in Dave.
You're slides aren't moving forward.

RH **Rick Hall** 1:17:16
Yeah.

AR **Analeshia Rodriguez** 1:17:16

Uh huh?

Yeah, that's interesting.

OK, you see here ologist for the technical difficulties.

CT **Cassie Tripard** 1:17:31

Came for some reason.

It allows me to move your sides forward, which is really bizarre if you can't seem to, I guess I can.

RH **Rick Hall** 1:17:37

Yep.

And me too.

AR **Analeshia Rodriguez** 1:17:40

That's.

Very strange.

Let's see here.

How do I?

Wait a minute.

I think I'll be able to do it just.

It one second.

Thought I had it all nailed.

Cassie, that might be best.

You can do that.

CT **Cassie Tripard** 1:18:41

Sure.

Just tell me one.

AR **Analeshia Rodriguez** 1:18:45

Hmm.

Just give me one more try here.

I think I got knocked out of the meeting or knocked myself out of the meeting.

And and Alicia, can you make me a presenter again, please?

There we go.

I think I should be good now.

OK, it does appear to be pretty small on the screens.

I wonder if we can minimize the teams participants.

Would it be possible to exit out of that for a minute?

It's probably better.

Good to go, alright.

So I mentioned already the playing board will vote on 10 motions tonight having to do with rezoning ordinance, not the initial zoning to RT 5.4, but the addition of the RT 5.4 Slash neighborhood character overlay for the spare Subdivision 8 variance requests and also the Aspire preliminary plat application.

I was on to annexation, so the property is not within the city limits currently, but it is within the city's preferred annexation area.

So in green and the green shade is annexation area A?

That's where development largely meets the guidelines for annexation.

So this is an area that the city has considered annexation.

There's a delayed annexation agreement until 2034 for all the area in East Missoula.

It's on city water and sewer.

It could be longer than that.

There's no hard deadline here, but it's at least 2034.

However, land owners can petition to enter into the city limits, which is what has happened in this case.

The property is located adjacent to the Clark Fork River to the East, Interstate 90 to the South, and existing residential development.

It's single family and two family development to the north and the West.

The property is accessed from Waterside Dr, which is on the north side and summer St at the southwest corner.

Those are both city or sorry, county maintained roads.

This map shows existing conditions on the left side.

It's a topographic map or a slope map.

Green shows area that is of minimal slope zero to 10%, so you can see that the vast majority of the property is relatively flat.

In fact, that the top right photo looks W from along the river near the river.

You can see that it consists of pasture grasses.

That's largely flat.

There are a couple of areas of slope along the West side.

There's an old what we found out at the last meeting was a trolley bed and on the east side it slopes down to the river a little bit, but otherwise it's largely flat.

There is riparian vegetation along the east side along the river in good shape.

It's largely pasture grasses up until then, and there is a narrow floodplain along the east property boundary, down by the river.

No development is proposed within the floodplain.

Property has historically been used for agriculture, irrigated grazing land and pasture land.

And this is really the heart of the proposal 100 and upon annexation into the city limits and initial zoning to RT 5.4 residential.

There are 182 lots proposed, 172 of which are single family and then 10 multifamily down along the southern boundary along the east side there are well there are two big parks, one along the east side that you can see outlined in green with some trail connections from the streets over to the park.

The park would contain a a new trail and is proposed to be dedicated to the public and managed by the city of Missoula Parks and Recreation Department along the West side, there is a new park as well that would about the existing Canyon View Park, and there's talk between the city and the county to merge those at some point or manage them together, whether it's through a park districts, a parks district or some other means.

So ongoing discussions there, the property would be served by city water and sewer. There are storm water plans that have been submitted where stormwater is planned to be contained on site.

All of the streets that you see include travel lanes, parking lanes, sidewalks, St trees, etcetera, which would be installed by the developer and then ultimately maintained by the city, dedicated and maintained by the city.

Me and then there is also an an off street or sorry an off-site improvement which is a

water main that would have to be upgraded.

I believe it's in phase three.

In order to maintain fire flows off site, the proposal is to develop the lots in six different phases over approximately a 10 year period, starting with the light blue, which includes some single single family lots and also the riverfront park, as well as a road connection up to the north and then progressively from there.

The last phase is proposed to be the multi dwelling phase and yellow shown on the screen down toward the South.

This is the future land use map or a future land use map from the cities growth policy and the city Growth policy recommends a land use of residential medium density, which means 3 to 11 dwelling units per acre and associated with that land use designation are four different zoning districts.

Our T10, our eight RT 5.4 and R 5.4, now the developer, has requested City Council to grant the RT 5.4, which would happen upon annexation, along with the annexation process.

And incidentally, the county growth policy, land use elements, which is there, yeah, it's the growth policy essentially for this area also recommends a land use designation of residential.

Current zoning in the county is residential and this provides for a range of small scale housing options that reflect the traditional character of the existing residential neighborhoods with the intent of promoting compatible infill development land uses are that are allowed or agriculture, homes, daycares, community, residential facilities, a few commercial uses, things like that, the maximum density under the current zoning is 6 dwelling units per acre.

At the last hearing, I misspoke.

I said it was over 8.

I was incorrect so that the just to make the record clear, the maximum density in the county zoning is 6 million units per acre.

The proposed zoning again is RT 5.4, with a neighborhood character overlay.

And So what is an overlay?

An overlay is additional additional requirements that are laying essentially on top of the base zoning district.

So there are additional requirements and overlays function in UMM in conjunction

with the base zoning district.

Overlays are a geographically defined area that are intended to provide continuity, united by a physical development or architecture.

They must create an identifiable setting, character and association and have to be at least five contiguous acres.

The big thing?

Really about overlays is they provide flexibility.

It's a tool.

It's kind of like a planned unit development in a way that's intended to provide.

I'm for for flexibility.

So here are the key differences between the base RTT 5.4 and the additional overlay that's proposed by the development team.

There aren't that many differences.

Frankly, they both have.

A minimum area per unit on average of 5400 square feet.

So the density is the same.

The maximum achievable units is 284 dwelling units either way, so the density doesn't change.

But what does change is that the overlay would permit multi dwelling buildings on 10 lots along the southern portion of the property.

The the base RT 5.4 doesn't allow multi dwelling units.

They allow the base district allows detach homes, lot line homes to unit homes and two unit townhouses and the other key difference is the setbacks would be slightly reduced, building setbacks instead of 20 feet in the front and rear 10 feet is proposed in the overlay and instead of 7.5 feet for side setbacks of five foot setback is proposed.

And then finally, a little bit more lot coverage is proposed under the overlay in the front.

It would allow more area for parking.

So here are the criteria for a neighborhood character overlay.

I I mentioned them already, but to go through them one by one, the area must possess urban design, architectural or other physical development characteristics that create an identifiable setting, character and association.

And so staff has found is as illustrated or described in your Staff report board members that this area would provide a new cohesive, geographically distinct neighborhood, umm, things like curb and gutter, along the streets, treated boulevards and sidewalks are different from most of East Missoula.

It would create a different setting 2 new public parks are proposed.

As I mentioned earlier, that would kind of frame the development and there would also be reduced setbacks to allow buildings to be located closer to the street and closer to each other.

So it's more of an urban residential density as opposed to a suburban one.

And also there would be a mixture of homes one and two family homes as well as multi dwellings.

And then finally, the area must be at least five contiguous acres in size.

And of course this is a 35 acre property, so that criterion is met.

So the rezoning criteria that that are typical for rezonings that you that board members see are listed here and there are quite a few of them.

I'm gonna probably not go through every single one, but again, this applies these criteria apply because they're detailed in your staff report so.

They but the first one is probably the most important.

Whether the zoning is made in accordance with the growth policy and again, uh, the growth policy map indicates that this area is planned for residential medium density, which means 3 to 11 dwelling units per acre.

In this case, the proposed density falls right squarely within that at 7.1 dwelling units per acre in compliance with the growth policy.

Uh.

The overlay also complies with the recommended land uses and density of developments, residential land use and also density of development.

And then it would also help to achieve several growth policy goals, including those described in the staff report under Livability, Safety and Wellness, and Community design.

In terms of the other criteria, I'll just very quickly secure safety from fire and other dangers.

The subdivision would be within the city limits where emergency services fire.

Police are available also nearby hospitals.

Fire hydrants would be developed throughout the site in phases and building permits would be required to promote public health and safety.

Uh there.

This is also an area where there's adequate transportation, so it's with them in the month or the Missoula Urban Transportation District utility infrastructure is available. No development is proposed, but the floodplain and no natural hazards have been identified on site.

So we've we've this overlay accounts for public health safety in the general welfare. One of the items that was discussed earlier at the public hearing was schools and the impact on schools and the development team was in contact with the Missoula County School District.

Earlier in this process and we have and there's a in the application, there's an email from the former Superintendent of schools indicating that he was not concerned with this development and the number of students and bus trips.

His email states that that the district can accommodate the future students over time because it's a phase subdivision.

Umm.

Let's see.

Staff report details an evaluation of the other impacts at the end of the day, staff has recommended that this rezoning be approved because of compliance with these criteria and board members.

If you'd like to go into them in any further depth, I would be happy to a little later.

This is also they're also criteria for approving a preliminary plat or a subdivision, and we can go into those just briefly here.

I've already.

I've already talked about compliance with the growth policy and the zoning, so won't go over those again, but here are the others before you and whoops.

So in terms of impacts on agriculture and agriculture, water user facilities, again, this property was historically used for irrigated hay production.

Almost all the property does contain soil types designated as prime farmland.

If irrigated, however, under state law and our local regulations, mitigation of impacts cannot be based on the loss of agricultural soils.

There are also no other nearby properties that are used for agriculture.

Property does contain water rights that are proposed to be transferred to the city and used in part to irrigate the parks.

The property is not part of an irrigation district.

There are no ditches, head gates or other water user facilities on site, and if this property if the subdivision is approved, no other irrigated is would be impacted.

And finally, the land is zoned for medium density residential development.

Under impacts on local services.

Again, city water and sewer would be provided.

All utilities are available.

Solid waste is available.

Solid waste disposal services I mean are available.

I mentioned the two large parks to be dedicated to the city and managed by city Parks and REC for the purposes of recreation and also conservation and landscape boulevards with street trees throughout our proposed city.

Police and fire have not indicated any concerns.

Fire hydrants are proposed again to be developed throughout the project in phases, and I mentioned schools that the application estimates between 50 and 126 new school age children, and again, the Missoula County Public Schools Superintendent indicates no concerns with this project given the proposed time frame and phasing.

In terms of transportation, and this has been a big issue.

You know, we've received a lot of comments on this application and many of them focus on transportation systems in the East Missoula area.

Internal streets are proposed to be developed by the developer, streets and alleys that is and dedicated to the city in phases, with connections to summers and also water.

Side drive streets include travel lanes, parking lanes, curbs and gutter boulevards and sidewalks.

Summer St is projected to receive the majority of the traffic, perhaps even 90%, according to the traffic impact study, at least initially, although traffic would disperse from there.

Currently, Summer St does not meet city standards and has two travel lanes with informal parking on both sides of the street.

Minimal sidewalk within a 50 foot easement, approximately 90% I mentioned of the

traffic would go down summers.

The developer has proposed to provide to improve summers by providing more formal parking lanes, new curb and gutter and sidewalks from the subdivision all the way to Hwy.

200 that's over 2000 lineal feet.

Summers is maintained by Missoula County and will continue to be so.

The county would have to approve all improvements to summer St and 406 engineering.

The developers engineer has been coordinating with Missoula County and the city of Missoula as well on summer St improvements.

The Clark Fork River, of course, is adjacent to the east, and there are some riverine wetlands along the river.

There's a small sliver.

Umm, the developer has proposed again to dedicate that riverfront area to Missoula County to be managed by the Parks and Rec department.

No disturbance of the riparian area is proposed.

The developer has submitted a weed management plan and also plans for stormwater control and conditions of approval.

Recommend maintaining all stormwater on site so it would not impact the Clark Fork River.

The Missoula County Conservation District has indicated that a 310 permit would be required for the Riverfront Trail, which is also recommended as a condition of approval.

Let's see.

We've found out from.

Umm.

Letters from Montana Fish, Wildlife and Parks at the property does provide important wildlife habitat.

It provides habitat for a number of different species, birds, mammals, et cetera, and the the several agencies have requested larger river setbacks to allow travel along along the river.

This city, you're sorry?

Missoula County would require a minimum development set back from the river of

175 feet, and that's through their zoning through the county zoning.

The city has not required or has not, sorry, adopted any requirements like that, but the city has required in our regulations is that the developer submit a riparian resource plan which the application contains indicating what sorts of uses could occur within within an along vegetative buffers along the riverfront area.

And in this case, again the property would be managed by the city and we feel as though that is a good early in the process there was talk of a homeowners association managing this park and some of the comments that we see for example from the conservation district reflect that.

So there's more concern about individual lot owners kind of making the riverfront area their own, but we feel like and Nathan, Nathan McLeod from city Parks and Rec can talk to the potential management of that area that this would provide a greater degree of protection for the riparian area as well as good active access for residents and visitors to the riverfront and the again the parks would be dedicated to the city of Missoula, so it would be open to the public.

Under the public health and safety criterion, there really aren't any natural hazards other than potential you know, the floodplain along the river itself.

It's just a narrow strip.

There are no unstable soils.

High voltage lines, high pressure gas lines, anything like that?

No steep slopes.

The property is within the wildland urban interface, although it's not not heavily treed and wide.

You know, development would occur, urban level development would occur that would have the impact of reducing wild wild land fire danger in in such cases when property is subdivided and within the wildland urban interface, our subdivision regulations require a condition of approval that Fire Protection guidelines be appended to the covenants and that is it a recommended condition of approval.

And then finally, really most importantly, I think fire hydrants would be installed throughout and there would be 2 developed ingress and egress points.

8 variance requests are included in the application and here are the criteria for which variances are properly granted.

So the conditions.

Should be based on.

Should be unique to the property and not applicable generally to other property.

They should be based on the physical surroundings, particular shape or topographical conditions, and undue hardship to the owner would result if strict requirements of these the regulations are not enforced and you can see the last bullets granting the variance will not result in a threat to public health and safety or be injurious to other persons or property, not cause an increase in public costs, or violate provisions of the zoning ordinance or growth policy.

So starting with variance request #1 umm the the typical right of way for a urban. Sorry for a low density urban local street is 70 feet.

That's under our subdivision regulation, so kind of a standard urban residential St would be save a 70 foot right of way.

In this case, the development team is requesting that that be reduced to 62 feet for the streets that you see here.

And as you can see from the cross section, the Road Cross section that the proposed streets have all of the functional characteristics of or physical elements of your typical urban Rd.

So two drive lanes, 2 parking lanes, curbs and gutters, 7 foot boulevards and side 5 foot sidewalks.

Additionally, I failed to mention this at the the previous meeting, but along both sides of the streets would also be 8 foot utility easements.

So essentially and and those would have dry utilities.

So power, phone, things like that.

So essentially, the streets would function just like any other within the city, just with a slightly smaller right of way.

And this is just an illustration.

It doesn't apply to this, but it's to illustrate why wider right of way might be necessary on steep slopes where you have large cuts and fills, it's important to have some additional area for right of way.

You might need to, you know, lay back the slope so they don't erode and things like that.

And so vegetation can be planted.

That's not the case here, so staff is recommending that this variance be approved

because in this case, as I illustrated earlier, the property is really quite flat and this additional area is not needed as well as the fact that all of the elements, the physical elements, the City Street would be provided without the additional right of way.

So staff recommends conditional or recommends approval based on conditions that are unique to the property.

We feel as though at this variance request meets the criteria.

Variance request #2 is for a short section of Waterside Drive, so this is at the very northern end of the property and you can see two areas that are circled so waterside Dr coming in from the North has a 54 foot right of way and it has parking lane on one side.

On the east side and it has a sidewalk on one side.

In this case, the developers proposing to match that that alignment in that the the right of way for this 415 foot segment of waterside Dr would also have a 400 would also have a 54 foot right of way and parking only on one side of the road.

That would be the east side the there's one improvement to the water side drive I'm and that is there would be sidewalks on both sides of the road here.

You can see the illustration where a portion of the plat that shows sidewalks on both sides, so it would be an improvement in a sense and the alignment here of this road as you can imagine, the curve is essentially to reduce traffic speeds traveling into the developed property that the water's edge subdivision to the north.

And so the development teams justification for this variance request is they wanted to match the existing roadway, which I think makes sense and also reduce traffic speeds by having a slightly narrower area.

So this would have a 54 foot right of way and would have parking, a parking lane only on one side of the street.

The third variance request is to have a sidewalk on only one side of the street for a short section of road and this is a 460 foot section.

So typically our urban streets have sidewalks on both sides of the road.

This is located along the West edge of the property, and if you can see the topographic lines you can see that there's a little steep area along the West edge and so this is a 460 foot segment of Rd where there would be a sidewalk only on one side of the street.

You can see there's a crosswalk if you look at the South area, it says end of sidewalk

and there's a street crossing.

And then so people could walk along the east side of the road, where there are lots to get to the sidewalk on along the north, there are no sidewalks along the West.

This is proposed to be park area, so it's not like there would be sidewalk missing along the fronts of homes.

Really, there aren't a lot of alternatives here because of that topography, the sidewalk would have to be elevated.

It would be fairly funky design if sidewalk were required on both sides of the street, so staff recommends approval based on hardship.

That's unique to the property in this case as well.

Onto variance request #4 and this is for block length.

The City Subdivision regulations require that blocks be no more than 480 feet in length.

In this case, this this area is along the southwestern portion of the property.

Uh, it extends from the southwestern, you know, property boundary up to what would be the Western park.

And it abuts on the West existing residential development that really doesn't have any connection to.

There are no streets that this area of land could connect to.

There aren't any trail easements or or pedestrian easements or anything like that.

And so that's certainly a condition that's unique to the property.

You know, typically we like to see greater connectivity, Rd connections, trail connections, things like that.

But it's really just down an option in this area based on the existing development to the West.

So again, staff is recommending condition of or recommending approval of this variance.

Uh, based on the existing physical conditions?

Because not granting in our in our estimation, not granting the variance would result in an undue hardship in this case.

Here is another variance request for block length and at the South this is near the South of the property and you can see that there's a notation for 547 feet.

Again, the maximum block length under the city of Missoula Subdivision regulations

is 480 feet, and they're proposing a wider block.

It's a mitigate that you can see that there's a black NS line in that block.

That's a 10 foot pedestrian easement that would provide pedestrian connection between those lots.

It's, umm, the road Hartwood Place runs north South, and that's indicated on the slide.

Uh at uh people traveling N along that this this block here would reduce vehicle speeds for vehicles traveling South on this and would have the impact of I think it would in fact potentially increase public safety slightly because of the reduced vehicles vehicle speeds that this block.

You know, people would have to come to a stop and then head out one way or the other toward the southern boundary.

So staff again is recommending condition of recommending approval of this variance based on existing physical conditions where we feel that not granting the variance would result in undue hardship.

And here's another illustration.

This is a close up.

You can see that the 10 foot public access easement and the the block greater detail.

Here is another block length variance.

Again, 480 feet is the maximum this this area is along the eastern boundary along the Clark Fork River or near the Clark Fork River, where this area is 1815 feet encompasses I believe it's roughly 31 lots and you know there really aren't a lot of alternatives here.

The rivers to the east there are no obviously there are no St connections or trail connections off to the east.

You know the only only other alternative would be to put the road really at the top of the riverbank.

But I don't think anyone really wants to do that because of, you know, water quality impacts and also would would take away a public good in the sense of the park along the riverbank itself.

So that is not recommended, but the variance is due to conditions that are unique to the property.

You can see those black lines also 10 foot breaks, pedestrian easements that would

link the street to the Riverfront Trail or the Riverbank Trail that are are proposed as mitigation for this variance request.

We only have two more.

Here's variance, request #7 and the the regulations require that each lot must about upon and have access to, a public or private street or Rd under the City Subdivision regulations.

Alleys are not considered a a road.

They're not considered a road type.

They might provide the same type of service, vehicular access to lots, but they're not considered a road, so variance is required.

In this case, the lots in question are 6265 and 66.

They all would have access, vehicular access from alleys.

These are lots that are proposed to be developed with multi dwelling structures, so apartments, townhomes, row houses and they would have vehicular access from alleys and pedestrian access.

You can see right that dark line in the middle is a 20 foot pedestrian access easement, so all of the lots these three lots would have both vehicular and pedestrian access.

The fire department has reviewed the street types that are in the alley, types that are proposed here and is found them to be accessible, acceptable and provide adequate public safety on the developers provided these illustrations for what they're trying to achieve.

So where that 20 foot pedestrian access easement is, these are kind of like cottage court type developments where the fronts of homes would actually face each other across a green space and a pedestrian path.

The rear of the homes.

The row structures would be accessed, you know, they'd have driveways in the back. So these would be the fronts kind of looking at each other over green space and again, uh, vehicular access would be from the rear.

So you know this is a kind of a funky shaped area.

We're at the southern end of the property itself and staff is recommending approval of this configuration.

We've done it in other subdivision as well.

Sapphire is an example where all of the all the functional elements, both pedestrian and vehicle access, are provided.

But there's there's a funky shape or topographic conditions.

Whatever it might be in this case it's shape and so staff is recommending conditional recommending approval of this variance based on conditions that are unique to the property.

And then here's the last variance.

UM and it's again for block length.

And so, uh, this is the again the multi multi dwelling area where you can see that each of these block faces exceeds 480 feet.

And I'm really the issue here.

I think again, all elements of access would be provided with the secular and pedestrian.

This is a different situation.

You know the developer could have just proposed this whole area as one lot instead of 10, but I think what they're hoping to accomplish is to have breaks between these structures.

You can see the easements located between the lots.

Access would again come from the rear.

You know, if it was just one lot, this variance wouldn't be necessary cuz cuz all because the lot would have would a but a street.

But in this case, the developers proposing something different and staff is recommending approval.

This is a funky shaped area down at the South and we think it makes sense based on the variance criteria.

So staff is recommending conditional of conditional approval of the preliminary plat or the subdivision application subject to 35 conditions that would have to be met either prior to prior to final plat approval of either the first phase or a subsequent phase depending on the specifics.

But so final plat planning would be made according to a phasing plan.

Again, alternate streets, internal streets, alleys and utilities would be built by the developer and dedicated to the city of Missoula.

Summer St would be upgraded and improved prior to final plat filing to phase one.

Uh, and that would go again from the property itself to Hwy. 200 there's offsite condition recommending off-site water main improvements to maintain fire flows, fire hydrants, Parkland, dedication, etcetera and also water rights dedicated to the city.

I'll come back to these here in a few minutes for the board.

There are 10 different, umm, 10 different recommended motions for the board having to do with the rezoning.

The variance request and ultimately the the preliminary plat application, but what I really wanted to get to after oops after our last meeting is this and so you know we we talked a lot about at the last public hearing we talked about about river setbacks, about about we talked about agriculture, we talked about traffic, we talked about schools and things like that.

And So what I wanted to kind of put out there for board consideration is this. You know the city is working on an update to its growth policy right now and there's a Community profile section.

So it's kind of like a current conditions and trends section and one of the things that's discussed is housing needs.

And so, according to this community profile right now, we're already between two and three housing units behind.

If we want to have a vacancy rate of between 5 and 8% and that's considered considered a healthy vacancy rate.

So we're all ready.

We're operating at a deficit in terms of the number of homes in the city of Missoula. The city's population is projected to grow by more than 34,000 residents over the next 20 years.

And what that means is that we need about 1000 homes per year in order to accomplish that in order to accommodate that population and have what we would consider at healthy vacancy rate, that's a lot of homes.

And it won't just happen by, you know, through through small projects or by someone putting in an accessory dwelling unit here and there and that sort of thing.

So it's a real it's a big challenge that we're facing.

So the question is where should homes be built and the city has a growth policy.

Uh, that that calls for a focus inward approach where infill, infill development is the

priority?

Or is the highest priority, So what does infill mean?

It means development on existing utilities near transit near schools, near stores, medical facilities, recreational facilities.

And and things like that.

So where there are facilities and services available, might not you know, the the infrastructure might not be perfect, it might be a little substandard today, but can be improved tomorrow, but that's certainly the most, most efficient development pattern.

And what I want to mention is the planning board being a city County planning board here is about development.

Also, that's out in the county Greenfield type development.

And so this type of infill development is approach contrasts with farther out Greenfield development where where there are fewer neighbors that will be impacted, one of the board members last time and it was, Josh said, it's nice because there were two, two kind of subdivision 2 big projects that the board considered last go round.

One was out at the Y and nobody showed up to, you know, express discontent.

There's a reason for that is because nobody lives out there and something in a project like this it's much harder because neighbors will be impacted.

Infill is difficult.

It impacts existing residents and certainly there's a need and a responsibility for developers as well as the local governments to minimize and mitigate those impacts.

Absolutely don't mean to minimize that.

We have to do that and also well.

So there are tradeoffs, I guess is what I'm getting at, so infill it, it can impact wildlife habitat, it impacts, it can impact farmland.

But it's also we have to weigh these things.

And in the cities, in order the cities growth policy that's done in exchange for the compact development pattern that meets lots of the city, lots of the other city goals providing or at least seeking to provide, affordability, accessibility.

WJ William Junkermier 1:57:27
So.

AR Analeshia Rodriguez 1:57:29
Addressing climate goals, reducing sprawl, et cetera.
So really, that's the thing that I think the board members are charged with is thinking about these tradeoffs.
Looking at the plans that have been developed, trying to weigh these different things because there are lots of goods competing goods here, no one likes sprawl, but we also want to protect habitat.
We want to protect prime farmland etcetera, but it's really hard to do all these things when you need to come up with a with 1000 homes per year.

WJ William Junkermier 1:57:51
It's like the teams expired.

AR Analeshia Rodriguez 1:57:53
So I'll guess I'll.
I'll stop talking now.
And and Sean or if the board members have any questions, I'd be happy to try to answer them.

WJ William Junkermier 1:57:57
They'll even bend your.

AR Analeshia Rodriguez 1:58:02
And again, we have city staff and I believe county staff here as well that may be able to assist.

WJ William Junkermier 1:58:03
Because I don't.
OK.

AR **Analeshia Rodriguez** 1:58:11

Great, Dave.

Thanks for your representation.

Does anybody from the developers or do you guys have any presentation for tonight?

Better if you go ask questions, I can answer those.

Go.

First stop.

A little bit abnormal night.

Better than come back up and have to break up the questions.

Right.

And for the, OK.

Hold on.

I saw good.

She was asking about his mic.

Ohh Brian Throckmorton with 406 engineering.

I I think it would be better if we went after all public comment.

That way, if there are questions I can hopefully answer some of those and clarify a few different things.

If if you would like me to go now, we definitely can.

We want we have some more input, especially the questions towards the end, but I think it would be better if we can write down public comment and then kind of come up and address those and then if you have questions, I can still be here to answer those, OK.

So I think what I can do and Shane, maybe you can help me with this is you're welcome to answer questions, but this is your time for like a presentation like then I'll go that.

Yeah.

OK, make a spiel.

OK.

And then, you know, like, so does that make sense?

Does that clear?

Yeah.

I just didn't know if you had a set, but I just thought it might be a little bit easier to clarify through those presentations.

So you have to ask them.

I don't know, Shane.

You got any feedback on this?

And Leon, I'll get.

SM **Shane Morrissey** 1:59:55

I think that we should, if there's a presentation, then we should hear the presentation and then open it up and again, we'll address questions to either the developer or Dave or City staff.

Umm, based on who we feel like should answer it.

So that would be my input.

AR **Analeshia Rodriguez** 2:00:16

OK.

Yeah, that's our typical method.

So let's let's stick with that.

Go ahead and make your presentation, Lin. Go ahead.

I see you there.

LD **Lynn Davis** 2:00:26

Sorry, I had a question.

Once we're ready for questions so I can do that, yeah.

AR **Analeshia Rodriguez** 2:00:30

OK, well, let's let Brian make us feel and then I'll address that.

Uh would be possible.

Let me share actually.

Yeah, just one SEC.

So I think you know Dave kind of hit on everything.

So I'm going to skip most of what we talked about before and may hit a few things

and kind of jump more directly to the questions that were at the end of last presentation.

Umm, so I think that that will be a big help to clarify.

I think one place to start because one comment from last time was that we seemed like we were a little more at the beginning stages of this.

So I kind of wanted to clarify where this projects been so far.

I'm just so everybody knows.

So we we started to look at this project, uh, January of 2021.

Ohh, through that process we noticed in in in that time that there's actually a 1 foot no access strip.

That was a budding waters edge subdivision.

That was on the phase three final plat.

So what that meant was what a what we thought was a given two points of access which is needed to get over 35 units, was not a given.

We couldn't cross, even though that was a public Rd that one foot, no access strip said we could not cross it, so we had summer St was was there didn't have an access restriction, but waterside?

Drive did have access restrictions, so we reached out to Tim Worley.

I think of my first email was January of 2021, so 3 1/2 years ago we started this process to the county, went through back and forth, wasn't really sure how to address it at that point.

I think the spring of that year, we also talked about Robinson St would extend through Canyon View Park was another possible to get.

The second gave a presentation of what we kind of thought that at that time we didn't.

All the parcels weren't even including this, but what may be the subdivision would look like to the Community Council to get their feedback and thought process on using the Canyon View Park as a possibility to drive through and have it a second entrance.

So that definitely stayed open.

There was some back and forth on that, but this process then the the thoroughness of it really went to the county.

Basically, I think it was October of that year.

We went back and forth.

We weren't sure what we're gonna do.

Finally, Tim decided that a formal request to take the 1 foot no access trip to the county commissioners.

To say that, hey, this was put on here, we do need to remove it.

What does that going to look like?

To the county commissioners.

Had a very thorough process with them, so when we went to the county commissioners, we started with more of a bubble diagram.

Weren't sure what we were really gonna do to them, so we started at the Max of what?

The growth policy set.

So we looked at what 11 dwelling units an acre were.

When you look at this particular lot layout, you can see that the the orange would be multifamily, the red was residential townhomes, the Gray was single family along the river.

See if I can blow this up a little bit more.

There we go.

Maybe if I do?

There we go.

So you know we we talked the county commissioners at that point, didn't love what we had.

We had come in, they had asked for a traffic impact study to look at what this was going to look like.

They asked for more public, public input to meet with the residents.

We did that.

So we went out.

We did a full traffic impact study, a 55 page study at that time on \$11.00 an acre.

What does that really look like?

We considered, as you can see, we have 3 entrances.

We have waterside Dr we have Robinson St, we have summer St we considered a combination of either all three or just two of each to to see what that would look like presented.

That went to the general public.

One thing that came out of the first initial meetings was, you know, hey, if you could take your park is pretty isolated by itself would about taking that part and moving it over to touch Candy View Park and then we create a better community park that each community can then access.

We kind of combine the goods that we have for the benefit of everybody.

That's a better off.

So as you look at, we start going down our second run a lot layout or a bubble diagram includes moving the park over.

This process again had a lot of pushback.

The density was too high, you know.

Was the top end of the growth policy.

So we went back, looked again.

Revamped.

Uh came with a much smaller area of multifamily in the middle layout.

We we still had some residential townhomes and you can see what a proposed dwelling units per acre was up here on.

And then we kind of kept the single family along the river into the north.

So that was 8 1/2 dwelling units an acre.

This is the layout that the County commissioner signed off on three to zero that they were OK with before they would allow the 1 foot no access.

Trip that whole process it was brought up that that was their moment to then comment and have a say over this subdivision, knowing that we were gonna go to the city for annexation.

So there was lots of public input.

County commissioners voted on this layout fact.

This layout has a restrictive covenant on the lot of this layout right now that's filed, filed with the clerk and recorder.

Now we went less than that, but this was the Max that we could do.

This is the layout.

There was restrictive you guys can see also the way the parks are pretty similar.

We did add more parts than what we show on here, so we increase the park, but you know the 50 foot set back from the river, the access to the river, all that this layout

has been bought off by the county commissioners.

So then we we came over and you know our first initial run need to move my at that what we submitted to the city for the pre application meeting is this unit right here.

So again, at that time, we came back in, we thought we were still working on

Robinson St so we come out of the County Commission meeting.

We were still working on Robinson St We knew we had waterside Dr and we knew we had summer St at that time.

We thought it would be helpful to disperse the traffic a little bit more with Robinson St through county parks.

That really got pretty shut down.

County parks was pretty verbal with me that they just weren't gonna support it.

They didn't wanna put a street through Canyon View.

The residents around there didn't want the street, so you know, as you look ahead, we did take that exit off.

But I will say the way the layout is, if in future phases if for some reason we need to add it back in, you can see we just literally cut it off and cut the corner.

So the layout that you see here could actually still continue if we needed to.

If if county parks changed their mind and any anything like that, but in essence, you know, through county parks the the strong know without them the county commissioners were not gonna vote for that extension.

So we, we we left off that but left the design in the same way.

Umm, so you know when we went even into the city, we were at seven and a half million units an acre.

I think if you look at some of our first stuff, it's like 263 units and now we're at 2:52.

So you know the next layout is really similar to what you see now, but one correction that we've made even since then is these three lots right here.

City parks came to us and said, hey, it would be really nice if you if you just took those lots and move those elsewhere, you would increase the park size.

It's something we would like to see on a park.

It makes the park more open and accessible, and so we worked with them then to take these three lots out to just add additional Parkland in the current layout that you see by moving these other places and trying to work them in.

So there has been a lot of input.

There's 3 1/2 years into this project.

Again, the county commissioners have signed off on this middle one.

That's the resolution that you see right here that the assigned by them.

So you know, it looks like October of 21 is when we submitted the official request and even that process wasn't we got approval from them voted on June 30th.

So we were back and forth with them.

It wasn't just like a one meeting show up.

Everything gets signed off.

There was a lot of input and a lot of time putting at that point, you know, here's all the different traffic impact studies.

In fact, you know, even there's one in between here, but this show is even March of 2022.

You know, we went in and did a full traffic impact study.

Then we had the third party traffic engineer come in and do another one for the 8 and half to 1 units, and then once we've got our final one done, now we have our final April 23.

So these are, you know, 55 to 60 page traffic studies that have been updated multiple times.

I've looked at the fully what the traffic will be for this area, so there has been a lot of effort put into that and a lot of buy off even you know, the county commissioners again have looked at these studies, they've had third party reviews.

I may looked at through this whole process first initial I may went through and had their third party review them through Waters Edge the the county traffic engineers have signed off on it.

The City traffic engineers have signed off on the traffic impact study, so traffic has been thoroughly looked over by multiple agencies.

Third parties, it's not just a flash in the pan.

We just kind of guessed at what we were doing, and again, even that is a third party professional that that's what they do for a living.

So you know that that's a little history to kind of get you guys to where we're at today.

I wanna hit on a few other things that we talked about last time.

Traffic being one of them, but just wanted to give a little background about we, you

know, I've heard I heard comments that this seems early in the stages, but it's it's a long ways from it's had a lot of government agencies input.

So we're we're finally to the point now where I think we we need to to make a decision and move forward showing traffic a little bit.

One thing I did want to point out, you know, everybody was wondering what traffic really looked like, where they would go this this graphic right here shows basically from the very northern edge of the development to summers were summers and Hwy.

Hundred 200 Connect is almost exactly the same distance.

So in essence, anywhere within the Spire subdivision, the traffic will go to the South in the summers.

Now, if you're going to Missoula now, the 10% does go north.

So that is where the 9010 kind of comes from, more or less is the fact that it is shorter to go to summer St than it is to go up on Deer Creek and go around.

So I I know some traffic will go that way.

I know Shane Stacks on here in in it would be nice to have him have some comment. Maybe when I've done about the upgrades to Hwy.

200 You know, talking with him, some kind of controlled intersection around about stoplight is in in the process right now being planned for Summers and Hwy.

200 and I know in our our traffic study it talks about the grade being really low for level service for that intersection.

But if you look in there, you know if a traffic signal or a controlled intersection we're developed at Hwy.

200 then the level service is gonna go up 10A, so that that's kind of the idea behind some of this is you know, as we go through this process, we know that Hwy 200 is gonna be upgraded.

We're creating a a big cross nice cross section of Summer St as wide as we can get it so that we can get traffic thoroughly to Hwy.

200 I will point out, you know in the the traffic study, the initial studies only had to accommodate the extra traffic was widening the road by 1 foot and our guys then with the request of the county public parks to put sidewalks in have then even gone from there and said they would do curb, gutter sidewalks and pay parking on both sides.

So it's above and beyond what the traffic study would say that is needed to handle that kind of traffic.

See here.

Umm one other question that was asked towards the end of last week is what would if you didn't approve the overlay.

So basically, you know this board is looking at the resumes.

The rezone is the overlay.

What would this development look like?

And so it would.

It would go in at RT 5.4, so I attached a few pictures of some areas in town.

They're zoned RT 5.4 with no overlay.

You know, and it basically it would be similar to this, we would have carbon copy duplex houses.

The Max density would still be the same, so we are not at Max density right now.

Max Density is 284 units.

I'm guessing if we had to go back and redo it, we would still be at about 2:50.

I can't see us being, you know, that would be about right there.

There definitely might be some loss in the additional Parkland, Acre and 1/2 of additional Parkland would probably go away to accommodate more of just the duplex type houses, but it would be 35 acres of duplex houses is what it would look like.

The density would stay the same.

The overlay allows to have a just a bigger, better variety of housing.

So kind of get into the heart of the big part of last time as far as riparian goes.

So I want to talk a little bit about this.

First and foremost are riparian area meets all city subdivision requirements and development requirements.

We're not asking for a variance on that.

We we meet the regulations that the city has set forth on that and that's that's the jurisdiction we're going into.

I did attach where basically the denoted.

This is in our riparian resource plan that is in subdivision regulation.

The red line is the denoted riparian area.

The blue would be the trail, so you can kind of get an idea that the right pairing area does not.

It's not a big extension of, you know, up the hill and weigh into the field, and we're gonna go into the right pairing area.

It is just directly along the river and then the Riverside Trail will be out of the riparian area as well to move forward.

So, you know, talking a little bit about the city, one thing that the city does have in their regulations, this is the city's regulations.

You know, they say a functional definition for a riparian resource area will ensure protection of the resource without unnecessarily impacting developable land.

So you know you need to remember that when when we're looking at this area, 175 foot setback goes into what's currently hay field and honestly currently has a residence out there at the rental house that's out there is within 175 feet of the river already.

So that is developable land.

The the last part, umm, fish, wildlife and parks brought got brought up a lot about, I think Audubon brought it up a couple different times, but the these are the comments from fish, wildlife and parks that you can see right here.

One of their first things says the designated right pairing setbacks in the proposal are appreciated.

So you know that that is something that I guess I didn't think about bringing up before, but you know, fish, wildlife and parks said that they appreciate what we put in our proposal.

They did say that protection of riverfront values would it would be enhanced by a wider buffer.

I don't disagree.

You know, if we could go to 175 feet or 200 feet, it would be better.

I mean, it's the same idea with if we could put a 10 acre park in, if we could have 70 foot wide roads with nice bike paths and then every house cost \$100,000.

But you can't fit at all.

We're we're in an area where we're trying to have reasonably affordable houses.

We're trying to have additional Parkland that creates more of a community park and that also protect the resources and add public access to the river.

Some of the other comments that fish, wildlife and parks had is, you know, our landscape plan where we showed planning extra trees and woody vegetation was a benefit to the riparian corridor that we have in our plan.

They requested that we put a fence along the riparian buffer, which we put in our proposal as we would put a Jack lake fence in.

So that's something easy we can do.

And then one of our last things was basically if the covenants would keep people from clearing the vegetation.

With that, turning over to the parks that will be on the city parks to denote no, you know, no private property will touch a riparian area.

So I know we talked before, but our comments from fish, wildlife and parks weren't as brutal as before.

In fact, they had a lot of good things to say about the proposal that we had.

And then lastly, we did talk about having, you know they highlighted for the Parkside that the trail network would be nice and important for connecting further down to other trail parts.

To to highlight a little more to keep going.

So I know the right pairing area was such a big deal.

Do you want to highlight so that this is the 175 foot set back?

Foot set back what that would look like for this is what the county has.

So you would lose basically all the houses along the river.

This is the rental house right here.

So you can see that's within the 175 foot set back.

Umm.

And and all.

You can see it's hay field.

This flat hay field, it is developable.

It's not the right the right pairing corridor is right along the river.

The other thing to point out is, you know, we had our guys go through with and put 175 foot set back on the reach that is the considered that for the county and the red is every area that doesn't meet what county zoning we're currently have for 175 foot set back.

The green is what it is, so only 30% of the reach which is majority of it is the one

undeveloped area and around the State Park meets actually the setbacks, there's roads, there's houses, there's so you're not producing this island of you know there's not a big giant corridor that all of us in you're gonna put a bunch of houses in your meeting in an urban environment we and you're putting an urban environment in an urban environment it's it's already that way.

So I did want to point out that that this isn't just gonna be like a standalone screwing up something that's already pristine.

On one of the the other questions that we had was I-90 noise abatement.

Originally this is one of our original submittals for landscape plan.

We did have houses along the Interstate County Parks just asked us to take out.

They didn't like the trees that we proposed, but trees will align I-90, for sure.

Umm, something else that you're gonna have is the multifamily, the the back doors are just the garages will face the Interstate.

So in the developer has you know they want to build this way, but agreed to build more on that side.

Noise dampening, triple pane windows double layers of sheet rocks with soundproofing in between.

Even vent caps.

Vent caps.

They said that they've used other places that have sound dampeners, so in essence you're multifamily in that area will be some of the sound wall including the vegetation along I-90 to then the front doors are going to come out on everybody's front door will have the back as the the sound barrier to I-90.

So that was some of the thought process on on the way these houses were designed how they were laid out, the alley coming to the back.

So that the front then is, you know, pretty soundproof compared to how the back would be on I-90.

One of the last things to point out, and I know you know Dave kind of had some us too, but I did want to point out in some research on truly what affordability looks like in brand new houses.

So that's one thing to remember is no, I I kind of compared this the other day that if you wanna buy a brand new vehicle then and you want it to be relatively cheap, then you have to buy a car.

You can't buy a brand new cheap pickup if you want a a pickup that's that's reasonably priced, then you've got to buy it used.

So these are brand new houses.

So the idea of truly affordable, isn't it kind of is in new but not necessarily like everybody would think, to compare it to the medium home price on a brand new house doesn't make sense.

It's just like saying, you know, the average person should go out there and buy a brand new car when maybe you need to buy a used car.

But in but when you build brand new houses, then people move from used houses to the brand new houses and then use houses are now available for people to move into.

So like Dave said, if we have to build 1000 houses a year or 1000 units year to accomplish that, they have to be brand new and then people can move into those and then hopefully the affordability follows because there's vacancy in our used.

So here here is one thing though, to look at what affordability does on lot size.

So we went through and looked at every on the MLS system.

This is every brand new House sold in 23 and so far in 24.

So here's the here's the thing, there's only 48 of them.

That's not when you're trying to get to 1000 and you only have 48 houses sold on MLS.

Last year's brand new, that's not good.

But when you when you're under 5000 square feet in a lot, the average price was \$522,000.

The average home square footage was was 1500, when you got between 5000 and 10,000, the price went up to 679, and when you got above 10,000, the price went to 802.

So you can see there's substantial differences in costs when you increase the lot size.

So most of our lots are from 3000 to 5000.

We do probably have 25%, you know, five to six and a half thousand.

So you know, the idea would be that most of our houses are in this upper range.

That's kind of the goal for the for the development with some of them definitely being, you know, in the middle range, but just kind of wanted to point out to you, you know what that looked like as far as density and how density.

If we're trying to get at least a little more affordable and new housing, that helps also just looked up if you guys go to realtor.com, just do new construction, there's only 55 houses even listed right now for sale and a lot of those, you know, here's one of them.

They're they're not even constructed yet, so we are.

We are a long ways from trying to meet the goal that Dave stated earlier.

So and then you know, one thing I do wanna say, I didn't do this last time recognizing that you guys are a volunteer board.

And I know I come in pretty fired up on some of this stuff, but I do super appreciate that you guys show up their long days and you listen to what we do.

So I appreciate that.

Also, if you can, if I can come back up and rebut anything towards the end, that would be greatly appreciated.

So if you guys have questions or there's anything that comes out that's not exactly the way, you know, the facts aren't what they probably should be, maybe I could come back up and restate them.

So if there's a chance to talk at the end it and rebut some questions or answer, somebody would appreciate that.

OK.

Yeah, there will be an opportunity to address questions.

OK.

Thank you.

OK.

Is that everything, Brian?

You're good.

Yeah. OK.

Alright, thank you very much for your time. Lynn.

I'm gonna get to you.

Just one second.

So board members, umm, just in thinking about time a little bit.

We're gonna let Lynn ask your question here, but if, if if we don't have anything pressing to get answered right now, I'm leaning towards moving into public comment because that's gonna be a.

We got quite a few folks in house.
So just while Lynn's asking her question, think about it.
And alright Lynn, go for it.

LD Lynn Davis 2:26:21

OK, sorry, but I do have several questions, but the question that comes up for me mostly right now is to 406 engineering and it sounds like they were ready to go with the county.

So why didn't they pursue that cause?

It seems like they would maybe already be under construction now.

So that's my question.

AR Analeshia Rodriguez 2:26:42

OK.

Go ahead, Brian.

Yeah.

You're welcome to answer that.

Still, a lot of it has to do with your mic on.

I think I shut it off an accident.

So thanks.

Thanks, Lynn.

So a lot of that has to do with tying to city infrastructure.

It might almost be best if Dave, do you think Troy could answer the why?

It's important when you're trying to city water and sewer and you're an annexation.

A.

Why you you annexed to the city and what that really means the development, it might be better land if you hear it from them.

And then I can also see, you know, say for us, but that might be helpful.

You think Dave?

Troy, are you available to answer that question trying to see?

Can't tell if Troy still here.

TM **Troy Monroe** 2:27:45

Hi, Dave, I'm sorry, I I did not hear the question.

AR **Analeshia Rodriguez** 2:27:50

So Troy was hoping you could explain to Lynyrd asked why the need to go to the city versus the county.

I was hoping you explain, you know, that the ability tying to city sewer and water being in zone a for annexation.

You know we, you and I had this conversation before about why it's important to annex to the city when you're using city facilities like that.

TM **Troy Monroe** 2:28:15

Yeah.

So basically it's it's, it's what the city requires for using city services, right?

So it the idea is that the the city will eventually have annexation in most parts of the area that we have water and sewer.

Those are the the first items that that leave out and then that's followed by other infrastructure trail connections that kind of stuff are fire response then usually follows the those same developments.

And one of the big, big things is is that when you do annex into the city and you get the increase in density, it's an increase.

It's a difference way for emergency responses.

Mozilla Fire has an urban density response type where Missoula rule has a rule response type and that deals with I'm normally not how they have hydrants.

They have water tenders instead of and.

So basically, urban density should follow the the city in both infrastructure and in responses.

So therefore, the city does ask, and it is the priority that if we do provide water and sewer services to new developments and they are within the area, that of our emergency response, they will be annexed into the city.

AR **Analeshia Rodriguez** 2:29:42

When one of the thing to point out on this when we originally submitted the new zoning had taken place.

So that was one dwelling unit per acre out there.

So you have to remember, we've been at this 3 1/2 years in new zonings one year old.

We in fact we submitted our application in May of last year.

So when we started this whole process of back and forth with the city, it was one dwelling unit per acre.

So there's a lot of we started down that road.

It's the road.

There's the right for annexation, a trying to city sewer and water.

There's also a lot more to it with, you know, our road and sewer design.

Our Rd design would have to get double approval, but one of the big things and we had to correct this even you know lately insufficiency our initial applications.

If you look through the initial ones, had you know CC, I think it was CCR three but basically one was one or CR11 dwelling unit per acre was what was zoned out there.

So obviously that wasn't going to work.

So we started originally down the path strictly because of that, but then you know more, I've learned about it.

It's it's a better path for us to go down anyhow.

Could I add that a little bit or just address it from a slightly different angle and and that is so over the years lots of development projects have been developed in the county and then ultimately brought into the city.

And so the city and the county have had different design standards, so different standards for streets, sidewalks, sewer and water.

You know, curbs, gutters, St trees, those types of things that when they come into the city are very difficult to retrofit, very expensive to retrofit.

And then at that point, you're dealing with a lot of different land owners.

So it kind of doesn't happen and and one of the responsibilities that a city has when property is annexed and this is under Montana annexation law is the city is required to provide an equivalent level of service to all areas within the city.

So we really can't have some areas that are substandard or we certainly don't want to have and shouldn't have some areas that are substandard and that we're trying to

kind of bring up to speed over time because those are just isn't there aren't pots of money to retrofit development.

So that's from the city's perspective, it helps if we can and X and set the development.

Uh, right.

To begin with, it's proven helpful over time.

Great.

Thank you, Dave.

Hopefully that addresses it.

Lynn, have you got some more questions there?

LD **Lynn Davis** 2:32:31

That's.

I do have another question, if you don't mind.

One of the comments is that the development will have a lasting positive impact and I'm concerned about that for the neighbor, the current neighborhood, and I wonder if that was addressed and how.

No.

Well, if we feel like that is true, I guess that we're doing today.

AR **Analeshia Rodriguez** 2:32:59

Thank you, Lynn.

You know, I mean, I think as I was talking about with the the slate, the trade off slide, you know there are, I mean it's hard to avoid when when you're doing infill development, when you're developing near where there's already residences, there are impacts, there's change that occurs, you know.

And So what?

It's our responsibility to require the developer to come up with a plan, for example.

So let's use Summer St as an example.

If the developer is required to upgrade summer St from the property to Hwy.

200 There will be people that will be impacted, people who use that road.

People live along that road, so the developer and the county come up with a plan to make sure that property owners can still access their properties.

They have reasonable access while it's construction is going on, for example, and the developer because of some of these impacts.

The reason that summer St would be required to be up upgraded is because there would be impacts to that road and it's currently substandard and so the developer, you know so right now as I mentioned earlier, uh, there are basically two travel lanes, you know, two paved travel lanes.

It's like more of a rural paved section of Rd than an urban one.

And so I know it might not feel like it to the residents, but there would get new paved parking lanes.

They would get new sidewalks.

They would get new storm water, so it would be there would be some improvement.

There would be kind of a, I guess a give and take and I know that looking at it right at the outset, you're looking at a substantial increase maybe 2000 vehicle trips per day along that road.

And it it seems like a big impact.

But you know what?

What we require at the city and what the county would require as well, I think, is that that the developer kind of meet the residents halfway, make sure they can access their properties, make sure that there's good communication and make sure that there's some public benefit out of it as well.

LD **Lynn Davis** 2:34:54

Thank you.

AR **Analeshia Rodriguez** 2:34:56

Umm.

I'm sorry, who can you tell me who you are?

I'm Justin.

OK.

I just as far as they can.

I I'd like to clarify where that impact was taken.

Hold on a second, Sir.

You're gonna have to hold your question for like, a specific moment that, yeah, I can

bring you up.

I have an opened it up to public comment so I can't have you like.

OK. Yeah.

OK.

Does that feel like that?

Addresses your question there, Lynn.

LD **Lynn Davis** 2:35:37

Kind of yes.

AR **Analeshia Rodriguez** 2:35:40

OK.

And is that?

Do you have anymore?

LD **Lynn Davis** 2:35:49

I just have one more question.

Sorry, but it's a lot.

The path along the river, they said that it would have recommending a Jack link fence.

Do you think that's appropriate to keep people from making?

I can't.

What someone called them rabbit trails or little passed down to the river.

I mean, is the plan to not have access to the river?

And if so, then should a better fence be planned?

AR **Analeshia Rodriguez** 2:36:20

Who wants to feel that one?

Dave Gray with development services.

I'd like to defer that question to Nathan McLeod of City Parks and Rec.

I think he may have a a better kind of sense that it would be his office that's managing that park.

And so, Nathan, are you available?

NM **Nathan McLeod** 2:36:35

Yeah, I can answer that.

So Jack, like fence, if you're familiar with the design of it, it's kind of like an A-frame. It's fairly difficult to cross and so the idea is that and this was recommended from fish, wildlife and parks, was that that jacked like fence, will help to restrict movements of people down to the river so that we don't get significant erosion like we see in areas of downtown Missoula where people have paused, you know, social trails down to the river that have caused a lot of erosion.

So trying to protect the resource.

LD **Lynn Davis** 2:37:10

OK.

So you think it's adequate?

NM **Nathan McLeod** 2:37:14

Yeah, I think it's adequate.

I think it's inevitable that people will go to the river.

If I had a house right there, I would.

And so I think through management and the city is ohm equipped and we have experience managing riparian areas.

And so we know how to deal with this kind of situation where people create pathways down to the river.

We know how to revegetate and we have the resources to protect the riparian areas, whereas if this was private a lot of times what we found is that private citizens are HOA's.

Don't really know how to take care of that kind of an environment of riparian area.

And so I I do think that it's better suited to be in public hands and under the management of city parks and rec.

LD **Lynn Davis** 2:37:57

Thank you.

AR **Analeshia Rodriguez** 2:38:01

OK.

And unless anybody from the board has any further clarifications that needed, we're going to go ahead and move to public comments.

Dave Lumas if you need to make a public comment, you just holler at or not a public.

Excuse me if you need to make a comment, Dave.

Just holler out because I can't see you very well.

D **dave** 2:38:33

Public testimony, John.

AR **Analeshia Rodriguez** 2:38:37

OK, great.

OK.

So we will now open it up to public comment.

I apologize to you, Sir.

Earlier, when you wanted to make a comment, I just was trying to clarify if you were with the developers or something.

And I could bring you up.

But now I'll be your time here in just a second.

So we're going to open it up to public comment for folks here in house and online.

So when you come up to the podium, please state your name for the record.

I'm try and keep in mind that you have a 3 minute time limit and I will do my very best to allow you to say your piece but also let you know that you've hit your 3 minutes.

I also like to let people know that when you get in for the City Council, they're much stricter than I am and I might be a little stricter tonight because this is our second run and we got another.

We have another hearing after this, so UM with that.

Come on up.

If anybody's joining us out there and online, you can call into the number on the screen, which is 4062724824.

Conference ideas. 127489322# sign.

Alright, please go ahead.

I thank you.

Sue Holden E Missoula Community council.

I'm gonna be reading a statement from Lee Bridges, one of our residents in East Missoula, but I would also like to quickly add that there's four new apartment complexes going up out in East Missoula and not a single one of them had to request annexation to get water and sewer.

So that's just a flat out Miss Bleeding statement to indicate otherwise and I would like to add that you kept bringing up that they would have to face a hardship with everything that's going on.

The residents at Visa Missoula are gonna be facing 10 years of hardship if this goes through, but I'm gonna get on with lease statement if I may.

As Dave de Granby pointed out, in the last meeting quote, the City of Missoula has adopted an annexation policy which provides specific guidelines for annexation of properties so that the annexation is not done in a Willy nilly or haphazard type or arbitrary manner, unquote.

Aside from city utilities that are already available, Dave references another key component to annexation to the city's quote is when properties are annexed into the city.

There have to be services and facilities like infrastructure up to city standards on the property being annexed, unquote, in this case, 35 conditions need to be met including streets, sewer, water, parks, fire hydrants, other elements to be brought up to city standards.

And this is to be brought up to city standards.

As Dave indicated, there have been properties that have been annexed into the city but not with standards for streets, sidewalks, etcetera that are up to city standards and points out that retrofitting is quite expensive.

So annexation prior to development is a way to avoid that.

My comment is going to focus specifically on streets.

Summer St is counting not city, and is being represented as the main traffic use area for this new subdivision that is trying to rezone for higher density.

For example, higher traffic and safety concerns on our already well used county

infrastructure based on Wikipedia E Missoula covers 1.2 square miles of land area with 790 households on almost 733.

Of those 768 acres, the developer is planning on having at least 252 households on the remaining 35 acres currently undeveloped, adding nearly a third more population to our community on only a very small fraction of our land area.

Yeah.

Do you understand the toll that it would take on our well worn infrastructure here?

How does that comply with the cities annexation policy?

The burden you leave us with here is very unreasonable and very unfair, Lee goes on to say.

Regardless of the layout, the developers present for initially refurbishing Summer St at the onset, it's still not up to city standard of 60 feet.

It is substandard St of only 50 feet, by the way.

Who's responsible for redoing Summer St 10 years from now, after all those years of heavy construction equipment being moved daily up and down Summer St, let alone all of the other streets?

In East Missoula, concrete trucks, heavy equipment being towed in etcetera, granting a zoning variance for higher density for a city annexation that hasn't even been granted yet is only in compounding the problem.

East Missoula already has, with its narrow streets, Yuri essentially endangering the lives in our community by overburdening our Rd system in East Missoula for the need, this developer has to make more money with total disregard to our communities, welfare, and safety, all the developer has to do is show you the bright, shiny object at the beginning and impress you at how nice it will look when first built. And then walk away when they pocketed the profits and left our community with the overtaxed infrastructure and cost to maintain it.

After it's built within our community, it's mentioned that as county residents, we'd still have a voice at the table throughout the process.

When and if the property is annexed, well, I guess we'll see if we do or do not at the next City Council meeting, since we have no representation at the City Council table and we're not the ones feeding the city coffers, we're not trying to stop the property from being developed.

We're trying to stop the property from being annexed into the city and the rezoning

from creating a higher density on all the neglected roadways we already have here in East Missoula, which only addresses one of our concerns.

Traffic from the subdivision is not going to robotically follow the developers traffic study.

And drivers will divert to all the roads we have now in order to avoid the overwhelming traffic just on summer St that this subdivision will create.

And I might add, once again that the traffic study was from 2021²⁰ and the one in 2023 was just a copy of the study from 2021.

So if there's been a new traffic study since then in these last 3 1/2 years, we've yet to see one.

Thank you.

Thank you.

Thank you.

Come on.

Absurd.

State your name for the record please.

My name is Robert Yeomans.

I live at 1074 waterside Dr my question is a math problem.

If you have a 450 foot block on an 18th, you know requirement block requirement for in the city and you have an 1800 foot area that does not have a block.

It's all one block.

Why wouldn't you have 4 walkthroughs, 10 foot walkthroughs for the for the people in the subdivision be able to get to this trail that's going to be along the river.

You only have 3 on there and it and it seems to me that mathematically should have 4.

Thank you.

Great.

Thank you.

One up, Sir.

Please state your name for the record.

My name is Bruce Baxter.

I have one type page of comments.

I would like the board to consider my wife Janice and I are adjacent homeowners to

the Aspire Subdivision at the July board meeting, Grass Valley Garden subdivision to 6 positive comments and seven negative comments to date.

Aspire to Nova as drawn 91 negative comments and one positive comment with conditions that's 55 signed protest petitions, 24 negative engage comments five negative zoom comments and seven negative in person comments not over 98% public opposition to the project.

There's a reason for this, aside from the park.

Throughout this entire process, 406 engineering and denova have not offered one word or concession to the concerns of the people of East Missoula.

The developers are not listening to us.

I understand that the issue before the the board is whether to recommend the rezoning to R54R overlay or not.

The overlay zoning would allow three easements, reduce building setbacks, more parking front of structures and multi dwelling structures for several decades.

The adjoining neighborhood was owned CR3 Residential, which allowed maximum four houses per acre. Uh.

Missoula County just went through a year long years long study and rezoned the eastern half of East Missoula to maximum 6 per acre in July 2022.

This rezoning already does not match the character of the neighborhood.

Now de Novo wants to suddenly rezone to allow 7.2 units per acre.

Summer St currently flows 200 or I'm sorry, 800 vehicles per day.

The Nova is planning 2900 vehicles per day on Summer St, even after revamping our upgrading summer St, which does nothing to improve traffic flow.

Summers, on Dinovis own traffic study, says issues at the summer St to Hwy.

200 intersection will remain above the desired condition.

Issues is just a sugarcoated word for traffic problems.

Summer St does not have the reserve capacity to flow 2900 vehicles per day, and this isn't just not in my backyard.

Denova is planning traffic jams for all of East Missoula's residents.

Businesses, do you know of his own customers, the 13 new multi story?

I don't housing complexes along Hwy.

200 E Missoula and Bonner, I-90 intersections and this crush of traffic will also create a floating traffic onto the Van Buren St intersection in the Orange St underpass.

Do you know of his current housing map?

Is planning 252 housing units.

The easements are designed only to allow more density.

The only way to reduce the crush of traffic is to reduce the density.

We are asking a bit the dissent density would be held to the maximum Missoula County's current 6 units per acre instead of 252 units.

Denova could still build 210 units on the 35 acres.

This would somewhat reduce the crush of traffic from 2900 to 2400 vehicles per day as David if Grand Prix said, we would like the developer to meet us halfway.

Another density problem is Donovan's plan for 35 foot high multi story dwellings.

Montana Ave Canyon View Drive all the other adjacent streets have view lots.

We can see the Clark Fork River, the Canyon, the corridor, the golf course, the railroad and the Hellgate Canyon.

If Canyon view let's well Canyon View Drive is called Canyon View her reason.

If the Nova is allowed to build two story structures, only denovo's highest paying customers will have views blocking our views, reducing our property values and resale values.

If denovo's current housing maps gets rubber stamped, we will have to change the name of the area from Hellgate Canyon to Apartment View Canyon.

I also read Missoula County's environmental design standards require a minimum buffer, open space, 125 feet from the average high watermark of the river to any structure.

River to any structure, a letter from Tim Worley, senior planner, states.

We recommend a wider riparian protection area.

I measured the open space behind the adjacent Waters Edge neighborhood.

All houses except 1 Deer Creek Rd had a minimum of 50 feet from the back of the actual house to the top of the riverbank and no fences.

We asked the denova at least match this 50 feet open space for several these several reasons.

We asked the board to vote no on recommending the change of zoning and ask at any development in the area be limited to 20 foot single story heights, as Flathead County has done.

Thank you.

Thank you, Sir.

OK, we're going to move to uh, somebody on the line here, which is gonna.

Sorry.

So we're gonna give this person online a chance.

We haven't done anybody online.

Stephanie, go ahead and unmute yourself.

S **stephanie (east missoula)** 2:52:21

OK so.

I I made a comment last time I've made comments before.

I just feel like the city and Brian Throckmorton, they were allowed to reread the whole of their presentations and yet all of our public comments are just, you know, they were last there.

Those old news I would have liked for them to have been recapped at least a little bit, so we would know that what we said last time still applies.

Umm, like like Bruce said, we have a lot of things to say about this development.

Not all developments generate this amount of comment.

Umm, our feelings are real.

But both Dave and Brian and their presentations used their platforms to I I I feel like Dave was lecturing you guys, he's your planning supervisor and he he basically told you that.

Ignore what these people are saying.

We need this housing, and Brian Throckmorton came right out and threatened us with if we don't get this, we're gonna get us.

You're gonna get us smaller park and cheaper houses, but they're gonna cost more.

I I just I and and we're we're down four people in your group now.

We've only got 5 people, so it it just feels like it's no wonder that we feel like we're not being heard and that's that's the takeaway that I got from this meeting and it didn't make me feel very good about the way this is gone.

Thank you.

AR **Analeshia Rodriguez** 2:54:11

Thank you, Stephanie.

Appreciate you taking the time to make your comments.

OK, I'm gonna go to the gentleman that was gonna speak a second ago.

And then we'll go back online to Jim Brown.

So Jim Brown, you're in the in the batters box.

My name is Jeremy Williams.

I'm in support of the Aspire development and I've been a 20 year real estate real estate broker, but I have no relationship to developer.

I'm here as a concerned citizen.

The reason I'm concerned is because Missoula is in a difficult spot right now.

We've had a almost a 10 year run of really low inventory and we got a problem with supply and demand because inventory is so low are housing prices are skyrocketing, make it very difficult for missoulians to afford houses we're seeing outside influences coming in starting to control our community and change the fabric of our neighborhoods.

To put this in perspective right now, there's about 80,000 people that live in Missoula.

Probably if you like this surrounding areas, I bet it's closer to 100,000 people.

There's currently, as of today, there's 374 houses for sale for all those people.

For the you know, for places to live.

If you break that down under 700,000, there's about 160 houses for sale for 80,000 people.

We're we're at a breaking point if we don't find positive ways to create inventory in our market, we're not going to recognize Missoula and we don't want Mozilla turn into a Boulder, Co or a Boise ID.

The reality is this is gonna change and we have the opportunity to have positive change and be a part of it to keep the fabric of our community or it's gonna be forced upon us.

No, you know I understand change is hard.

Most of us live in houses that were created by subdivision.

At one point I imagine there was a time where our forefathers were having these very same conversations.

Yet these are neighborhoods that we're proud of and wanna be belong in today.

I guess I want to see him as a little stay the way it is and because I want Missoula

people of Missoula to be able to stay here, we don't want to lose our workforce, our aging population and our students at the university because they can't afford to live here.

So for those reasons, I support the development.

They could great.

Thank you, Sir.

OK.

We're gonna move back to the online and we have Jim Brown.

JB **Jim Brown** 2:56:40

You're.

AR **Analeshia Rodriguez** 2:56:40

Go ahead, Jim.

JB **Jim Brown** 2:56:42

Hi, I'm Jim Brown, N 5 allies Audubon.

I've been concerned with the discussion and analysis of the riparian setback because it seems to be an either or.

It's either 50 feet or it's 175 feet and there is something in between that that could be immensely beneficial.

So when Audubon Reviews Subdivision proposals, we refer back to some 80 some studies on disturbance of birds and what it tells us is that you need a in this case along the repairman zone of the artwork, you'd need 100 feet of riparian zone setback and 20 more feet of no build that would allow the breeding birds a can be found around there to have enough security to go ahead and maintain their their life, their breed and reproduce.

And that zone?

So something like 100 to 120 feet would be immensely beneficial and less than so.

One other thing that seems to be missing here is that when the developer began work on this, I don't see an effort to meet with fish, wildlife, and parks or Audubon and the walk the site and talk about what would be a reasonable set back for riparian zone in this area, and how could we lay it out on the ground that if that were done, I

think it would have solved a lot of these problems.

But it hasn't, and I think it would be a huge mistake to just allow the 50 feet zone to go forever, because once that subdivisions in place, it's there forever and it's important that although we need lots of houses, it's very important to keep these precious repairing and habitat and zones a protected for the future generations that are going to live here.

Thank you.

AR **Analeshia Rodriguez** 2:58:32

Thank you, Sir.

Appreciate you taking the time to be here this evening.

OK.

Do we have anybody else in House that would let go ahead, Sir?

Come on up.

Hi Dustin Baker.

I live on 601 Montana Ave.

I guess to follow up with the Audubon question, you know, in a review of the the slide of the setbacks that was presented earlier, it seemed like they incorporated a lot of the golf course into that 175 setback as a no zone.

A no zone and even though that the the golf course may be in part of that 170 or that 30%, it's still an undeveloped area compared to having homes and roads and sidewalks and stuff there.

And stuff there.

So I guess that I felt like that slide was slightly misleading on a 30% because again it was golf course and other uses there.

My question again, while we were talking about traffic study, we often hear this number of 2000 cars per day being impacted and I feel like that's really misleading when we talk about it that way.

That's 2000 cars to Hwy.

200 that's not 2000 cars to the first or second intersections coming from that subdivision.

My my corner is Montana and Summers.

I see, you know, 20 or 30 cars a day, not 2000 cars a day.

I feel like these numbers are getting diluted as we talk about them entering Hwy. 200 and not the 1st and 2nd intersections that those that traffic intersects. The traffic will then disperse and go throughout our community. So we're talking about it just directing to 1 intersection seems like it's little bit hiding the facts there.

Uh, again, you know, talking about the communities and this this request to to restate how dense that community is.

We are already starting to have cherry stem communities of the city. We have this the the golf course that's on its own cherry stem out in its spot. We're going to have a Spire that's owned Cherry stem to another spot. We're having a development of a lot of different communities and with one geographic area, we're gonna have 4 distinct odd communities that all have their own different zoning and setbacks and parks and safety measures that aren't to the rest of the community.

So right now we have rivers edge. We have the golf course community. We're talking about adding a Spire as another individual community, and then we have the rest of East Missoula. That was developed I and I just. It feels like we're going down the wrong path there.

Thank you.

Thank you.

Appreciate your time and being here.

Missing Peter last time Peter was flipping these for me and helping me keep track. All right.

Does anybody else wanna come up and make public comment?

Oh, I see somebody online.

OK, we're gonna.

Eric Berry, go ahead and unmute yourself and state your name for the record.

BE **Berry, Erik** 3:02:16

Hey, thank you.

This is Eric Berry.

I live on the southern end of Summer St in one of the side streets.

There I I was just curious if the any traffic study and I apologize if I may missed it.

If the traffic study included any of those ten years worth of construction traffic related to both the developer and the subcontractors, if that was included, your factored in.

Umm, so that's kind of part one and then Part 2 I was curious and maybe this is more of a a contract question.

I was just curious if you know, let's say we get 5 to 7 years into this construction phase and summers experiences wear and tear much higher than expected from all this construction traffic.

I'm curious, then, what's what's the mechanism or who pays for any short term paving improvements that would be needed on summers in order to maintain a safe St through that through that 10 year period?

Umm, it sounds like after after the developer is passed off the street to the county.

I'm just curious what what happens if seven years down the road, five years down the road?

We have a whole lot of heavy construction damage on summers, kind of what happens then and then two, how do residents of East Missoula and the county handle that when the damage is coming from heavy equipment related to a city development?

Thank you very much.

 **Analeshia Rodriguez** 3:03:59

Thank you.

Appreciate your comment.

OK.

Anybody else here in house?

Alright, not seeing anybody.

We'll just wait a second here and see if we have any last minute folks or framed by that needs to build a little courage.

Hope, see.

There we go.

It's ohm.

Alright, we're gonna stick with online folks.
William Junker Meyer.
Hopefully I'm pronouncing that right.
Go ahead and unmute yourself.
State your name for the record and you have 3 minutes please.

WJ William Junkermier 3:04:31

Now.
OK.
Can you hear me OK?

AR Analeshia Rodriguez 3:04:36

Yes, Sir.

WJ William Junkermier 3:04:36

OK.
Yes, Bill, Chunkier recently to East Missoula, but been listening to this, the various discussion points and comes down to the repairman buffer.
Everybody here feels that it's pretty inadequate as it's currently laid out the traffic.
Uh.
And the point to remember is that this traffic study talks about summer St, doesn't talk about all of East Missoula and the traffic study, when it was presented to the county was flawed in the 1st place because it left off major developments that have occurred since, such as the 180 additional units being built at Deer Creek, the multiple apartment buildings that have occurred over the last few years, they were not included in that study.
That study, and it hasn't been updated other than the cover page, the South end as far as the the noise planning, some trees isn't gonna do much for noise mitigation for the area.
What about?
Was ever the Van Buren St type sound wall ever considered for this development?
And then you know, as far as the housing needs, we all agree that there needs to be additional housing and in Missoula, but it needs to be done in a responsible manner.

You know we don't, you know, and considering housing and new developments, let's not sacrifice the quality of Missoula or East Missoula in order to shove in cram in a bunch more houses.

You know, we need to, we need to do our best job and considering these developments and not sacrifice our citizens, they're current living standards and the future of Missoula.

Thank you.

AR **Analeshia Rodriguez** 3:06:27

Thank you.

OK.

We'll go ahead and just take a minute here.

Like to make sure everybody gets an opportunity to speak coming up.

Alright, come on up.

Please introduce yourself.

I'm Gretchen Murray and I live right on the back of where this development will happen.

So as it starts to get built, we will on Canyon view Dr Experience 10 years of construction as it phases through.

So we talk about the need for our affordable housing, but it doesn't look like this is going to be affordable housing and we're we're looking at unsettling everything else that's going on.

I I spoke last time about the the traffic issues, so we went to want once again I wanna reiterate the quality of life for existing residents and the new residents.

So I thank you for considering that as we go forward.

Great.

Thank you.

All right.

Well, hang tough here for a minute.

See if anybody joins us online.

OK, I am not seeing anybody in house here.

Am I missing anybody online?

OK, alright.

Well, I think we're gonna go ahead and close public comment for this hearing.
Which brings US board members two our discussion and a motion.
So I think Ohh Dave, go ahead.

D **dave** 3:09:00
Are we ready for discussion before a vote?

AR **Analeshia Rodriguez** 3:09:03
No.

D **dave** 3:09:03
Because I believe discussion among the planning board is important to form, the
button took the informed on the voting.

AR **Analeshia Rodriguez** 3:09:04
Yes, we will define.

D **dave** 3:09:11
That's my position.

AR **Analeshia Rodriguez** 3:09:13
Yes, absolutely.
As soon as we get a motion, we can have all the discussion that we feel like we need
for sure.
And we will also try and address as many questions as we possibly can.
I've been taking notes.
Other board members have been taking notes.
Day's been taking notes, so we will try and address all the questions brought forward
by the public.
Go ahead, Dave.

D **dave** 3:09:43
OK, let me go ahead.

So first, my apologies not I was understood that I was not on the planning board anymore today, but I really am so thank you and Alicia for calling me up and I'm joined on this, I think. Umm.

It's a critical element to me missing here, and that's the riparian set back from the river I am appointed is a nice way to say the response from the applicants in the city to the issue that was brought up.

But yeah, there's other issues and and the and the local folks have pointed them out, especially of the treatment of summer over the 10 year.

But to me, the most important thing there was not adequate response and therefore I don't see how this planning board can't approve this particular subdivision.

You know the density in general doesn't bother me, but what we have here, we have 35 foot tall houses looking right down on the river in a very, very short distance from the river itself. That's.

That's what some cities do.

I don't believe the city of Montana should, and that's the is that the way you're going to treat the Clark Fork River and annexing the rest of the golf course analogy is totally false.

The golf course and any pathways that are close or not close to the river.

There's no lights and night night use and use of the property buying houses so I don't see how umm that analogy.

So anyway, after 100 hours of explanations and, umm, single pitch from the city and the developer, I don't see how I can develop a can approve this project.

I just want to put it out there.

There's comments.

Thank you.

AR **Analeshia Rodriguez** 3:11:45

Great.

Thank you, Dave.

OK.

Shane, what do you got?

SM **Shane Morrissey** 3:11:51

Umm, the, let me just ask a couple of questions.

Umm, this is to Dave the Grand Prix.

So in your presentation there was a note about, umm, a dry utility easement outside.

So, uh, one of the variants is is dealing with 62 foot right away and you mentioned that there would be an 8 foot dry utility.

Easement is that outside of the 62 foot right of way or is that within the 62 foot right away so so the basis of the question is, is, am I thinking about this as a umm 78 foot no build zone or am I thinking about this as a 62 foot right of way with dry utilities?

AR **Analeshia Rodriguez** 3:12:51

The dry utilities would be located within an easement that's outside of the right of way, so outside of farther back onto the lots from the sidewalks, for example.

SM **Shane Morrissey** 3:13:04

Great.

AR **Analeshia Rodriguez** 3:13:04

So it's more like 78 feet than 62.

SM **Shane Morrissey** 3:13:08

OK.

Thank you.

Maybe just to roll through a couple of questions from folks in the public or at least as far as I'm interpreting them.

AR **Analeshia Rodriguez** 3:13:27

Hey, Shane.

SM **Shane Morrissey** 3:13:28

Yeah.

AR **Analeshia Rodriguez** 3:13:29

I feel like we should get a motion on the floor so we can have a little broader discussion here.

SM **Shane Morrissey** 3:13:36

Uh, that's fine.

If you wanna do that, I was gonna ask some clarifying questions.

Uh.

AR **Analeshia Rodriguez** 3:13:44

All right.

SM **Shane Morrissey** 3:13:45

Before that, and then we can discuss, but whatever you, Sean, you're in charge of the meeting and you do what you wanna do.

AR **Analeshia Rodriguez** 3:13:47

OK.

Now you keep going.

Have allowed it.

SM **Shane Morrissey** 3:13:55

You know, right.

I think the question of maintenance of summer St is is a pretty good one.

So summer St is in general by on county property and so therefore obviously the the developer is going to develop.

I think we heard 2000 feet of that to bring it up to.

At higher standard with sidewalks and curbs and gutters and all that good stuff.

Or maybe not.

Sidewalks, but at least a parking lane and two lanes of traffic, curb and gutter.

The seemingly the burden of maintaining that street is still on the county, however, which is not going to receive a single dime of taxpayer money once this area is annexed.

Would that be a reasonable statement?

Maybe Dave.

AR **Analeshia Rodriguez** 3:15:00

I think it's a reasonable statement for a period of time.

You know, I don't know what the future holds.

There's a currently a delayed annexation agreement that till at least 2034.

The area all of these pizzas in annexation area A, but you know I I don't have a crystal ball.

I can't tell you whether it's going to all be annexed into the city of Missoula or not, or what, you know, what kind of circumstances might be required for that to happen.

So I guess for the at least the time being that's that's a fair statement, Shane.

SM **Shane Morrissey** 3:15:27

Alright, I appreciate that.

AR **Analeshia Rodriguez** 3:15:30

Hold on a second.

SM **Shane Morrissey** 3:15:30

And.

AR **Analeshia Rodriguez** 3:15:32

Let me just add one thing and this this goes into, I think what you're getting at, but also one of the questioners talked about, OK, so the developers on the hook to upgrade.

Upgrade summers in year one or, you know, phase one.

But then there's construction traffic.

There's other, you know, residents using it, it'll deteriorate over time.

How is that handled?

There are mechanisms to do that.

There's in fact one of the conditions of approval is for the future residents of this subdivision to waive their right to protest the formation of an Improvement District

and and it would be for summers for Waterside Drive, for several, for all the internal subdivision streets, etcetera.

So there's a mechanism that's built in.

It's an imperfect one because some of the costs also fall on the existing residents and and also existing users of summer St but anyway, that's how we've tried to address it and I think Shane Stack may still be here.

He's the city or county Public works director.

He might have have something to say about that as well.

SS Shane Stack 3:16:33

Yeah, Dave, I that's exactly what I was gonna say too, is if we can get that, uh, waiving the right to protest a special district that goes a long ways.

And I think you would also want to start collecting on that special district because they what we've experienced in the county as soon as those there's subdivisions are 20 years or older.

That right to protest all of a sudden comes back.

So as long as we start collecting those funds from day one and it doesn't have to be a lot, and you could just do, you know, \$10 a year or something like that for each property, uh, at least you would have, you would start building up the the savings to to do something on on summers or water side, depending on which Rd you're looking at.

But ultimately, right now they would be county roads and would be the county's responsibility then.

And that's no different than any of these other county roads and city streets that interface we do a really good job of partnering with our city uh cohorts.

And yeah, we do meet fairly regularly and talk about where we can work together and maximize our efforts.

And part of that means sometimes the cities plowing county roads and and sometimes the counties planning city roads.

And I would imagine will probably end up with something similar in this area too. Hopefully that is beneficial to the conversation.

SM Shane Morrissey 3:17:58

And I appreciate that Jane, and you might be the right person to answer the the next question, if I may.

Umm, uh, we talked about the highway 200 improvements a little bit here is there, is there a plan at the intersection of summer and 200 that is uh in the works here?

Is this gonna trigger something?

SS **Shane Stack** 3:18:27

Yeah, I I don't.

What I would say, Shane, is that we certainly recognize the development and the high volume that is potentially at this intersection.

We are right now just trying to get a grant agreement done and I think once we get a grant agreement, we can start working on design and and uh, really focusing hard on the the the bigger details like summers and and Hwy 200.

I I will tell you that in the conversations we've already had, we all recognize that you know, this intersection is going to be a high priority for improvements.

What that looks like, I can't tell you right now.

I I know Brian mentioned like potentially a signal.

You know if it's gonna be signalized it has to meet warrants and I brand.

I can't remember if if the if the traffic study showed that that intersection meant warrants or not, but that's going to be a criteria and if it doesn't meet signal warrants then you can look at roundabout.

The challenge with roundabout is they're very expensive.

Uh, you.

You're probably in the neighborhood of 2-3, maybe 4,000,000, just depending on how big and complex it is.

So, umm.

And we don't have an unlimited budget.

Uh, we've got a \$30 million budget, which seems like a lot.

I think 19 million of that is focused for the the railroad underpass.

So I think the good news there is, is that BNSF is committed to developing the.

And delivering the the railroad underpass.

And I think they can do that a little more efficiently than we could at the local level.

And so hopefully there's some some cost savings there.

But yeah, I wish I had a really good crystal ball that could percee.

What?

What?

Everything's gonna look like, but I think in four years we'll we'll know what it's going to look like.

SM **Shane Morrissey** 3:20:26

Thanks, chain.

Uh, Sean, I noticed that Troy has his hand up.

And what do you wanna do?

You like me to call on Troy.

AR **Analeshia Rodriguez** 3:20:42

Who's Troy with?

I forget City public works.

SM **Shane Morrissey** 3:20:45

Towards the city.

AR **Analeshia Rodriguez** 3:20:47

Ohh yeah, go ahead try.

TM **Troy Monroe** 3:20:50

Thank you.

Yeah.

Treman Rose city engineer.

I just was wondering if Shane maybe able to change stack is able to to speak on just the comment that \$0.00 are going to the county for this road.

I believe that August 1st county impact fees went into effect even for city building permits and saying I just was wondering if any of that the \$200.00 that goes to general if any of that goes to public works and streets?

SS **Shane Stack** 3:21:20

Triggered question.

No, we don't receive with the impact fees.

We don't receive umm any funding mainly because when you look at how impact fees work is you've gotta use it for added capacity.

And one of the challenges we face is a lot of our streets, we don't have a capacity issue.

We just have a condition issue and so you know where we where we landed was that you know there didn't make a lot of sense for us to try to collect impact fees because we didn't have capacity issues, so.

SM **Shane Morrissey** 3:21:58

Uh, thanks Troy and Shane.

I think the last thing that I wanted to say, it's not a question, but it's a statement and it's to Stephanie, Umm, uh.

And who made the comment about, you know, this is drawn out over 2 planning board meetings now.

Umm, your comments have been heard and there is a public record and meeting notes from the previous meeting on July 16th.

I have read those we voted those into the record.

Umm, last planning board.

So although this might seem disjointed and at some level spanning over to meetings, I I do believe that that you've been heard and appreciate your time attending both.

And I just wanna thank you for umm, for for being here.

So thank you.

AR **Analeshia Rodriguez** 3:22:58

Great.

Thanks, Shane.

And any other questions from board members, I apologize for the little bit of we're a little off our normal trajectory.

Typically, board members get to ask questions, but I kind of pushed them out of the way so we could get to public comment.

So that's kind of where we're landing here for everybody.

If anybody needs a little clarification, umm.

Right, Rick, I can't.

You guys see anything from Rick?

You gotta hand up.

OK, alright.

You guys ready to?

I'm gonna.

I'm gonna hold my comments and questions until we get a motion on the floor.

You guys feel like you're ready to get a motion out there and start chewing this up some more, and I think we.

RH **Rick Hall** 3:23:49

I'll throw it.

I'll throw it out there.

So we can talk a little more about it.

AR **Analeshia Rodriguez** 3:23:56

Great.

Dave, could you bring up your list of motions?

And I'm pretty sure we can just do these in chronological order.

Maybe we'll lump some of the.

RH **Rick Hall** 3:24:16

It's the first one.

Is the zoning correct?

AR **Analeshia Rodriguez** 3:24:19

Yeah.

The first ones the rezone, so that'll be the first crucial hurdle I'm having trouble getting it up right now.

Just technical difficulties, but I'm working on it.

Alright, no worries. Technical difficulties.

Standby to standby, yeah.

RH Rick Hall 3:24:37

I got about 27 uh tabs opened, so I don't now if I have it.
Oh, I do have it.

AR Analeshia Rodriguez 3:25:34

Alright, I think we're making progress on both ends here.

RH Rick Hall 3:25:37

Yeah, I have the recommended motion.
On my screen there we go, OK.

AR Analeshia Rodriguez 3:25:47

It's one, moreover, Rick.

RH Rick Hall 3:25:52

I found it in my back end as well.
There we go. OK.

I move that we recommend that that we recommend the City Council approve the adoption of ordinance to rezone the subject.

Property is shown and legally described in exhibits A&B from RT 5.4 residential to RT 5.4 residential slash NC-A Aspire neighborhood character overlay.

AR Analeshia Rodriguez 3:26:26

Create motion made by Rick.
Do you have a second?

SM Shane Morrissey 3:26:42

Umm, I'll second.

AR Analeshia Rodriguez 3:26:44

Seconded by Shane.

Alrighty, does anybody wanna start us out here?

Go ahead, Rick.

RH Rick Hall 3:26:55

You know.

I'm kind of with Dave on a Dave Loomis on this, you know I.

You know, I feel like we're being in some ways push to increase density which we know we need.

I mean that there's no doubt about it.

The the only way to get it portable housing is to have more housing, more supply.

But I just have issues with this.

I feel like, umm, there needs to be a sort of a transition between urban and rural.

Ohh.

When we place the subdivision in a in an area that's not part of the city and annex, it's the city.

I know annexations done deal and we're not commenting on it, but I like Dave have a real issue with the 50 foot from the from the watermark, uh buffer, it just doesn't seem like enough county regulations would be 175 feet, uh.

So changing it to city just leaves that alone leaves that it's gone.

I think it's I.

I kind of agree it's a little too dense.

But I mean, the biggest issue I have is it it, it seems to cut off part of the river to people.

I know there's a trail there, but there's not.

That's.

That's the skinniest, smallest park.

I think that you've ever you've ever seen and I just really had some issues.

I I mean, I've read the letters from montabon.

I've read the letters from the county and I think the developers just blowing just blowing past those and I think that there there wasn't a lot of compromise in this project.

I think there wasn't a lot of compromise with East Missoulians and I just don't sense that.

I mean, you can see from the level of opposition that this has and just really have some difficulties with it so.

AR **Analeshia Rodriguez** 3:29:20

Great.

Thank you, Rick.

Anybody else wanna jump in or I can take a stab here?

Alright, alright, OK, so this might be a little disjointed.

My notes are kind of all over the place.

Umm, I think the one thing that I wanted to start with addressing is.

Is trying to make sure that the public understands that you're not alone in your feelings.

Right.

You're not alone as a neighborhood being confronted by development, there's only probably 2 neighborhoods within the entire city that don't see development.

We all probably know if which which ones those are.

The rest of us are being impacted by development all the time we are reviewing.

Subdivisions and razones on a continual basis that are impacting, you know, local residents, my neighborhood included.

I'm in the River Rd neighborhood and.

The concerns raised here traffic view shed a glands.

There's something that we're all having to wrestle with, and for me what I have developed over my time on this board is is some bright lines because it is so consistent that we are looking at developments that either don't have the infrastructure or the infrastructure is going to be there, you know, like it just infrastructure is always lagging behind our development.

That's just the the the bed we've been laid in, right?

Like that is just how it is.

And so I just, I just want to make sure that you guys understand that you're not alone in your feelings, right?

And the hardships that you're feeling, right, like traffic density without new developments in our neighborhood is up.

I wish I knew how much I wish there was a traffic study, and it's not even.

It's only because they've redone the roads and people are taking shortcuts.

That's it.

That's the only reason it's shortcuts, and yet I can tell you without a shadow of a doubt, that traffic is up significantly.

So we're here in?

Yeah, I'm hearing you on that and I and I feel your pain.

So I have a I have a couple of questions.

Here that I wanted to get at umm.

So Brian, I'm just, I'm curious.

UM, earlier you were talking about the county commissioners voted on that last, you know, like subdivision.

That was like 7.1.

I can't quite remember the numbers.

Umm, but that was with 50 foot setbacks and I'm curious how it was that you guys got to 50 foot setbacks within the county approval system rather than the 175 or the you know that that larger one.

Yeah, Brian through weren't 46 engineering.

So remember, this has been years, right?

So those new setbacks are one year old.

We're at this 3 1/2 OK, I got it.

I got it.

So yeah, so that and it was 8 1/2 dwelling units an acre, but that's the biggest thing is Count County said that this looks good.

We're we're good with this.

So we'll lift the 1 foot no access strip.

OK, so the rezone the redoing of the code, change those setbacks.

OK.

Correct.

That's that's after we got them to say.

Looks good.

OK, absolutely.

All right.

That makes more sense.

No, because the the new zoning went in last year.

One year ago, there's all do.

I mean, I can't speak to the timeline of when the Counties Code reform got finalized.

Any time frame.

Yeah.

Yeah, well, they because we went through and looked, but I mean the county said good on on what we had.

So but I do know through the process the zoning was not in place when we originally brought all this up.

So yes, OK.

Alright, great.

Thank you.

Umm and I see your hand.

Shame, but I'm just gonna keep.

Keep playing along here.

Ohm.

OK, let me see.

Umm, OK, so I wanted to try and address the question around the long block.

I think that's on the water side and the four walkthroughs is, you know, matter of math.

Yeah, Brian or I guess, Brian, you're probably the best answer that, UM, why not 4 walkthroughs based on math?

Yeah, the walkthroughs are at where the roads come in.

So it's to make nice crosswalks.

So when you walk down the east and West streets, you just go into the to where the river would be.

OK, so it it isn't it isn't perfect, but it makes a lot nicer layout.

We originally had them spread out a little more, but it just kind of haphazard through there and this makes to where when you're walking on the street, you can continue the river.

OK, great.

I can just add one thing, Dave Degrant parade there actually is a fourth one, but it it doesn't split the lot.

It's at the very southern end.

OK.

But there are a fourth one would be, yeah, the very southern end.

It would lead to the trail from Aspire Drive.

It just isn't a mitigation measure, quote unquote, to break up the block.

OK, great.

Thank you. Umm.

OK.

And then this should be another straightforward 1 from.

Questions from the public did the traffic?

I don't know that it would, but the is the traffic study able to include construction impact and its like timeline projections.

And Brian's coming up.

TM **Troy Monroe** 3:35:54

Yeah, this is pretty Monroe. Ohh.

AR **Analeshia Rodriguez** 3:35:59

Troy, if you want to go to, but I can also.

So the traffic study, remember, is at full build out.

So that's, you know, so so it doesn't have construction in it, but you have to remember when construction is going on, it also isn't at full build out.

So the traffic study is truly incorporated for when everything every house is completely occupied at that point, then the traffic study comes through.

So those you know, I think one of the other questions was where does the 2000 that go to summer and it's it's as they leave the the subdivision.

So I think it's 20, two 2200 and something total traffic is created by the subdivision 10% N, 90% S and that's at each exit.

So that's what the subdivision produces.

OK, great.

Troy, did you guys, do you have anything to add?

TM **Troy Monroe** 3:36:52

And no, Brian did a good job. Thanks.

AR **Analeshia Rodriguez** 3:36:54

OK, so I think.

Might have to come back around and make sure we got.

All the questions.

So.

And looking at this.

It feels to me like also the really big question mark here is the riparian zone and its impact and.

That's just not really, not really it.

It's just not within the purview of this board to ask that question.

That is not within my ability to evaluate that.

The only thing that I can look at is the subdivision and then the following.

Excuse me.

The variances that come along with that and then the plat, so to me a central piece of this is around the annexation question and where that is going to land.

Ohm and then to follow that, I would also like to kind of reiterate one of my typical comments is that I believe that this is yet another development that should stand out to us as our city and our staff.

As an example of what we need our future code to do, and that is to provide that flexibility in order for the developers to meet their needs as well as trying to meet concern concerns of the public and in my ideal world, that new code would come up with a flexibility to create a little larger riparian zone so that everybody's, you know, like voices can feel better heard.

And I would also just like to address I I know it's difficult to not to view these proceedings and feel like that there's an US against them, but I really want to assure folks that that is that there is no US against them.

We are all trying to work towards what is the best for our community.

And at the very least, on this planning board, right there is there's no collusion.

I have no relationship with Dave, the Grand Prix outside of these meetings.

Nobody is strong arm in me into doing anything and I I just want to make sure that that's really clear to everybody.

And I also want to make sure that everybody is clear that I believe that 46 engineering is really trying to make an effort and to me that is visible in the steps that they've taken, the 35 conditions that are a part of this.

You don't see other developers from Georgia making the types of overtures of like trying to do Summers Road.

And so I know that this this development is hard and difficult.

I would like to just lay that out there.

That 406 engineering is really making an effort to try and meet the Community's needs, and I know that that it doesn't always feel that way, particularly once your neighborhood.

Umm and I'm I'm struggling with how really.

What to you know how to vote on this?

I don't see a lot of.

I don't have any of my typical bright lines that I look to within public safety for voting no.

The you know the big piece of this in the rezone is is is an overlay.

It's the overlay that is the big change and that to me makes for a better development.

And so I I think I may be leaning towards voting in favor of this UM.

And with that, I'm going to let it be so I can look through my notes and see and make sure I've tried to get to everybody's questions and I'm gonna let Shane go ahead here.

SM **Shane Morrissey** 4:53

Uh, thanks Sean.

Yeah, this is.

I mean, they're going to be voting on.

10 or 11 things here.

So uh, I guess.

It I tend to be in favor with this first motion.

I think that there's gonna be a few down the line that I'm not in favor of.

So maybe I'll just keep my.

Well, maybe.

Maybe I'll maybe I'll try to speak broadly.

I I tend to, you know, defer to.

UM, uh experts when it comes to this riparian zone, and that seems to be a platting issue.

So in my mind.

I most of a lot of my concern comes down to what will ultimately be our final motion of the evening in terms of the plat and the Red Harian zone.

Umm the RT 5.4 with the overlay.

Concerns me less, so I I think I intend to vote in favor of this current motion that is on the table.

UM, right, reflecting back on some of the variances that are in between this current motion and when we get down to approving the sub or you know, voting on the subdivision.

You know I'm.

I I I think Dave pointed out that you know, it's hard to go back and you know retroactively bring things up to city standards, which gives me honestly the most pause in a lot of ways to approving some of the.

Variances.

Umm.

And you know, I I think it's 62 foot right of way.

It's probably fine, you know, just to be totally honest with you, the 54 feet gives me a little bit of pause and some of the block length.

You know the block length along the river doesn't really give me all that much pause, but some of the other areas do.

And I I would like there to potentially be some effort to dedicate a piece of right of way or you know, something that would connect in on the West side.

I I through the park.

Uh in the future, so I I'm I'm unsure if that needs to be plated right now.

Or or how that works it once it becomes city property in the form of a park.

Maybe that can just all happen internally. Umm.

I guess the I I agree with Rick that the you know the park on the east side adjacent to

the river is.

It's nice as it would be nice to the next to the river.

It is the longest skinniest park you've ever seen, and it would be better if it was, uh, a little bit wider.

Umm, the park on the West side of the property seems to be I I do agree that a joining it to the neighboring park is a good idea, but a lot of the area seems to be just leftover space.

That was frankly undevelopable umm, you know, due to grades.

And that's the reason we can't get a sidewalk through, which is the basis of one of the variances.

Umm.

And it does seem like there could be some reconfiguration in that area too.

One make a better park and and get a sidewalk to go through.

So I guess that's all to say that on this particular motion that is on the table, I didn't tend to support it, but I wanted to give some commentary on the upcoming motions that are likely ahead of us.

AR **Analeshia Rodriguez** 9:29

Great.

Thank you, Shane.

Anybody else got any comments?

I got couple of questions I missed here.

I apologize, I don't normally talk this much, but there's not very many of us here, so I'm.

LD **Lynn Davis** 9:45

Sorry I can't raise my hand for some reason, but I'm raising my hand.

AR **Analeshia Rodriguez** 9:49

OK.

Sorry Lynn.

LD Lynn Davis 9:51
That's OK.

AR Analeshia Rodriguez 9:51
Go right ahead.

LD Lynn Davis 9:52
Just a comment on this one.
I'm planning to not vote in favor of it, and mainly because I feel like they overlay just decreases, setbacks and.
Makes it less livable, honestly, and creates a need for other variances, so it's also creates a, allows the multi family.
Don't dwellings which creates the block variants which creates the alley variants that street variants and so it's just basically adding variances.
So that's enough for me.
That's it.

AR Analeshia Rodriguez 10:30
OK.
Thank you, Lynn.
Dave, do you have some feedback on that?
I'm curious about your thoughts on that.
Well, I I certainly see Lynn's point.
You know it's true.
As I mentioned earlier that if if that southern block which has the multi dwelling lots, if that were just one lot and not 10 lots then no you wouldn't need certain variances because you could develop apartment you know an apartment complex essentially on one lot and you wouldn't have these separate lots with individual kind of townhome type structures.
So yeah, I mean the overlay is a way to like I mentioned earlier.
Really, the idea is it's a way to provide some flexibility, some variation in structure types.

Right now, the RT 5.4 zoning it it's very limited in the types of structures that are allowed, and it's certainly, you know, a more urban environment if you have different, you know, a mixture of views or a mixture of housing types.

That's also, you know, the city has certain quote unquote lenses that we're trying to look through according to our strategic plan.

This is a little different from the growth policy, but one of those is umm, it's not accessibility and affordability.

Equity is what I'm trying to say, and So what that means in this context is having different housing types for different segments of the market.

So in this case you'd have some larger homes or expensive homes, probably along the river, and on some of the larger lots you'd also have some apartments.

And that helps to achieve some of the city's goals.

So that's why and also with the reduced setbacks.

I think you know it again.

It's a more urban environment and that's, you know, density.

Is this infill density idea?

Is is really what the city's growth policy, or one of the things that the city's growth policy is all about?

I don't want to stress or I don't mean to stress, that it's all about housing.

There are certainly other goals, livability, quality of life, you know, things like that.

But in any event, I think it would be would be helpful to take a vote on the first motion to get things started, and then we could go through the variances 1 by 1 and umm and take those on with.

Is that a good way to proceed?

Absolutely.

I think my comment just a little on the character overlay too.

Sure, absolutely.

So one thing too, you know, the duplexes are allowed.

So it it does.

You know the neighborhood character overlay allows us to do more single family rather than duplexes with the same density.

So if you have a duplex and you have 10 foot on the side but you have zero in the middle, there's still that same spacing or the width needed for 2/2 buildings.

So by having neighborhood character overlay, you're allowing to have single family homes, which is what the residents of East Missoula said that they would prefer more is individual single family homes.

This allows that within the same footprint with area where you wouldn't really have that as much, you would have more of a duplex which is allowed in the zoning without the overlay, so it doesn't change the density, it just allows, like Dave said, more flexibility for us to put single family homes in the same area and then the multifamily is the addition again now with the density, but having the multifamily allows us to have this variety and we see this all the time where we don't wanna keep this one carbon copy, same culture throughout an entire.

35 acre area you know, socioeconomics the city is wanted to blend that lately.

They really they want, you know, apartment buildings mixed in with single family houses and kind of a mix of sizes, single family in between.

This character overlay allows that mix so that a variety of people can live in the subdivision, not just one exact type.

So that is one reason that it helps us.

It gives us just more flexibility to have the single family as well.

Great.

Thank you.

OK, let's somebody else has something else.

Let's go ahead and bring this first motion to a vote.

Roll call vote please and Alicia Roll call Vote Lynn Davis.

LD Lynn Davis 14:32
No.

AR Analeshia Rodriguez 14:36
Shane Morrissey.

SM Shane Morrissey 14:38
Yes.

AR **Analeshia Rodriguez** 14:42
They Loomis.

D **dave** 14:43
No.

AR **Analeshia Rodriguez** 14:47
Recall.

RH **Rick Hall** 14:49
No.

AR **Analeshia Rodriguez** 14:51
Sean McCoy?
Yes, and the motion fails with three nodes, 2 yeses.
OK.

RH **Rick Hall** 15:05
Does that render the variances mood?
Or do we still need to vote on them?

AR **Analeshia Rodriguez** 15:10
No, I think it's it's best if we go through them and discuss them and vote on them it
in the past, what we have encountered is that it's very much needed.

RH **Rick Hall** 15:23
No, no problem.

AR **Analeshia Rodriguez** 15:25
Go ahead, Rick.

RH **Rick Hall** 15:26

I'm.

I'm ready for #2.

AR **Analeshia Rodriguez** 15:28

OK, good. #2.

RH **Rick Hall** 15:31

OK.

I move that we recommend that City Council approve a variance from City subdivision regulations.

Article 3, section 3-020 DOT 2 tables .2 A to allow Aspire Loop, Heartwood place Jumbo Dr Crosscut Way summer St on site and a portion of Waterside Drive on site to have a 62 foot right away easement instead of the 70 feet for the low density herban local St type.

AR **Analeshia Rodriguez** 16:04

Motion made by Rick.

Do we have a second change your hands up?

SM **Shane Morrissey** 16:10

I'll second.

AR **Analeshia Rodriguez** 16:12

A seconded by Shane.

OK.

Alright, Shane, go ahead with your questions.

SM **Shane Morrissey** 16:18

Uh, not a question.

I I think that I intend to support this one.

This seems like we can fit everything that we need within this street type within the 62 feet, so I intend to support this variance.

AR **Analeshia Rodriguez** 16:37

Great.

Thank you, Shane.

Anybody else feel like they need to? When?

OK, I'm gonna take one second.

So one of the questions I miss Soundwall considered we didn't address that at all.

Is that being considered in any way in my presentation?

OK, you have how about very briefly just it was, you know, what little just a little bit to answer that question again, yeah.

So you know, the idea was that garages and everything in the back of the multifamily with soundproof construction, triple pane windows, uh, double drywall, that would be the wall.

Yeah, that would be the wall.

And then all the front doors opening to the cottage court in in the front so that multifamily would act as a sound wall, the back of it, which is the garage and then all that entrance and would be in the front.

So OK.

And just to clarify that persons question, they were thinking more like the sound wall that is, UM, whatever on the street going over the rattlesnake bridges and the roundabouts, anything like that considered.

Not.

Not as much.

You know, you'd have to look at heights and everything.

We were definitely trees along there as well.

So vegetation trying to work with the city on the best type of vegetation for soundproofing as well.

OK.

All right, just trying to get at that.

All right, we ready for a vote here?

Anybody.

All right, it looks like it.

Let's go ahead and Alicia roll call vote.
Please roll call vote Glenn Davis.

LD **Lynn Davis** 18:15
No.

AR **Analeshia Rodriguez** 18:18
Shane Morrissey.

SM **Shane Morrissey** 18:20
Yes.

AR **Analeshia Rodriguez** 18:23
They blemishes.

D **dave** 18:25
No, no, sorry.

AR **Analeshia Rodriguez** 18:29
Recall.

RH **Rick Hall** 18:31
No.

AR **Analeshia Rodriguez** 18:33
Shawn McCoy?
Yes, and the motion fails with three nodes, 2 yeses.
Alright, thank you.
On would it be possible to get some comments as to why that?
Why the people who voted against did so Lin, Rick. Dave.
Any any.
Uh, yeah, you vote no.
Also, no.

I voted yes, Lynn.
Go ahead and then Rick.

LD Lynn Davis 18:59

Thank you.

Thank you.

So we we have standards for roads that are in our subdivision code and I feel like they should be followed.

And I'll also on summer streets improvements at the 70P because it's, you know, I haven't been on this board very long, but I feel like it's a common thing to not follow what the subdivision code is.

So I would vote in favor of a change to the code and then follow the code.

So I I don't think appearance as warranted, because then we end up with streets that aren't correct in the long term like so that's my comment.

AR Analeshia Rodriguez 19:46

Great.

Thank you, Lynn.

Go ahead, Rick.

RH Rick Hall 19:50

Sure.

If I don't agree with the aspired neighborhood character, overlay the density or the riparian buffer, even though they're all lawful.

Umm, but I don't think they fit the area.

I don't think there are any dance.

The house densities on the river.

I mean, I looked at Google Maps, they're that there aren't any.

Uh along the clock fork.

If I don't agree with that overlay, then I can't really agree with any of the variances that are included with the overlay.

So that's my reasoning.

AR **Analeshia Rodriguez** 20:32

Alright.

Thank you, Rick.

Dave, do you want to add any color to your vote?

D **dave** 20:37

Yes, and you're supposed to prove a hardship.

And the hardships on these variants are self made by the applicant.

That's why I'm voting no one variance.

RH **Rick Hall** 20:52

You too.

AR **Analeshia Rodriguez** 20:52

Great.

Thank you, Dave.

OK.

And the motion fails three to two.

And as we move through these everybody, let's just keep trying to present our our opinion and why we're voting, how we are.

So that staff has something to work with and as well as City Council when they get to review on this.

OK.

Is anybody wanna take a stab at the third recommended motion?

Anybody besides Rick?

RH **Rick Hall** 21:26

I'll keep going if you want.

AR **Analeshia Rodriguez** 21:28

Alright, you you can you can go ahead, Rick.

RH Rick Hall 21:31

Till I run out of breath.

UM, I move that we recommend the City Council approve a variance from City subdivision regulations.

Article 3, section 3-020 Dot two, table dot 2A and 3-020 dot four dot N to allow the northernmost approximately 415 feet of water side drive to have a 54 foot right of way easement and one parking lane instead of two.

AR Analessia Rodriguez 22:04

Great.

Thank you.

Rick, do we have a second?

SM Shane Morrissey 22:09

I'll just keep with the theme and second it.

AR Analessia Rodriguez 22:12

Seconded by Shane.

Don't be afraid to chime in.

2nd is really easy.

OK, Jane, you wanna leave the discussion off again?

Your hands still up.

SM Shane Morrissey 22:27

I reraised it.

I actually intend to vote against this one.

Umm, I just you know.

The 54 feet does seem too narrow and you know, back to you know, Dave's comments about, you know, trying to correct things after the fact.

Yes, sure.

There is a road that comes into this that has 54 foot right of way, but that's going to need to be addressed in the future and let's not set ourselves up for failure within

this area that we can actually work with UM from the get go.
So I intend to vote against this one.

AR **Analeshia Rodriguez** 23:11

Great.
Thank you, Shane.
Anybody else ready to weigh in?
Go ahead, Lynn.
Your your hand raising function still broken.

LD **Lynn Davis** 23:25

Yeah, it's not right.
I click on it, nothing happens.
Anyway, old school.

AR **Analeshia Rodriguez** 23:28

Huh.

LD **Lynn Davis** 23:31

Umm, I agree with Shane the same reason like build it right the first time and I and I feel like it's the right thing to do and really don't believe that everyone's gonna go out summer St so they'll be traffic and it just needs to be built to standard to begin with.

AR **Analeshia Rodriguez** 23:55

Great.
Thank you.
All right, I'll throw my two cents in.
Boy of all the variances, this is the this is one of the toughest and I still haven't made up my mind on this one.
This.
Yeah, this choke point, UM, is challenging.
Yeah.

And I see the need for it and I and I get it because it makes makes everything else work.

Umm, but I'm not.

I'm not sure how I'm gonna land on this.

This one is challenging enough that I might.

I might vote no.

I think there's some sense in maybe reanalyzing this and seeing if there's anything different that we can come up with.

Anybody else wanna get there?

Thoughts known?

Actually, I should just say.

RH Rick Hall 25:20

I guess I'll just say I agree with everybody else.

AR Analeshia Rodriguez 25:20

OK. Thanks.

OK.

Thanks, Rick.

We had somebody in house trying to clarify something and I was listening to that.

One second here.

Dave, do you have anything to add, Dave Loomis?

D dave 25:45

Nothing to add to this.

Thank you.

AR Analeshia Rodriguez 25:50

OK, Dave Graham Price, can you add to what the gentleman was referencing because I can't open up public comment at this point?

No, I'm not familiar with the covenants of the Waters Edge subdivision.

I just know that the right of way, the existing right of way for Waters Edge Dr is 54 feet in the proposed right of way for this section of Waterside drive in the Aspire

Subdivision, 415 feet is also proposed to have that same that width.

Yeah.

So the restrictive covenants, Brian with 406 in engineering, so, so Andrew's referencing with the 1 foot no axis ship we talked about the restricted covenants that went through with density.

Part of that was the effort to keep traffic at slow going north through because if you look at what water side drive is, it's a meandering slow little Rd.

So there we needed to make an effort to calm traffic and reduce the speeds of traffic going north and so in order to neck that down to 54 feet, which is we say 54 feet, ours is a much wider section that's already there.

So you know the transition from a full cross section all of a sudden what's there would be a really abrupt end traffic would be going extremely fast.

So this is a method for us with traffic calming to try and reduce it at an intersection and then also add traffic calming as it goes N to reduce the speed and reduce the flow as it enters the narrow section of what waterside Dr is.

So so that is in the restrictive covenants that for us to put an effort in to try and do that.

And honestly, it's just good design to be honest, to not neck it down right at the end. That's not safe.

Yes.

Thank you for that reminder, Sir.

And for that recap, Brian, I think we touched on that in the last meeting in a much better way and we kind of did not hit that tonight.

So ideally that helps anybody in house or board members.

OK.

Are we?

You got everybody ready for a vote?

Alright.

And Alicia, roll call vote.

Please roll call vote Lynn Davis.

 **Lynn Davis** 28:13
No.

AR **Analeshia Rodriguez** 28:16
Shane Morrissey.

SM **Shane Morrissey** 28:18
No.

AR **Analeshia Rodriguez** 28:22
Dave Loomis.

D **dave** 28:24
No.

AR **Analeshia Rodriguez** 28:27
Recall.

RH **Rick Hall** 28:29
No.

AR **Analeshia Rodriguez** 28:31
Sean McCoy?
Yes, and the motion fails with four nose one.
Yes.
And just to clarify for Dave and the folks here that last clarification kind of brought me back around to the need, you know, if I'm gonna, if I'm going to vote for the overlay, this makes sense.
OK, I can't tell who has their hand up.
That.

RH **Rick Hall** 29:15
I think nobody now hope Richard Fifield.

AR **Analeshia Rodriguez** 29:23

Associate.

Is that a public comment?

Cause I can't open back couple of public comments.

Leave it is umm, I believe it is.

OK.

So Richard, I apologize, but we've had our public comment period.

I I cannot open that back up now.

We are in the process of doing motions and voting, so just to let you know that I see your hand up there.

I'm not trying to ignore you.

RF **Richard Fifield** 29:46

This is not public commentary.

This is parliamentary procedure.

I am concerned that Mister Brock Morton gets to respond.

AR **Analeshia Rodriguez** 29:53

OK.

Excuse me, Sir.

You're I I I feel for you.

But Parliament parlor parliamentary procedure doesn't warrant you interrupting the meeting, so I'm gonna have to ask you to not do that.

RF **Richard Fifield** 30:07

Nor does it warrant Mr Throckmorton to be able to respond to your concerns.

He already had his time to do so.

Are you going to let these missoulians respond?

AR **Analeshia Rodriguez** 30:24

Just to try and address what you're saying, Sir, part of this process is getting questions answered and to get questions answered, we need to rely on our staff who are making presentation to us and the developers as well.

Umm, so part of the process for us as board members to get as much information as

we can, not only for ourselves but to try and answer the questions of the people in the public is to bring the developer back up or to ask our city staff whether or not they can address those questions so that we can get clarification on that.

That is why Brian Throckmorton keeps coming up to respond to our questions.

Because we're trying to understand things better so that we can make informed decisions to the best of our ability.

OK.

My apologies folks.

So always these these harder ones are tough.

There's no doubt about it.

OK, that motion fails as well, which brings us to our 4th variance.

Anybody wanna take a stab at it?

SM **Shane Morrissey** 31:44

I'll take one, Rick.

Umm, I'll recommend City Council approve a variance from city subdivision.

Regulations, Article 3, section 3-020 Dot two table .2 A to allow sidewalk on only one side of the street for approximately 460 feet along the northwest corner of Aspire Loop.

RH **Rick Hall** 32:13

And I'll second at this time.

AR **Analeshia Rodriguez** 32:16

Great.

Thank you, gentlemen.

I appreciate your efforts to keep us rolling here.

OK.

I provide just a bit of clarification on one thing.

Absolutely, Dave, go ahead.

That was made earlier.

I don't wanna show you something.

It's going to take me just a second to get back to it.

OK, so this is the variance request.

So it's a blocked length again along the West side of.

I think I'm on the right one.

We're on #4.

Sorry.

OK.

And so, Shane, I think I think it was you who mentioned or you see the black line along the West side of the lots and as you're traveling N it runs, I guess East West there is a condition of approval recommends as mitigation for this that there be a paved pathway that runs along the southern end of the park.

That pathway actually is also proposed to be used along the West side of this property is a sewer main and so public works of mobility from the city has requested that there be a 12 foot access Rd along the edge of these lots.

The back of these lots, but then it also be paved along.

I guess the northernmost section where it connects back to the road and runs all the way out to Robinson St, so I think I think it was Shane who mentioned having a connection out the park through Canyon View Park and that is that's a proposed condition of approval.

So I if I didn't hear you're right, let me know.

I'm just trying to address that comment.

SM **Shane Morrissey** 33:54

I just want to make sure that we're actually on the right one.

Let me.

You go back to your, UM, variance requests.

AR **Analeshia Rodriguez** 34:09

Do you mean the the motion itself?

SM **Shane Morrissey** 34:11

Yeah.

AR **Analeshia Rodriguez** 34:13

Yep.

We go, so I believe it's #5.

SM **Shane Morrissey** 34:22

Now I I just read #4.

AR **Analeshia Rodriguez** 34:27

All right, I'm wrong.

Sorry, that's OK.

SM **Shane Morrissey** 34:29

So.

AR **Analeshia Rodriguez** 34:29

We'll have it covered for #5.

SM **Shane Morrissey** 34:32

Yeah, alright.

So, uh, John, do you mind if I give my little commentary here?

AR **Analeshia Rodriguez** 34:38

No, please go right in.

SM **Shane Morrissey** 34:40

I I don't necessarily have anything wrong with the variance request in here other than the fact that it again it as the there doesn't seem to be a need for a sidewalk on on the West side of of the road in that area.

That being said, the the hardship displayed here is is that it's a topographical thing, which is really just that they put the road right at the heel of the hill, if you will.

And then yes, sure, the sidewalk would be elevated.

It still seems to make sense to grant the variance in this instance.

To me at least, but.

It does seem a little the hardship seems a little contrived in a lot of ways.

I I still believe that I intend to support the variance I suppose, and that it wouldn't connect to anything real, but I do think that there should potentially be within the plat a reconfiguration of this to allow it to actually connect to something.

AR **Analeshia Rodriguez** 36:02

Great.

Thank you, Shane.

Anybody else?

Remember, we need some context for your votes, even if it's very simple.

Go ahead, Rick.

RH **Rick Hall** 36:29

Come by contacts remains the same.

That is that if I don't approve the overlay, I don't approve the variances and.

You mean some of these make sense in the in the context of the of the overlay, but umm, but for me I don't I'm I'm not in favor of the overlays so.

AR **Analeshia Rodriguez** 36:55

Copy that.

Thank you.

Anybody else before we move to the vote here.

OK.

And Alicia, let's go ahead and do about roll call Vote Lynn Davis.

LD **Lynn Davis** 37:10

Yes.

AR **Analeshia Rodriguez** 37:13

Shane Morrissey.

SM **Shane Morrissey** 37:16

Uh, yes.

AR **Analeshia Rodriguez** 37:21
Dave Loomis.

D **dave** 37:23
No.

AR **Analeshia Rodriguez** 37:27
Rick Hall.

RH **Rick Hall** 37:28
No.

AR **Analeshia Rodriguez** 37:32
Sean McCoy?
Yes.
And the motion passes through with three yeses to Nos.
Great.
Thank you.
Dave, from my context it was really similar to Shanes.
OK.
We're we're at halfway here and so anybody wanna take a stab at #5?
Yeah.

SM **Shane Morrissey** 37:59
Uh, I guess I already opened this can of worms, so I'll keep rolling for a little bit.
Recommend City Council approve a variance from city subdivision.
Regulations, Article 3, section 3-030 Dot two a (2 to allow the block serving lots one
through 18 and 103 to 113 to exceed the maximum 480 foot block length
requirement.

AR **Analeshia Rodriguez** 38:29
Do you have a second?

RH Rick Hall 38:29

I'll second it.

AR Analessia Rodriguez 38:31

Great.

Seconded by Rick.

I don't know this.

This just makes sense given given the design and the overlay, so I think I'll be supporting this as well.

Go ahead, Shane.

SM Shane Morrissey 38:55

Uh, yeah, I I intend to support this one as well.

It seems to make sense given the context. Thanks.

AR Analessia Rodriguez 39:06

Anybody else before we move to a boat?

OK, seeing no hands and Alicia roll call vote.

Please roll call vote Lynn Davis.

LD Lynn Davis 39:17

Yes.

AR Analessia Rodriguez 39:20

Shane Morrissey.

SM Shane Morrissey 39:22

Yes.

AR Analessia Rodriguez 39:26

Dave Loomis.

D **dave** 39:27
No.

AR **Analeshia Rodriguez** 39:31
Recall.

RH **Rick Hall** 39:33
No.

AR **Analeshia Rodriguez** 39:36
Sean McCoy?
Yes, and the motion passes with three yeses to Nos.
OK, moving right along here, #6.

SM **Shane Morrissey** 39:51
Umm.

AR **Analeshia Rodriguez** 39:51
I would read them that I could.

SM **Shane Morrissey** 39:54
I'll go for it.
I'll recommend City Council approve a variance from city subdivision.
Regulations, Article 3, section 3-030 Dot two a (2 to allow the block serving lots 19
to 31114 to 123 and 47 to 48 to exceed the maximum 480 foot block length
requirement.

AR **Analeshia Rodriguez** 40:21
Do you have a second?

RH **Rick Hall** 40:22
And I'll second it again.

AR **Analeshia Rodriguez** 40:24

Great.

Seconded by Rick Motion, made by Shane.

SM **Shane Morrissey** 40:26

May I, may I ask that, Dave, I know that this is painful, but would you mind going to a diagram of this particular section?

AR **Analeshia Rodriguez** 40:27

Go ahead.

This is the one correct.

SM **Shane Morrissey** 41:05

Yeah, that looks right.

AR **Analeshia Rodriguez** 41:08

And then here's another one.

Well, it shows kind of larger context.

SM **Shane Morrissey** 41:25

Thanks Dave.

LD **Lynn Davis** 41:44

Sorry.

Raise my hand umm so.

AR **Analeshia Rodriguez** 41:47

I'm sorry, Lynn.

I year and haven't been on my screen for a while.

You probably try and talk and then you'll come up.

So I can see you.

LD Lynn Davis 41:53

OK, I don't know.
Can you hear me?

AR Analeshia Rodriguez 41:57

I we can, we can.

LD Lynn Davis 41:57

Yeah.
OK umm, so I would vote no on this one.
I feel like the hardship is created by the developer part of the plan and they could
put a street in without a problem.

AR Analeshia Rodriguez 42:20

Great.
Thank you.
Lynn, anybody else?
Before we move to a vote here.
Go ahead, Shane.

SM Shane Morrissey 42:34

Umm.
This this one doesn't bother me as much and I guess I do wanna wanted to make a
comment I think on you know God, you know right of way width versus Rd width and
in relation to traffic calming and.
You know, there are two different things in my mind.
I mean, obviously there's, you know, we're dedicating, there's a right of way.
Uh, you know that we're dedicating the the, the way that we start to institute traffic
calming is through, uh.
Not necessarily related exactly to the right of way width.
You know, within a 70 foot right of way, just as a for instance, you can still put in a 20
foot Rd which will institute more traffic calming.

And so as they are related in some ways, but they're not, they're not necessarily like tied to each other exactly like you can still, you know, neck things down and create safe crossings and, you know, make the road less wide within a wider right of way. So I I suppose that that's maybe in just response to like you know wide or right of way means faster traffic, it doesn't necessarily mean that per se like you could still have a different Rd standard within a wider right of way.

Umm, that being said, uh, this one bothers me less.

Umm.

And I suppose that I intend to support this this variance, and that seems to be reasonable access to all the properties and the length of the block is, uh, it does seem somewhat reasonable.

And then there is pedestrian access through the middle of it.

So I intend to support it.

AR **Analeshia Rodriguez** 44:48

Great.

Thank you, Shane.

Any other comments from board members?

OK, my own two sense is, umm, pretty similar to shanes.

I think this makes sense and doesn't raise any.

Huge concerns for me.

You know, something brought up earlier was that we have regulations and that we should follow them.

And when we have pieces of property that are just not square.

You know, we gotta.

We gotta get inventive and figure out things, and that's where we see a lot of variances.

In my experience, umm, you know, we don't see a lot when we have lots of space and you know, we're out of the why.

But in these type of situations, in order to make it work, there's typically some variances that have to go with it.

OK, it's not seeing anybody else looking to chime in.

Let's go ahead and do a roll call.

Vote.

Please roll call vote Lynn Davis.

LD **Lynn Davis** 46:05
No.

AR **Analeshia Rodriguez** 46:08
Shane Morrissey.

SM **Shane Morrissey** 46:10
Yes.

AR **Analeshia Rodriguez** 46:14
Dave Loomis.

D **dave** 46:16
No.

AR **Analeshia Rodriguez** 46:19
Rick Hall.

RH **Rick Hall** 46:21
No.

AR **Analeshia Rodriguez** 46:24
Sean McCoy?

Yes.

And the motion passes with three nodes, 2 yeses motion fails fails with three nodes and two, yes, it's OK, it's getting late.

Sean, did you just vote yes to the motion or no, I I voted yes.

Three, it came out three to two.

Thank you.

OK, plugging away here folks and board members, we got one more to go.

We can't give up tonight, so hang with us.
#7 right.

SM **Shane Morrissey** 47:02

I will recommend City Council approve a variance from city subdivision. Regulations, Article 3, section 3-030 Dot two a (2 to allow the block serving lots 32 to 46 and 68 to 87 to exceed the maximum 480 foot block length requirement. And again, I'd ask Dave, after we have a second to throw that one up on the screen, if possible please.

AR **Analeshia Rodriguez** 47:37

Do you have a second?

LD **Lynn Davis** 47:38

I can second.

AR **Analeshia Rodriguez** 47:39

Seconded by Lynn.
Beat you to it, Rick.
OK, motion by Shane.
Seconded by Lynn and Dave is working on the slide.
OK, go ahead, Shane.

SM **Shane Morrissey** 48:05

Sorry, I feel like I'm talking a lot, but I feel like I need to justify myself or my count or my votes.
Uh again, I I think actually on this one, I think I would would defer to city staff.
On this, it's obviously.
The case that the any sort of Rd going through there would connect to nothing but the river and whether or not we want access to the river and where we want access to the river that seems to be a parks and rec.
You know issue which they have weighed in on on in this.
Application, so I intend to support this one.

Umm, you know, I I do know that creating little cow trails down to the river.

Umm, I can be an issue.

We don't want there to be too many, so focusing them into areas that we can control seems like the the best way possible to prevent any sort of negative impacts to the river and to the riparian area.

So I intend to support this one just because it is Staffs recommendation.

AR **Analeshia Rodriguez** 49:23

Great.

Thank you.

And I think you're doing a great job.

You're showing great example of how we gotta do our job.

Anybody else?

Alright, seeing nose and the shape of heads, we'll go ahead and move to a vote.

I'm pretty much with Shane.

This seems to make sense given given what we have in front of us and Alicia, please roll call vote Glenn Davis.

LD **Lynn Davis** 49:54

No.

AR **Analeshia Rodriguez** 49:57

Shane Morrissey.

SM **Shane Morrissey** 49:59

Yes.

AR **Analeshia Rodriguez** 50:02

Dave Loomis.

D **dave** 50:04

No.

AR **Analeshia Rodriguez** 50:07
Recall.

RH **Rick Hall** 50:09
No.

AR **Analeshia Rodriguez** 50:12
Sean McCoy?
Yes, and the motion fails with three nodes, 2 yeses.
OK.

RH **Rick Hall** 50:30
I mean, you want me in motion for a little bit.

AR **Analeshia Rodriguez** 50:30
I was.

SM **Shane Morrissey** 50:33
Go for it.

RH **Rick Hall** 50:34
OK.
But are we on eight?

AR **Analeshia Rodriguez** 50:38
Yes, Sir.

SM **Shane Morrissey** 50:38
Figure around 8:00.

RH **Rick Hall** 50:39
Eight.

OK.

I move that we recommend the City Council approve a variance from City Subdivision regulations.

Article 3, section 3-030 DOT one dot C (3 to allow lot 6265 and 66 to a **** and have access to an alley instead of a public or private street or Rd.

AR **Analeshia Rodriguez** 51:08

Great.

Thank you.

Rick, do we have a second?

SM **Shane Morrissey** 51:11

I'll second.

AR **Analeshia Rodriguez** 51:13

Second by Shane.

All right, go ahead, Shane.

SM **Shane Morrissey** 51:29

I I think this is another one I intend to support.

I don't think everything needs to have but a road, you know philosophically.

And if we do end up, you know, with some little cottage core areas here, I think that would be a fine.

This would be a fine place for it, so I intend to support this one.

It does feel like it would be an appropriate solution.

Here and yeah, I intend to support this one.

AR **Analeshia Rodriguez** 52:11

Thank you, Shane and.

Alright, just to be brief, I pretty much along the same lines as Shane there this you know seems appropriate.

Any other comments from plan?

Go ahead, Lynn.

LD Lynn Davis 52:27
I would just say that I don't agree with the overlays, so I'm not gonna vote yes for this.

AR Analessia Rodriguez 52:35
Great.
Thank you.
Anyone else?
OK.
And Alicia, please roll call vote Lynn Davis.

LD Lynn Davis 52:46
No.

AR Analessia Rodriguez 52:49
Shane Morrissey.

SM Shane Morrissey 52:51
Yes.

AR Analessia Rodriguez 52:53
Dave Loomis.

D dave 52:55
No.

AR Analessia Rodriguez 52:58
Rick call.

RH Rick Hall 53:00
No.

AR **Analeshia Rodriguez** 53:02

Sean McCoy?

Yes, and the motion fails with three nodes, 2 yeses.

Alright, we're almost there, #9.

RH **Rick Hall** 53:15

OK.

I move that we recommend the City Council approve a variance from City Subdivision regulations.

Article 3, section 3-030 Dot two dot a (2 to allow the block serving lots 58 through 67 to exceed the maximum four eight 480 foot block length requirement.

AR **Analeshia Rodriguez** 53:44

To have a second, seconded by Lynn.

LD **Lynn Davis** 53:45

I'll second.

AR **Analeshia Rodriguez** 53:47

Thank you.

SM **Shane Morrissey** 53:49

Maybe we have the diagram of this one please.

AR **Analeshia Rodriguez** 54:18

Well for me.

It seems hard to vote for the last one and not vote for this one, so it all seems to make sense if I support this little triangle of a development.

So that's where I'm at.

Anybody else?

Can any input?

OK.

And Alicia, can we have a vote, please?

Roll call vote Lynn Davis.

LD **Lynn Davis** 54:50
No.

AR **Analeshia Rodriguez** 54:53
Shane Morrissey.

SM **Shane Morrissey** 54:55
Yes.

AR **Analeshia Rodriguez** 54:59
Dave Loomis.

D **dave** 55:01
No.

AR **Analeshia Rodriguez** 55:04
Rick Hall.

RH **Rick Hall** 55:06
No.

AR **Analeshia Rodriguez** 55:08
Sean McCoy?
Yes, and the motion fails with three nodes, 2 yeses.
OK, alright, now we're the last one and this this might be a biggie here.

RH **Rick Hall** 55:22
KUM.
I move that we recommend the City Council approve the ASPIRE Phase Subdivision

preliminary plat application, subject to the recommended conditions of approval based on the findings of fact and conclusions of law and the staff report.

SM **Shane Morrissey** 55:45
I'll second.

AR **Analeshia Rodriguez** 55:45
Do we have a second?
Alright.
Thank you, Shane.
Seconded by Shane.
Alright, they might wanna kick us off.
Dave, please.
Dave Loomis, please go ahead.

D **dave** 55:58
Yes, thank you.
Well, I'm pretty disappointed that the developers and city staff did not work more closely.
Ohh, and listen to the residents, the county and resource account such as Audubon.
I believe that better redesign would result in either fewer or even no variances, and so this is not the right subdivision and that's why I can't look for it.

AR **Analeshia Rodriguez** 56:28
Great.
Thank you, Dave.
Let's see.
I got Rick next.

RH **Rick Hall** 56:40
Ah, what he said.
But I would also, you know add that I don't feel it fits the surrounding area.
I do know the developer is not.

It's not at maximum density for this project, but it still too dense to me and I think that density is what's causing all the variances.

Umm.

And you know, between both density and the riparian buffer, I just have issues with it, and in that respect I agree.

I mean, I think that there is a compromise between the residents and the developer, or there could be.

I don't know that anybody's ever happy with development that happens near them, but this is a it's it's it's a mixed world development town and I think we're applying an urban neighborhood to it and I'm just having some issues with that.

AR **Analeshia Rodriguez** 57:53

Great.

Thank you, Rick.

Anybody else?

LD **Lynn Davis** 57:59

I agree.

AR **Analeshia Rodriguez** 58:00

Go ahead, Lynn, good.

LD **Lynn Davis** 58:01

I agree with what's been said.

Thank you umm and I feel like the design creates variances and so once someone buys a property the shape and size are known and then we're trying to.

Bit the development meant into the maximum housing with all these variances, so I could kind of agree with Dave and that there could be a better plan.

Uh, so there's less variances and it meets more of that it normal subdivision standards or code regulations.

Sorry, but that's my thoughts.

So no.

AR **Analeshia Rodriguez** 58:47

Great.

Thank you, Lynn.

Go ahead, Shane.

SM **Shane Morrissey** 58:53

Umm on this one I I think I tip my hat to this.

Earlier I I intend to vote no on this.

Also, I do believe that the plat should be revisited in some ways.

Well, I do.

And obviously on the record have agreed with some of the variances.

Umm, there are too many here and I do think that a better design of this.

Umm, of this neighborhood could result in.

It it in a in happier neighbors and also something that meets both the current county regulations and the the future, potentially future city regulations.

So I do think that we need to find some balance there and it does feel like it's going a little too far.

Beyond where?

Where this neighborhood is right now and.

Uh it.

Yeah, maybe I'll just leave it at that.

There's just a little too much that is.

Uh put in.

Not only pushing beyond the the the county code, but pushing beyond the.

Uh, the proposed city codes here, so I intend to vote no for this.

AR **Analeshia Rodriguez** 1:00:24

Great.

Thank you, Shane, anybody.

Ohh, I think maybe that is well.

Anybody else?

OK, let's see.

So I think with the plat application this is the one place where that riparian buffer zone in.

I'm struggling with it.

And I know I've supported everything above UM, but I think that is, you know, the one, the one place within this proposal that we have the most solid conflict that I don't know is resolvable in any way.

UM, but.

I think I'm leaning towards no.

UM, with this final recommendation as well.

Is there anybody else have?

Anything before we move to a vote.

OK, not seeing anything.

And Alicia, please roll call vote Lynn Davis.

LD **Lynn Davis** 1:01:48
No.

AR **Analeshia Rodriguez** 1:01:50
Shane Morrissey.

SM **Shane Morrissey** 1:01:52
No.

AR **Analeshia Rodriguez** 1:01:54
Dave Loomis.

D **dave** 1:01:57
No.

AR **Analeshia Rodriguez** 1:01:58
Recall.

RH Rick Hall 1:02:00

No.

AR Analeshia Rodriguez 1:02:02

Sean McCoy.

No, and it is unanimous.

The motion fails.

OK.

Alright, everybody.

So that brings us to the end of this marathon hearing.

Appreciate everybody coming out tonight.

Umm for you folks in the public, we are very tough.

Hurdle your your real challenge is coming up with City Council.

That is where the annexation process will take place.

And again, we are usually a lot tougher than they are as far as our review process.

So umm, just, you know, you gotta keep working at it as hard as you can.

Appreciate everybody from four to six engineering showing up and doing all your guys is due diligence as well.

I know this is hard and hopefully this is just part of the process getting us to where we can all have the development and the.

Subdivisions that we're looking for as a community.

OK.

Alright.

Thanks Dave.

Thanks, Brian.

Appreciate everybody here.

We have one more hearing folks and hopefully the change to our agenda makes more sense now that we've dropped that.

A presentation?

Umm.

Shane, go ahead.

SM Shane Morrissey 1:03:36
May I ask for a quick potty break?

AR Analeshia Rodriguez 1:03:38
Absolutely.
Well, can we do 5 minutes?
Is 5 minutes enough for everybody?
OK, alright, we'll take a 5 minute break and be right back.
This going on here at the moment.
Turns out my family, my disk got COVID, not me, but my wife.
OK.
Umm, alright.
So our next hearing.
Is rezone of 725 W Central Ave and 7:15 W Central Ave we have John Sand, associate planner with the city of Missoula, presenting for us tonight.
John did, are you still with us?

JS Jon Sand 1:11:55
Ohh, I sure am.
Thank you.

AR Analeshia Rodriguez 1:11:56
Oh boy, thanks Ohm and well, I don't know if this is appropriate or not, but I'm gonna say.

JS Jon Sand 1:11:58
No problem.

RH Rick Hall 1:12:09
He just cut out.

JD Joe M. Dehnert 1:12:14

Yeah.

Talk about a cliffhanger.

RH Rick Hall 1:12:17

I think I'm gonna say and then nothing.

AR Analeshia Rodriguez 1:12:21

Sorry, my mic died.

This should be a straightforward 1.

And feel free to lean into brevity there, John.

JS Jon Sand 1:12:36

Alright, sure.

Well, and I only have one motion, so that's great.

Umm, thank you, chair.

Good evening.

My name is John Sand.

I'm a planner with current planning at the City of Missoula.

Development Services has received a request.

I'm from Imeg Corp, representing Eagle Nest, the states to rezone properties, address 715 in 725 W Central Ave.

The properties are proposed to be rezoned from RM135 residential multi dwelling to B2 to community business.

This results in.

By this reasoning, would result in a standard zoning district under Title 20, which not cannot be conditioned.

Standard zoning districts must apply the same requirements to all parcels within the same zoning district equally.

The subject property, they're located at seven, 15725 W Central Ave, two blocks north of South Ave, between Boat and Bancroft St, Southside Lions Park is across the street to the north in Washington.

Middle School is to the East Sentinel High schools to the South, across S Avenue.

The parcels are in City Council ward four and in the Rose Park Neighborhood

Council.

This map shows the surrounding development patterns, including community and mixed use to the West, along with Brooks Corridor residential development to the east and the High School Fairgrounds and parks to the South.

Zoomed in we can see.

725 is approximately 17,000 square feet and currently contains 1 multi tenant commercial building.

The parcel next door.

So we're talking about 2 parcels here.

7:15 is approximately 5000 square feet and also contains 1 multi tenant commercial building.

The area surrounding the properties contain detached residents, multifamily residences and offices.

This is a Street View from Google Street View, just giving you idea of existing conditions from Central Ave can see the two commercial buildings attached with the breezeway.

While current allowed zoning allows for a few commercial uses, such as offices with the current zoning, some of these uses.

Uh potentially could be legal nonconforming.

So here we have our growth policy map, the applicable regional plan is the 2035, our Missoula City, Missoula City Growth Policy, which recommends a land use designation of neighborhood mixed use.

This land use designation as intended to include a mix of neighborhood serving Commercial Services, commercial uses and medium to high density residential development where city services and infrastructure are readily available.

These areas support and help give identity to individual or small groupings of neighborhoods by providing the visible, distinct, vocal focal point and serve neighborhood markets at a small scale.

Areas designated neighborhood mixed use promote uses such as retail offices, eating and drinking entertainment, and medium to high density residential medium to high residential density.

The City growth policy indicates that the following zoning districts are current relatable zoning districts for this land use designation.

Neither highlighted in red.

Here B1 neighborhood business B2 community business and M1 are limited industrial.

The proposed B22 zoning district complies with the growth policy recommendations. And as I mentioned before, the current zoning does not comply with this land use designation.

Subject Part properties in the lower right of the Orange L inside the dotted back black circle, which is the neighborhood mixed.

Use this growth policy map zoomed out.

This is the growth policy map zoomed out, which helps convey the transition zone between the commercial mixed use on Brooks and the greater residential neighborhoods east of Bancroft.

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 infrastructure.

The Community design, housing and safety, safety and Wellness sections of the city growth policy encourage building where there's existing infrastructure and services, especially adequate and adequate vehicle and active transportation facilities.

The neighborhood mixed use land the land use designation provides a transition zone.

As I mentioned from Community, mixed use along Brooks to. Residential to the east.

The subject properties are located within the area designated for high intensity commercial mixed use in the Midtown Master Plan, which is amendment to the growth policy.

This land use recommendations supports mixed use multifamily buildings with vibrant ground floor uses, active frontages, public amenities and plazas.

This rezoning supports the vision of the Midtown master Plan and growth policy by allowing for mixed use development, additional and additional commercial uses.

But, but the current proposed zoning allow for multi uh family development.

Right.

A proposed V22 zoning would allow for more uses and mixed use development in

the area with the existing infrastructure served by trail sidewalks, neighborhood greenways and bike lanes.

Curbside sidewalk are already exists along the parcel frontage personal frontages.

The subject properties also have alley access for future future parking and services.

The parcels are currently served by city fire, police, sewer and water.

Additionally, bus stops serving Mountain Lion routes are in the area.

Umm, the subject properties have curb gutter, that 55 foot curbside sidewalk along the northern boundary.

And aside from a portion of the block to the South, the subject properties are located in an area with a complete system of sidewalks, leading to transit, parks and services.

There's no delineated bike infrastructure on Central Ave.

However, there are existing bike lanes on Bancroft St to the east and South Ave to the South and East West neighborhood.

Greenway Corridor is located one block N on Kent.

A regional commuter path is located less than a mile away, and it's accessible via the Greenway network.

So here's a map of the current zoning.

The two parcels with this request, or zoned R135 residential multi dwelling, the neighboring blocks have a mix of R135R145 residential B11 neighborhood business, C-14 neighborhood commercial and R5, four residential.

The applicant has requested a rezone to be 2/2 community business.

This map reflects the proposed zoning designation.

Here's our standards comparison table.

I'll briefly go over this.

The RM135 district has a minimum parcel area of 3000 square feet B22 community business zoning district has no minimal minimum personal area except minimum of 3000 uh.

He parcel area as required for single purpose residential and mixed use buildings.

Both parcels are over the 3000 square foot minimum and would still allow for residential development if 7B22.

Both M1.

Excuse me, both RM135 and B22 allow one dwelling per 1000 square feet of parcel

area.

However, B22 does not have a minimum personal area for her unit for vertical mixed use buildings.

Both zoning districts would allow for five dwelling units on the parcel, addressed 715 and 17 dwelling units on the parcel address, 725 W Central Ave.

Umm, I'm going to skip some setback details just to uh, save some time, but basically setbacks 20.

You can see it there.

It's happy to answer any questions about setbacks at the end of this if there's specific ones.

Uh, in the height limit as well is something we wanted to point out. Umm.

Both zoning districts permit detached house lot line House Townhouse 2, unit House and multi dwelling residential building types.

Although mixed use buildings are allowed in room 135, very few non residential uses are permitted.

Vertical mixed uses vertical mixed use.

Buildings are prohibited in room 135, but fermented in B22.

The PB22 zoning district allows for substantially more uses and few low intensity uses like breweries and artists.

A tart artist and manufacturing.

Again with the hey, I just wanted to point out about that transition zone from I'm the Community mixed use which has a height limit of over 100 feet and taper height tapering down to the residential districts to the east which have now 30 or 35 foot height requirements.

So, uh, my next slide is the review criteria and this is the last and a heavy one.

So that's recommendation is based on the review criteria provided and Title 20, the Title 20 is that being zoning, Ordinance Planning Board must base their decision on the review criteria, the conclusions of law are as follows.

The requested zoning rezoning complies with the land use designation and focus inward objectives of the city growth policy, which are permitting commercial and mixed use development where existing infrastructure already exists.

The proposed rezoning would allow for the same high density residential development as the current zoning.

The requested rezoning implements recommendations from the Midtown Master plan, which is an amendment to the growth policy.

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

The property is served by adequate public services, including city fire, police, sewer, water and existing multimodal transportation infrastructure, making the property suitable for mixed use and commercial development.

Because of the similar setbacks and height standards, provision of light and air will be protected, protected the height limit in the V22 zoning district creates a reasonable transition zone between the commercial zoning district to the north and West, which I mentioned has 125 foot Max uh to the less intensive residential to the east, which is 3035.

Max setbacks are required to protect lighting error for about parcel zoned residential.

The business that zoning districts are intended to allow for neighborhood scale commercial development, they allow for less intensive commercial uses than the commercial zoning districts.

The rezoning considers compatible urban growth.

The character of the district, suitability of uses and appropriate use of land which all comply with growth policy recommendations.

The growth policy policy shows a neighborhood mixed use transition zone for this area, which currently contains both residential and commercial development.

The existing commercial development on the parcels is more compatible with the proposed B22 district than with the existing residential district, which takes into consideration the value of buildings.

The rezoning is in the best interest of the city is the rezoning implements the recommendations of the ARM Missoula 2035 growth policy for areas designated neighborhood mixed use, while increasing allowable uses in the area with good access to services and transportation.

Our staff recommendation to as Planning Board recommends City Council adopt an ordinance to rezone the subject properties located at 725 W Central Ave and 7:15 W Central Ave and legally described as lots five through 10 and the East 1/2 of Lot 11 and Block 35 of Home Veil Edition located in Section 28, Township, 13 N, Range 19

W PM from R135 residential multi dwelling to be 2 to community business based on the findings of fact and conclusions of law in the staff report, I also wanted to mention no public comment or agency comment was received on. This item to our office.

AR **Analeshia Rodriguez** 1:26:33

OK, great.

Thanks, John.

Joe, I see you're on here, Joe.

Dinner time.

Do you have anything from America?

JD **Joe M. Dehnert** 1:26:42

Joe dinner with Imeg.

Umm, I just want to thank everybody who's here for really an interesting and and difficult conversation that I got to be party to.

So I appreciate that.

Regarding, you know what's in front of us now?

No, I think John laid the groundwork.

I'm here for questions.

If you guys have any, it seems like a fairly straightforward rezone that, umm, aligns with all the applicable plans and does exactly what they recommend for this area.

So thank you very much for your time.

AR **Analeshia Rodriguez** 1:27:18

Great.

Thank you, Joe.

OK.

To alright, Rick, I see your hands up.

Go ahead, Rick.

RH **Rick Hall** 1:27:31

I know everybody's tired, so I'll try to make it quick.

Uh, Joe, it says that they intend they're two different owners.

One owner supports the reason, but doesn't know what they're gonna do with the property and the other owner wants to build ground floor retail slash commercial with residences above.

Is that basically it and you add any more to that?

JD Joe M. Dehnert 1:27:57

Ohh yeah, thanks Rick.

Sure.

In a nutshell, in a nutshell, yes, the existing ground floor commercial or the ground floor commercial is existing, so they're not branching into a new commercial operation.

And the one who's mind is not quite made up, I believe, is the dentist.

That's at 7:15.

Umm it's it's the most ad building that's focused on, you know, basically making mixed use with ground floor commercial.

I think that's the plan as of now.

And maybe the dentist office pursues that route as well for a mixed use and dentist below.

But I don't think they decided.

RH Rick Hall 1:28:41

Thank you.

AR Analeshia Rodriguez 1:28:43

Anybody else got any clarifying questions?

Need answered.

Alrighty not seeing anything.

I will.

Let's go ahead and move on to public comment, huh.

I think we're ready for that.

Am I missing anything?

Dave Loomis, you need to make any comments or questions.

I can't see you very well, so I'm just gonna make sure I'm not skipping over your buddy.

D **dave** 1:29:22

Thank you.

Ask sure.

I'm just showing here no actual comments.

This is unique.

Probably the most complex one of the most complex projects for the first hours, and with this project.

AR **Analeshia Rodriguez** 1:29:39

Great. OK.

Alright, let's go ahead and open it up to public comment then and we'll.

Throughout the instructions up on the board.

And for anybody joining us, I'm not reading this tonight.

I don't even know why.

I'll just use that while we're waiting for public comment, I will riff on why am I still reading this?

I'm almost positive I don't need to.

I don't know if it's just more habit at this point or what.

Umm, the county commissioners read this.

Do they?

No, I don't think City Council reads this anymore.

I may declare this is the last time I am reading this thing is tonight.

OK.

Well, we have nobody in house and we have nobody joining us online and I'm missing anybody.

OK, alright.

We will go ahead and close public comment since we don't seem to have any at this time.

If for some reason somebody comes running in here, we'll go ahead and let him talk.

Otherwise, we can entertain a motion.

Just one motion.

John, would you please go ahead and get that up on the screen for us?

Alright, who's the lucky winner?

LD Lynn Davis 1:31:08

Should I pick the worst one?

OK.

And make a motion to recommend City Council adopt an ordinance to rezone the subject properties located at 725 W Central Ave and 7:15 W Central Ave and legally described as lots five through 10 and the East 1/2 of Lot 11 in blocks 35 of Homevale addition located Section 28, Township 13 N range 19 W key dot m.m from RM1-35 residential multi dwelling to be 2-2 community business based on the findings of facts and conclusions of law in the staff report.

SM Shane Morrissey 1:32:06

I'll second.

AR Analessia Rodriguez 1:32:06

Great.

Thank you.

Great.

Thank you, Lynn and seconded by Shane, I believe.

OK, I'll jump this off here.

I just had a couple of just a couple of little clarifications.

I was curious.

Umm.

John, could you bring up again like just a map?

I was curious what is behind this.

Like there's no rear setbacks with this.

Proposed B22 and I was just curious what is behind these folks.

And what?

That alley, which they have, an alley there.

JS Jon Sand 1:32:51

Yeah, there's an alley with a 20 foot right away, and then these are the residential and multi.

Uh, multi dwelling unit buildings.

AR Analeshia Rodriguez 1:33:02

So could they build right up to the right away?

Am I understanding that with you know, with no setbacks or how does that fall?

JS Jon Sand 1:33:13

That's correct.

AR Analeshia Rodriguez 1:33:14

OK.

Is that a likely scenario?

JS Jon Sand 1:33:23

I will let Cassie refer to that.

CT Cassie Tripard 1:33:24

Done.

JS Jon Sand 1:33:25

See if I'd say no, but she has more experience with that.

CT Cassie Tripard 1:33:29

Uh, yeah.

Cassie Tripad planning supervisor.

It definitely could happen.

That being said, umm, it sounds like they are planning to reuse the 1st floor, in which case it's might be more plausible, but they also may just retain the building footprint.

If this were entirely new development, uh, our code would typically require parking

to be accessed off the alley, which is likely to push a building forward from that for your property line.

But it's still a possibility.

AR **Analeshia Rodriguez** 1:34:02

OK.

And then also just looking for a little clarification O minimal parcel size is none.

What does that mean?

Like if they were to Max this out, is there parking still required like you know like how does that look if this is maxed out?

CT **Cassie Tripard** 1:34:34

Umm.

JS **Jon Sand** 1:34:34

Yeah. So.

CT **Cassie Tripard** 1:34:34

John, would you remind them how many units are permitted on each parcel?

JS **Jon Sand** 1:34:39

Yeah.

Let me on that and my notes.

AR **Analeshia Rodriguez** 1:34:40

Yeah.

JD **Joe M. Dehnert** 1:34:42

I think it's this is Joe dinner.

I think it's five dwelling units on 7/15 and 17 on 725 W Central and it's it's it's the minimum unit.

AR **Analeshia Rodriguez** 1:34:50
OK.

JD **Joe M. Dehnert** 1:34:52
That's the threshold there.

JS **Jon Sand** 1:34:56
Yeah.
One thing to keep in mind with that and we tell people on the Tanzanian desk all the time.

CT **Cassie Tripard** 1:34:56
Yeah.

JS **Jon Sand** 1:35:02
Yes, that is what the zoning allows.
However, you still have to meet other requirements of Title 20, such as parking, landscaping, if that's applicable, and then of course setbacks so.

AR **Analeshia Rodriguez** 1:35:16
OK, great.
That's all I had.
Anything from anybody else?
All right.
Anybody wanna tepidly acknowledge their support?
I can just get yourselves on the record there.
Go ahead, Jane.

SM **Shane Morrissey** 1:35:41
Well, I guess I have tepidly indicate my support.
Yeah.
No, I I intend to support this.

It seems right for the, you know, for the growth policy for the neighborhood.

Seems like we're moving this direction, so I intend to support this the.

Look, let me ask a real quick follow-up question.

So at as it's not directly abutting I, from what I'm understanding, when you're adding a residential district, you still have zero set back.

Umm on the rear, is it considered to be abutting a residential neighborhood U, even though it is across an alley from residential neighborhood?

JS Jon Sand 1:36:31

So any right of way between parcels?

Uh, that doesn't mean they're adding, so it's like a way I think of it as there's right away.

Umm to the north of this parcel, for where central runs.

And so it's kind of similar like that.

And technically, although I rezoning maps might not put protrade this all the time, but technically the right of way areas not zoned.

So on our maps it may look like they're about in, but because technically there's a a strip of right away that is unzoned the parcels are not a buddy, and if they're across the an alley.

SM Shane Morrissey 1:37:13

Perfect.

That totally answers the question.

Still intend to support it.

Thanks for the clarification.

AR Analessia Rodriguez 1:37:22

OK.

Anybody else?

Go ahead, Rick, then Dave.

RH Rick Hall 1:37:32

Yeah, I intend to support it.

I mean at the.

It's appropriate for the area of there are some fairly old buildings there right now, so.

Yeah, seems to make sense to me so.

AR **Analeshia Rodriguez** 1:37:53

Great.

Thank you, Rick.

Go ahead, Dave.

D **dave** 1:37:55

Ohh Yep I I agree to support this.

First of all, it does need to go policy in the neighborhood mixed use plan.

It fits in there and and this project is basically consistent with the neighborhood that neighborhoods slow growing and moving along in a slow pace.

So this fits in well and it meets all the tests.

Thank you.

AR **Analeshia Rodriguez** 1:38:22

Great.

Thank you, Dave.

I'll take a quick moment just to echo, I think everybody's hitting the nail on the head with this one.

It seems to fit in well and.

Follows the criteria or meets the criteria.

OK.

Last chance.

Alrighty, let's go ahead and have a vote, please and Alicia.

Roll call vote Lynn Davis.

LD **Lynn Davis** 1:38:52

Yes.

AR **Analeshia Rodriguez** 1:38:54
Shane Morrissey.

SM **Shane Morrissey** 1:38:56
Yes.

AR **Analeshia Rodriguez** 1:38:58
Dave Loomis.

D **dave** 1:39:00
Yes.

AR **Analeshia Rodriguez** 1:39:02
Recall.

RH **Rick Hall** 1:39:04
Yes.

AR **Analeshia Rodriguez** 1:39:06
Sean McCoy?
Yes, and it is unanimous.
The motion passes.

JD **Joe M. Dehnert** 1:39:13
Thank you all.

JD **Joe M. Dehnert** 1:39:14
Have a wonderful evening.

AR **Analeshia Rodriguez** 1:39:24
Thank you.
Sorry folks, my my mic just died again.

Alright, now I'm gonna sing for everybody.

No, I'm kidding.

You don't want me to sing?

I Can't Sing.

OK, let's bump through this.

Uh, good job.

OK, uh, communications and special presentations got scrubbed.

So UM.

No committee reports, no old business, no new business.

If I'm wrong about that, somebody holler comments from board members, anything from anybody.

Dave, please go ahead.

D **dave** 1:40:05

Yes, thank you.

So umm, I misunderstood today.

I thought I had been replaced on the planning board, so I was relaxing here and like if you and Lucy got a hold of me.

So in order to make the quorum agree to come online and and do this, no.

Nevertheless, I want to thank all the board members for that I've worked with over the years.

I mean, I think the county and city, especially the county as well, situated with the planning board that this to the issues and discusses it in our in our really calm and and good manner.

And I I appreciate that from my experience over the year from the other side of the table to a planning board of the of the good discussion.

And anyway, so this would be my last meeting.

And so thank you for putting up with me, especially when I. Yeah.

Yeah.

Please like on this last, I mean the project that needs module on my goodness you know, I know I said things that the city took exception to, but my gut feeling is the people in East Missoula need to talk to their commissioners to talk to the City Council.

People about hold on a minute here.

Yeah.

So when you mean that's, that's what I appreciate.

Thank you everybody.

I really appreciate you guys at all.

RH Rick Hall 1:41:36

We're gonna miss you, Dave.

LD Lynn Davis 1:41:42

Yeah.

Thank you.

AR Analeshia Rodriguez 1:41:47

Yes.

First of all, Dave Loomis, I guess to Grampy left.

Thank you very much Dave, for being willing to sit in tonight.

Umm, I know there was a little confusion on your last meeting, but UM, that was a huge save.

Uh, if we had not made quorum tonight, we would be in trouble, I think as far as our schedule goes, so you are the savior of the day, your last meeting despite being the leader of opposition for that one, you know like rezone, you saved the day.

And I want to thank you for all of your time on this board.

I have.

I have enjoyed your insight immensely.

It has been so thoughtful and so clear, particularly your perspective as a former planner.

So umm, I'm not sure where you're headed or what you're doing in the future, but if you can get on anymore planning boards or be a part of anything for this city or wherever, you may end up, I highly encourage it because it is well worth having you here.

D **dave** 1:43:03

Thank you, Sean.

AR **Analeshia Rodriguez** 1:43:03

And you're welcome.

And I hope to see you at the gym.

I haven't seen you at the gym in a little while, OK?

D **dave** 1:43:08

Ohh.

You know, for a few weeks.

RH **Rick Hall** 1:43:10

I just wanna leave it for leave everyone with a laugh.

I showed up for the meeting last night and sat there wondering where everyone was and even called planning and made a fool out of myself.

So that's the problem with being retired.

You don't know what day of the week it is.

D **dave** 1:43:34

I hear you.

SM **Shane Morrissey** 1:43:37

John, are you the only one in the room tonight from the planning board?

AR **Analeshia Rodriguez** 1:43:41

I am the only one here.

Yeah, it has been a little lonely.

SM **Shane Morrissey** 1:43:44

Man.

Sorry to leave you hanging, man down in Bozeman, so.

AR **Analeshia Rodriguez** 1:43:48

It's OK.

I was a little jealous as I watched you eat like I'm hungry too.

No, it was fine.

I think it went just fine.

Umm, other than our one detractor who parliamentary procedure?

OK, alright.

It's late.

Everybody's tired.

Let's call it a night meeting adjourned.

LD **Lynn Davis** 1:44:15

Thank you.

SM **Shane Morrissey** 1:44:16

Thanks everybody.

Thanks Dave.

D **dave** 1:44:18

Like.

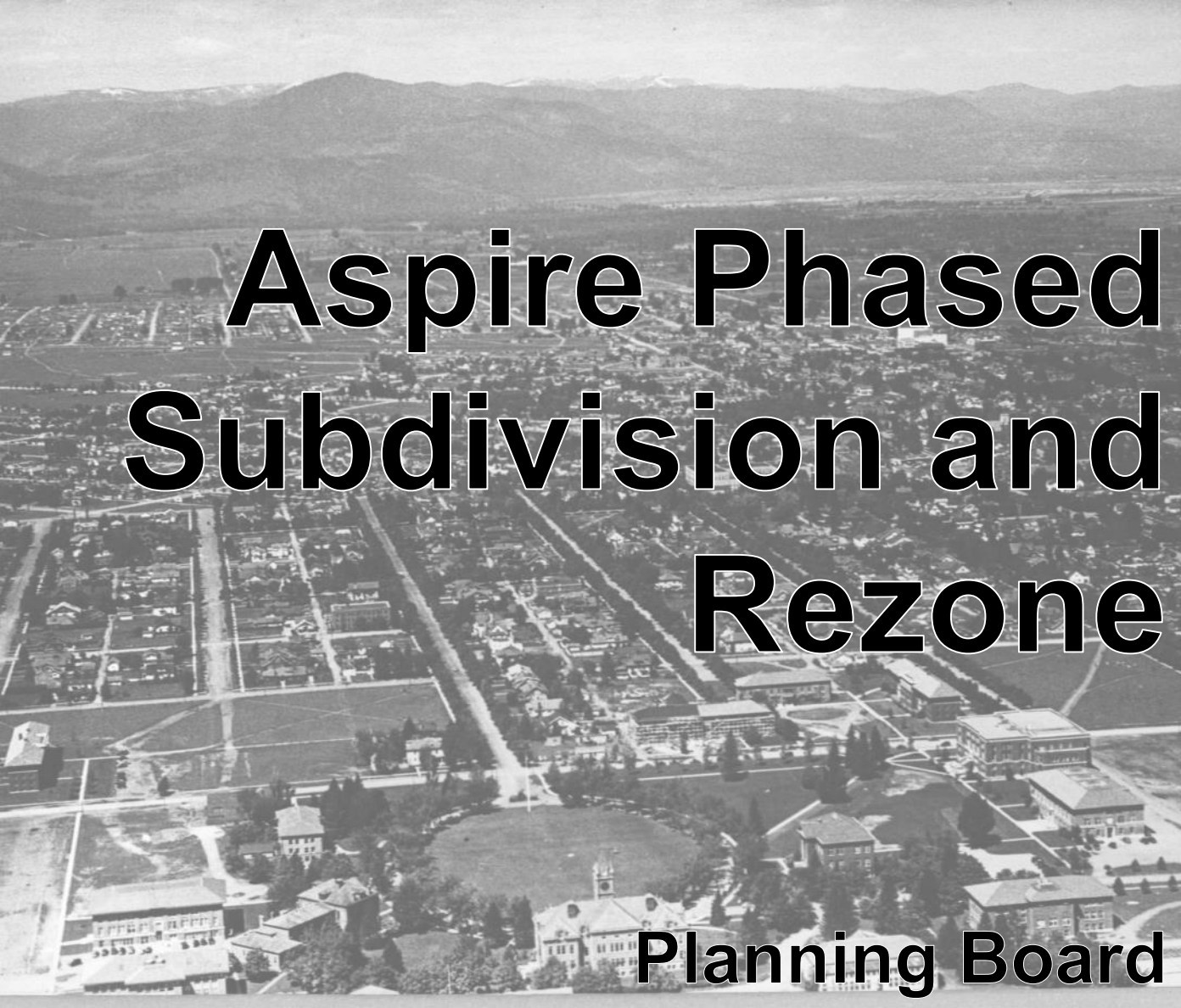
LD **Lynn Davis** 1:44:18

Thanks Dave.

RH **Rick Hall** 1:44:19

Thank you, Dave.

● stopped transcription



Aspire Phased Subdivision and Rezone

Planning Board

Dave DeGrandpre
Community Planning, Development, & Innovation
July 16 and August 6, 2024



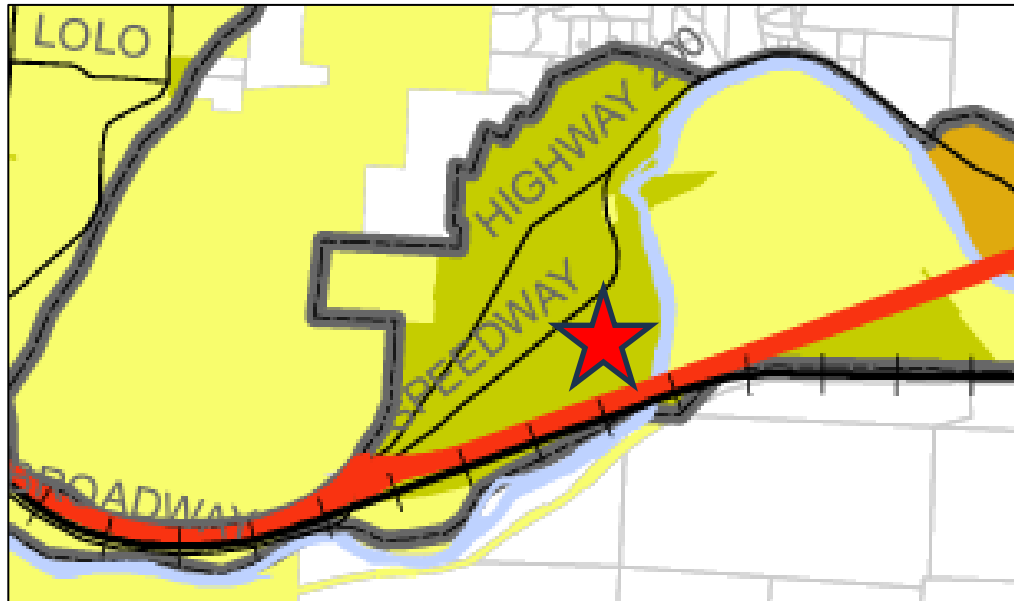
Items for Consideration



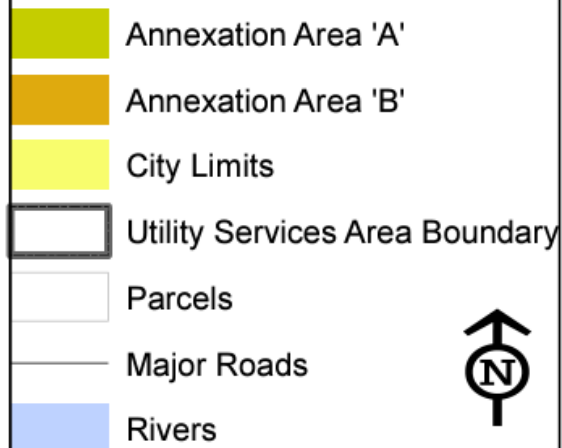
Planning Board will vote on **10 motions** recommending City Council to adopt/deny and approve/conditionally approve/disapprove the following items:

- An **ordinance to rezone** from RT5.4 to RT5.4 / NC-A, Aspire Neighborhood Character Overlay
- A **variance request** for right-of-way width along several internal subdivision roads
- A **variance request** for right-of-way width and one parking lane instead of two on a portion of Waterside Drive
- A **variance request** for one sidewalk instead of two on a portion of Aspire Loop
- Four **variance requests** for exceeding the maximum block length
- A **variance request** to allow lots to have primary vehicle access via an alley instead of a street
- The Aspire Phased Subdivision **preliminary plat application**

Why Annexation?



Legend

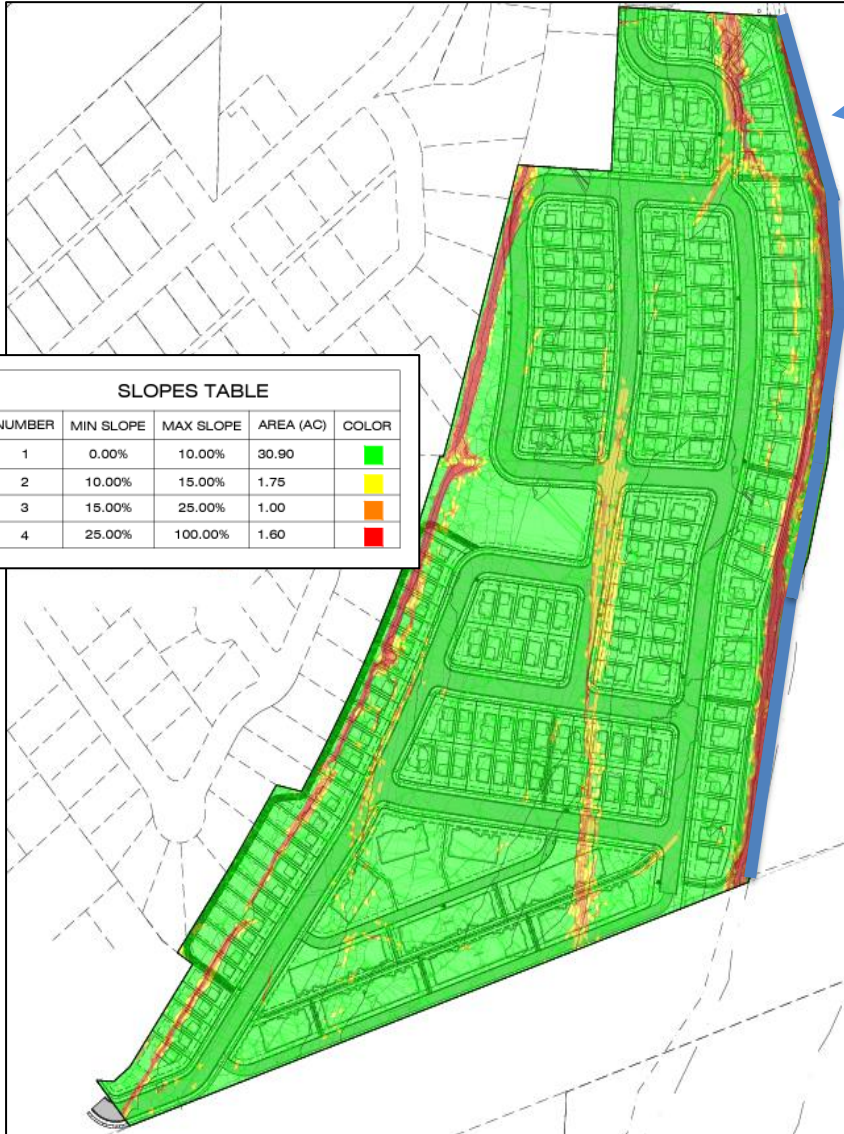


1. The landowners petitioned to annex into the City limits.
2. Land in Annexation Area 'A' largely meets the guidelines of the City's annexation policy.
3. The property is located in the City's Utility Service Area.
4. Development meeting City standards can be made through conditions of annexation and subdivision approval.

Property Location



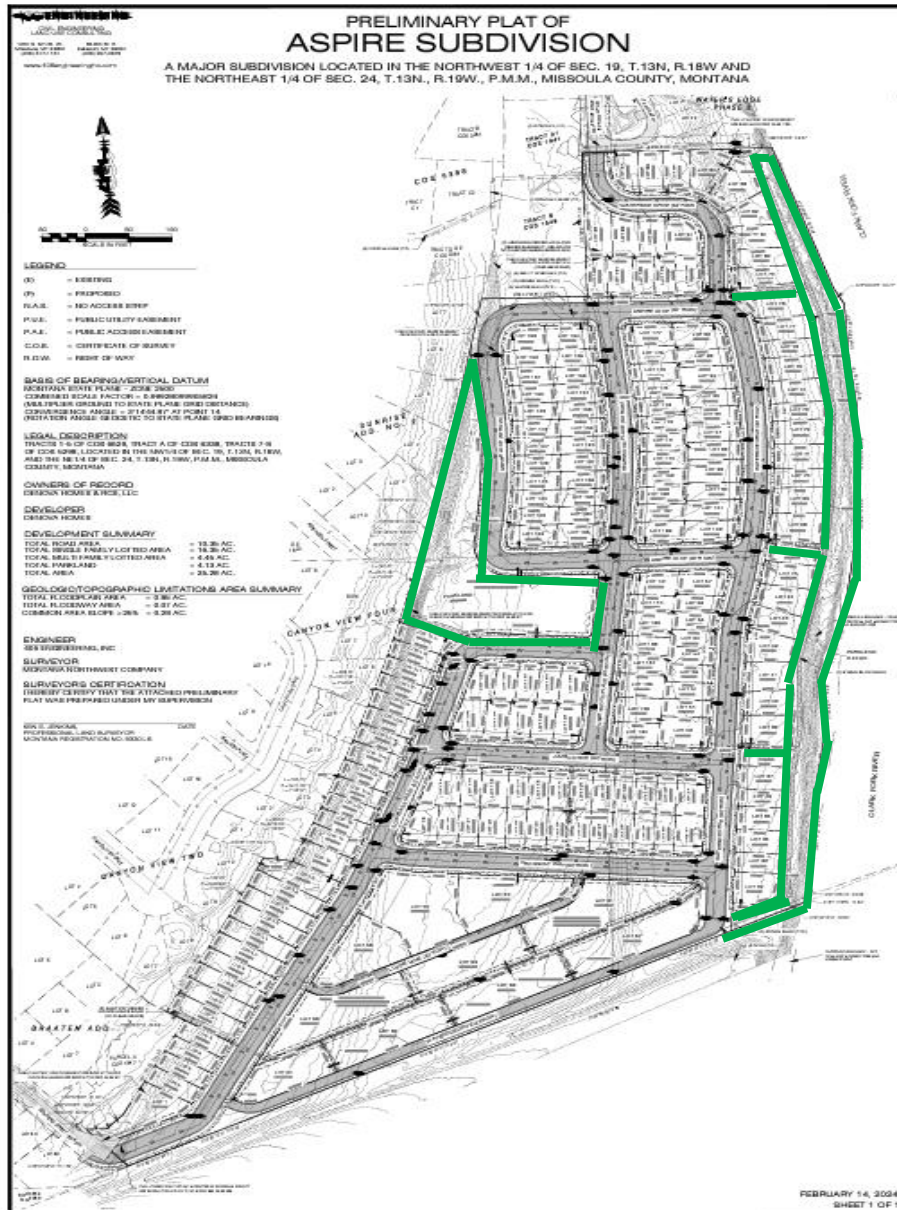
Existing Conditions



Narrow Zone AE
(1% annual
chance) floodplain
along riverfront

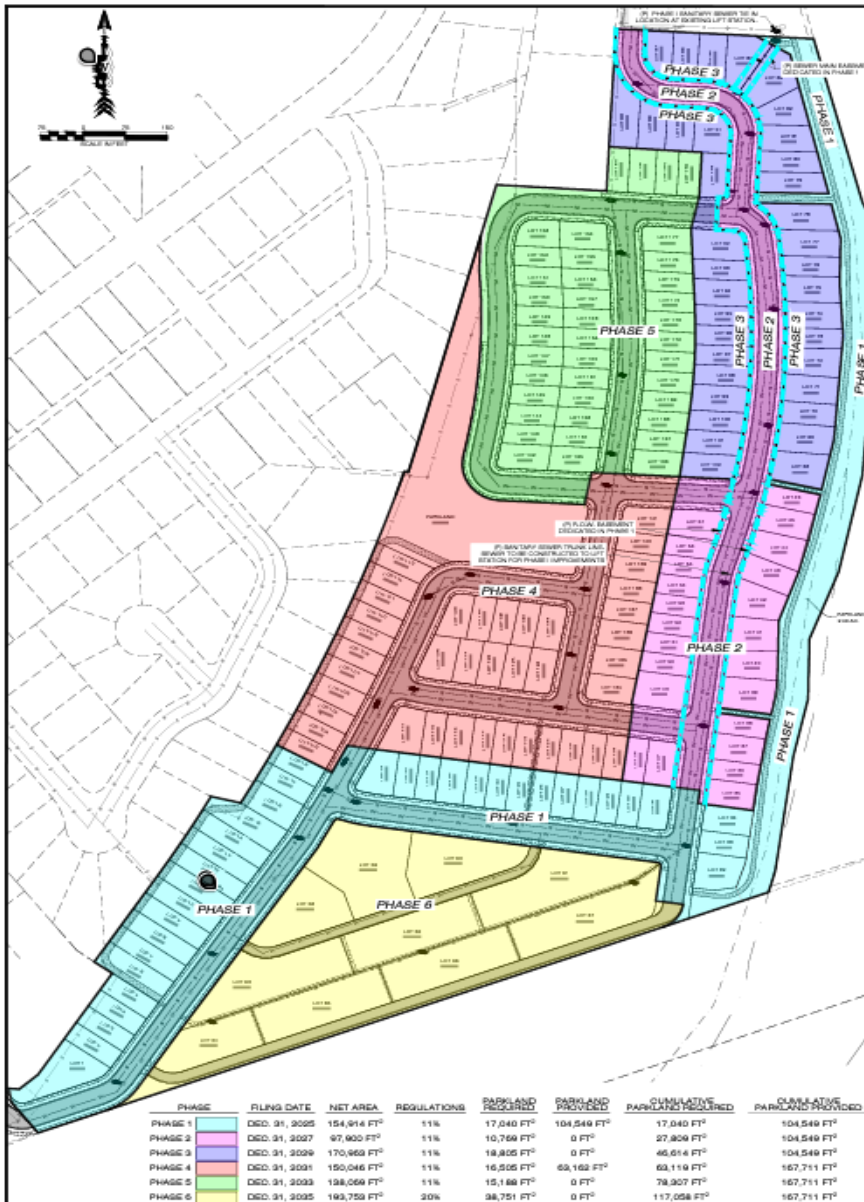


Proposed Preliminary Plat



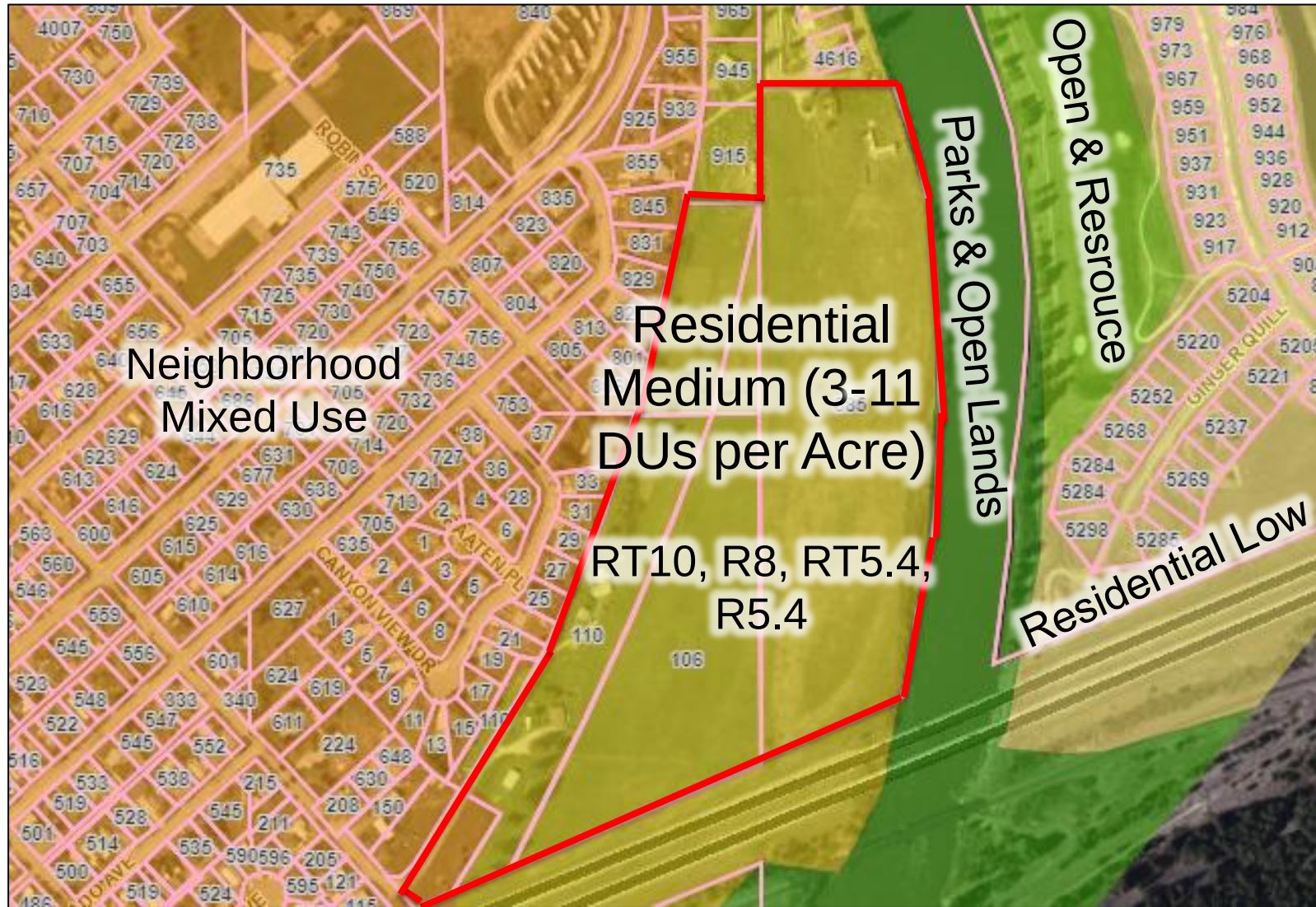
- 182 lots (172 single dwelling, 10 multi-dwelling)
- Approximately 250 dwelling units
- New internal subdivision roads
- Two new public parks totaling 4.13 acres
- Access from Sommers Street and Waterside Drive
- City water and sewer
- Stormwater contained onsite
- Offsite improvements to Sommers Street
- Upgrade of water main to maintain fire flows

Proposed Phasing Plan



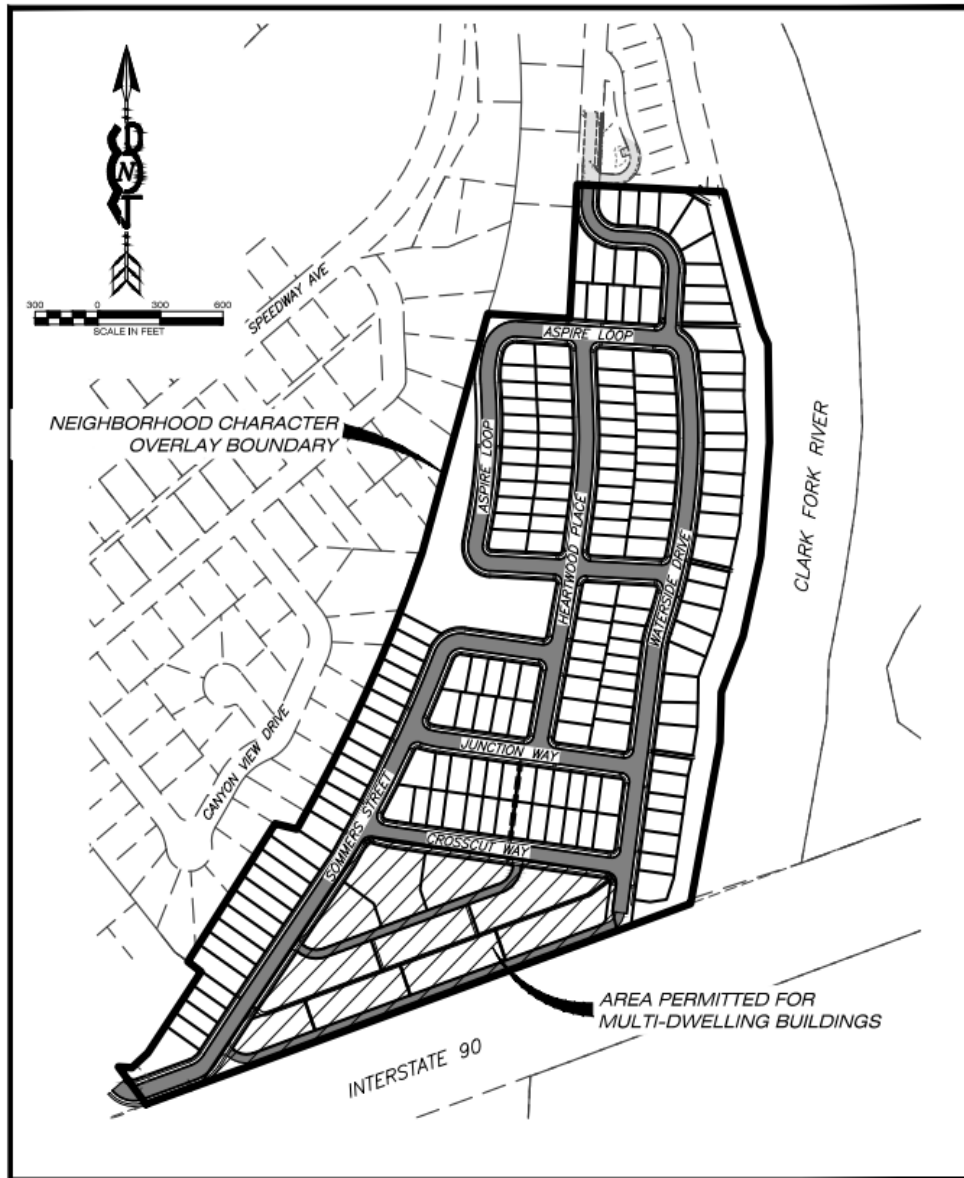
PHASE	FILING DATE
PHASE 1	DEC. 31, 2025
PHASE 2	DEC. 31, 2027
PHASE 3	DEC. 31, 2029
PHASE 4	DEC. 31, 2031
PHASE 5	DEC. 31, 2033
PHASE 6	DEC. 31, 2035

Our Missoula 2035 City Growth Policy



Current County Zoning





RT5.4 Residential / NC-A, Aspire Neighborhood Character Overlay

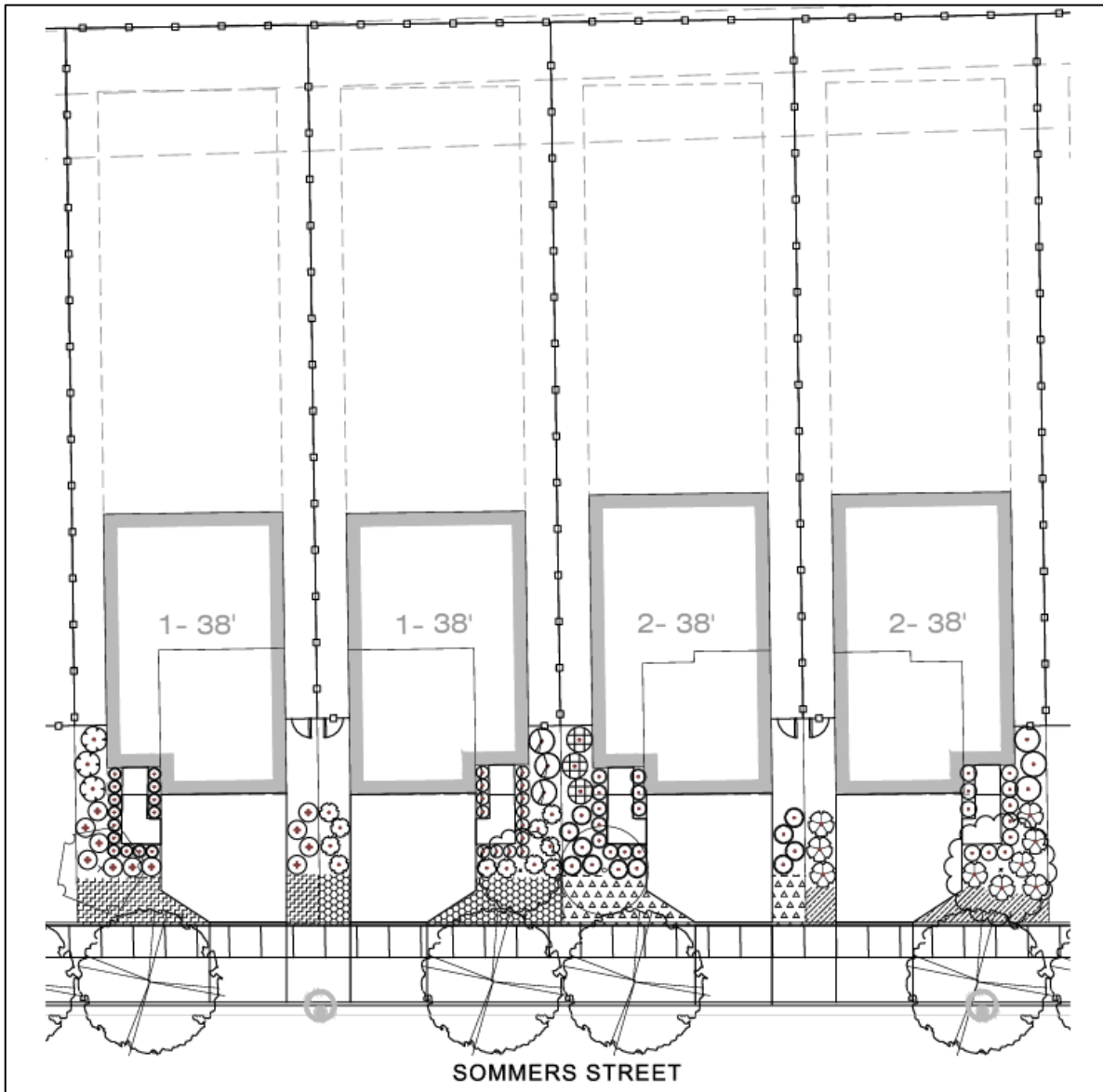
- Overlays apply in combination with the underlying base zoning
- A geographically defined area that provides continuity united by physical development or architecture
- Must create an identifiable setting, character, and association
- Must be at least 5 contiguous acres
- **NC overlays provide flexibility: where standards conflict with the base zoning, the overlay governs**

Zoning Comparison



	RT5.4	RT5.4 /NC-A Overlay
Minimum Area per Unit (average)	5,400 SF	5,400 SF
Permitted Residential Building Types	Detached house Lot Line House Two-unit House (Duplex) Two-unit Townhouse	Detached house Lot Line House Two-unit House (Duplex) Two-unit Townhouse Multi-dwelling buildings
Max. Achievable Units	284 dwelling units	284 dwelling units
Setbacks	Front: 20 feet Side: 7.5 feet <i>(no side setback for shared/party wall)</i> Street Side: 10 feet Rear: 20 feet	Front: 10 feet <i>(20 for street facing garages)</i> Side: 5 feet <i>(no side setback for shared/party wall)</i> Street Side: 10 feet Rear: 10 feet
Maximum Height	30 or 35 feet, depending on roof pitch	30 or 35 feet, depending on roof pitch
Maximum Parking Area	No more than 40% of the front yard area	No requirements, except curb cuts (driveway access) limited to 12 feet wide

Illustration of Driveway Plan



- Homes with 2-car garages
- Narrower driveway access for fewer pedestrian conflicts
- One street tree per lot
- More lot coverage in front

NC Overlay Review Criteria



- 1) The area must possess urban design, architectural, or other physical development characteristics that create an identifiable setting, character, and association.**
 - a) A new, cohesive, geographically distinct 35-acre neighborhood
 - b) Curb and gutter, treed boulevards and sidewalks; different from most of East Missoula
 - c) Two new public parks
 - d) Reduced setbacks to allow buildings closer to the street
 - e) Urban residential density
 - f) A mix of one- and two-unit homes with multi-dwellings at the south end
- 2) The area must be at least 5 contiguous acres**
 - a) The overlay district is planned to span 35.28 contiguous acres

Rezoning Review Criteria



- 1) Whether the proposed zoning amendment is consistent with MCA § 76-2-304:
 - a. Whether the zoning is made in accordance with a growth policy;
 - b. Whether the zoning is designed to secure safety from fire and other dangers;
 - c. Whether the zoning is designed to promote public health, public safety, and the general welfare;
 - d. Whether the zoning is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
 - e. Whether the zoning considers the reasonable provision of adequate light and air;
 - f. Whether the zoning considers the effect on motorized and nonmotorized transportation systems;
 - g. Whether the zoning considers the promotion of compatible urban growth;
 - h. Whether the zoning considers the character of the district and its peculiar suitability for particular uses; and
 - i. Whether the zoning conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area.
- 2) Whether the proposed zoning amendment corrects an error or inconsistency in the zoning ordinance or meets the challenge of a changing condition;
- 3) Whether the proposed zoning amendment is in the best interests of the city as a whole.

- I. Growth Policy and Zoning
- II. Agriculture
- III. Agricultural Water User Facilities
- IV. Local Services
- V. Natural Environment, Wildlife & Wildlife Habitat
- VI. Public Health and Safety

- Historically used for irrigated hay production
- Almost all of the property contains soil types designated as prime farmland if irrigated
- Mitigation of impacts cannot be based on loss of agricultural soils
- The property contains water rights (well and surface water), which are proposed to be transferred to the City
- No other irrigators will be impacted
- The land is zoned for medium density residential development, and there are no adjacent agricultural operations that will be impacted or could constitute a nuisance

Local services include provisions for:

Water & Sewer: All lots will connect to City utilities

Solid Waste: Solid waste disposal by Republic Services

Parks & Recreation: Two large parks to be dedicated to the City and managed by City Parks & Rec. for recreation and conservation. Landscaped boulevards with street trees

Fire & Law Enforcement Services: Provided by City Police and Fire. Phased installation of fire hydrants

Impacts to Schools: Estimated 50-126 new school-age children. MCPS comment letter indicates no concern given the phased timeframe

Transportation Elements:

- All internal streets and alleys to be built by the developer and dedicated to the City in phases with connections to Sommers Street and Waterside Drive
- New streets include travel lanes, parking lanes, curb and gutter, boulevards and sidewalks
- Sommers Street:
 - Currently two travel lanes, informal parking, minimal sidewalk within 50-foot easement
 - Approximately 90% of the new traffic or 2,000 trips per day.
 - Developer proposes to provide parking lanes, curb and gutter, and sidewalks from the subdivision to MT HWY 200

- Clark Fork River adjacent to the east; wetlands along a portion of the river
- Vegetation in riparian area will not be disturbed and managed by City Parks & Rec.
- Disturbed areas will be landscaped and managed for weeds and storm water control
- Trees to be planted in parks and by lot owners at construction
- 310 permit required for river trail. Stormwater contained on-site.
- Property contains important wildlife habitat
- Larger river setbacks / buffers requested by agencies, but not required by the City
- Existing structures were not found to be of significant historic value, and have been photographed and documented

- No unstable soils, high voltage lines, or high-pressure gas lines
- No development in the floodplain or sloped area along the river
- In the Wildland Urban Interface – recommended condition to include fire protection guidelines in the covenants
- In the Air Stagnation Zone – prohibition on wood-burning devices and other mitigation included in the covenants
- In the Utility Services Area Boundary and will connect to City sewer and water
- New fire hydrants to be installed throughout
- Two ingress / egress routes for residents

Variance Review Criteria



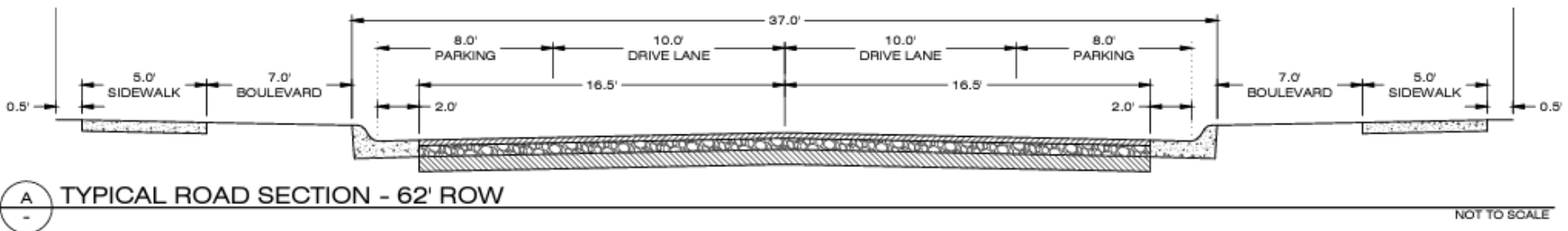
- The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.
- Because of the physical surroundings, particular shape, or topographical conditions of the specified property involved, undue hardship to the owner would result if the strict requirements of these regulations are enforced.
- The hardship has not been created by the applicant or the applicant's agent or assigns.
- The granting of the variance will not:
 - Result in a threat to the public safety, health, or welfare, and is not injurious to other persons or property;
 - Cause an increase in public costs; or
 - Violate the provisions of the zoning ordinance or any variance granted to those regulations or the Growth Policy.

Variance Request #1: ROW Width

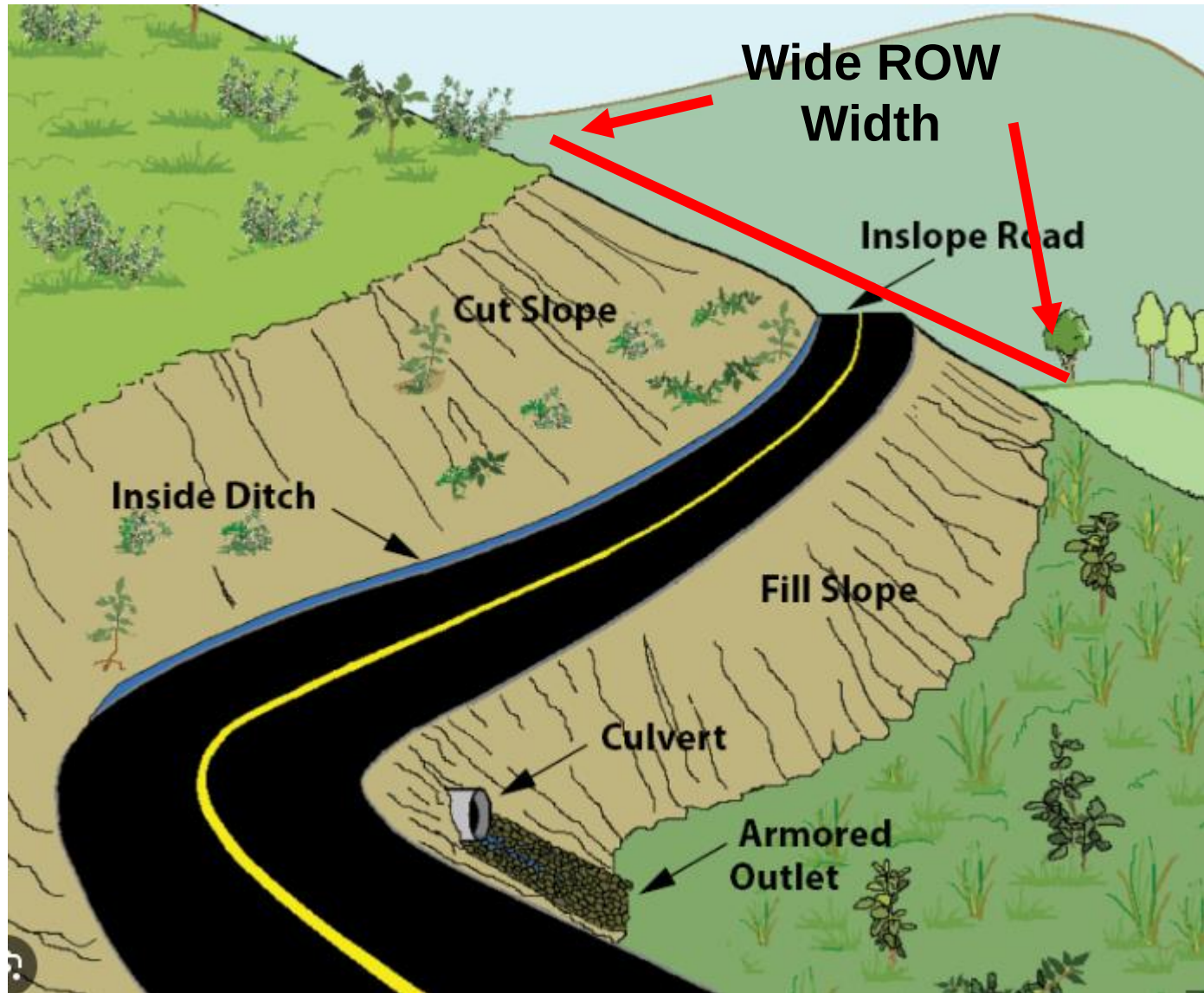


Article 3, Sections 3-020 Table .2A: Standards for a Low Density Urban Local Residential Street

62 feet of right-of-way easement are proposed instead of 70 for Aspire Loop, Heartwood Place, Jumbo Drive, Crosscut Way, Sommers Street (onsite), and a portion of Waterside Drive (onsite)



Variance Request #1: ROW Width

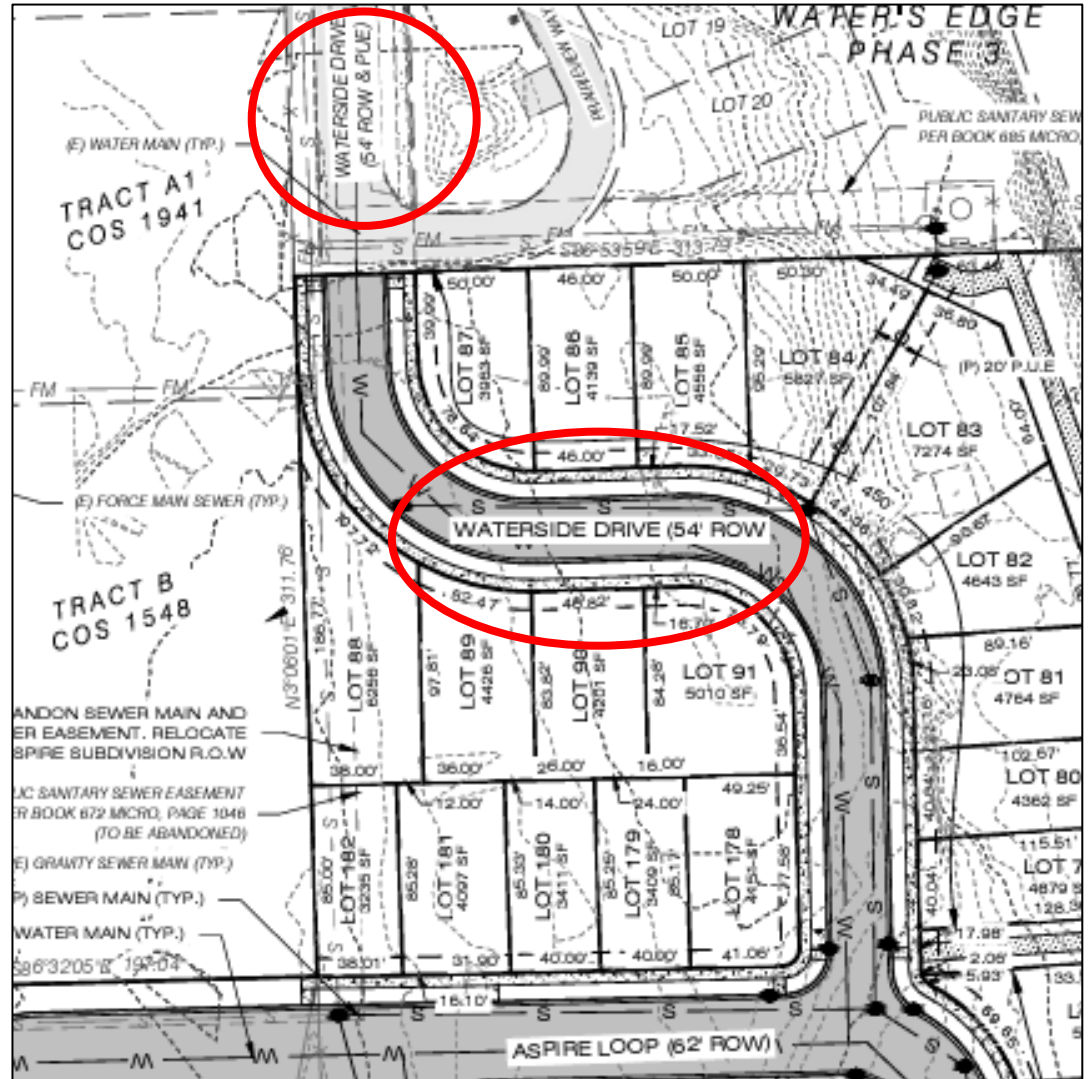


Variance Request #2: ROW Width and Parking Lane



Article 3, Sections 3-020 Table .2A:
Standards for a Low
Density Urban Local
Residential Street and
Section 3-020.4.N

54-foot ROW easement
and one parking lane
instead of two along the
northernmost 415-foot
segment of Waterside
Drive.



Variance Request #3: Sidewalk on one side of Aspire Loop

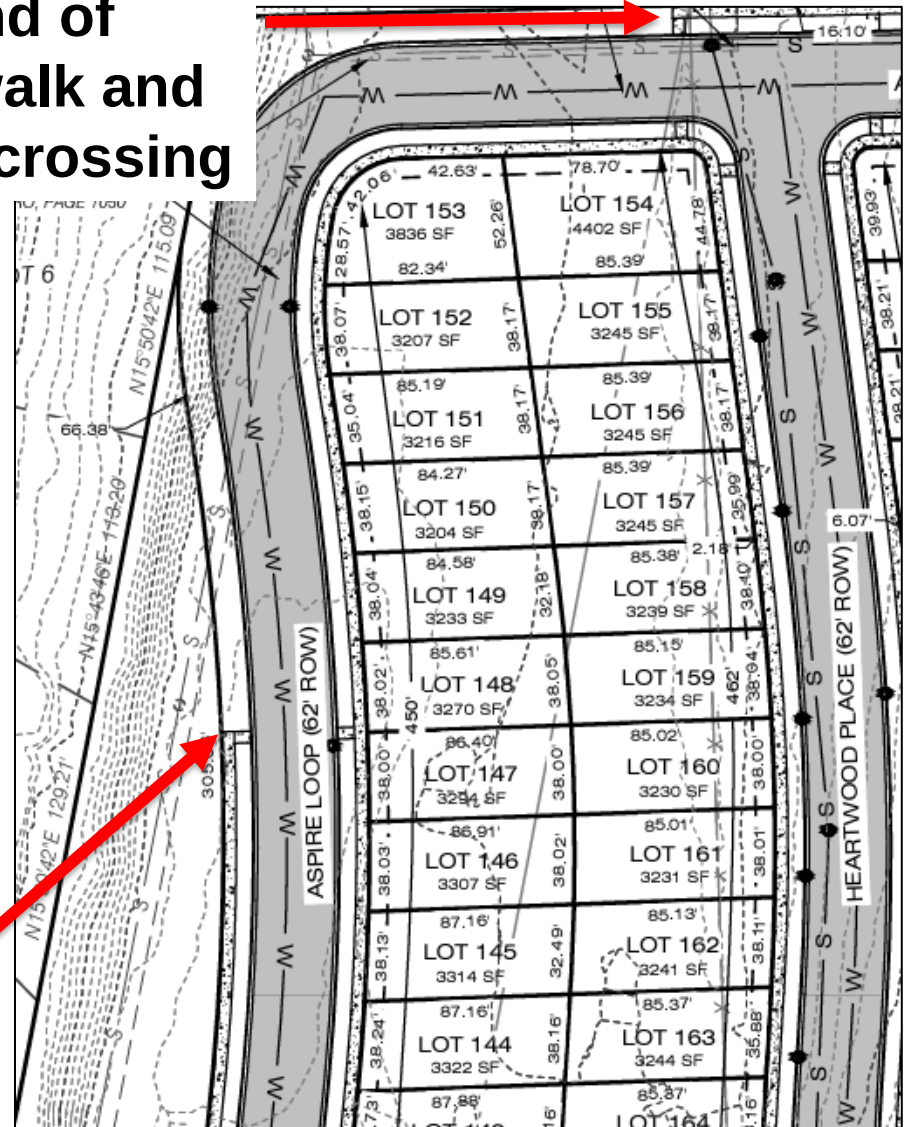


Article 3, Section 3-020,
Table .2A for a Low
Density Urban Local
Residential Street

One sidewalk instead of
two along the Aspire
Loop for approximately
460 feet.

**End of
sidewalk and
street crossing**

**End of sidewalk
and street
crossing**



Lots 1-18
and 103-
113

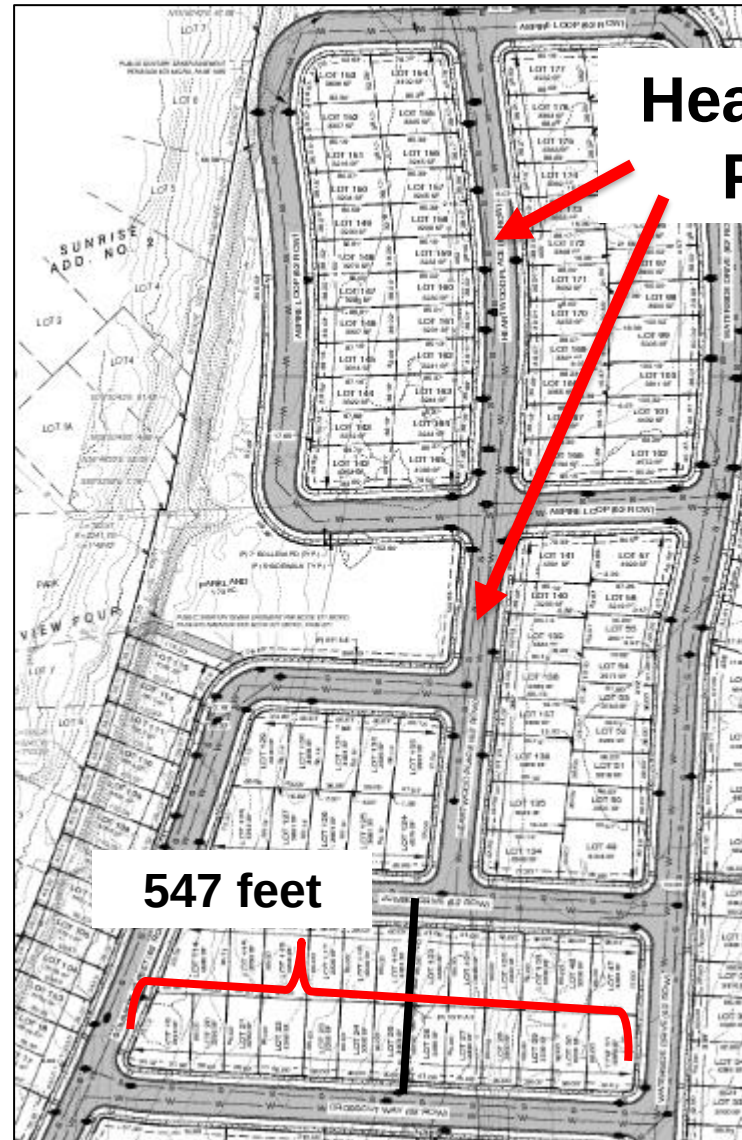


Variance Request #5: Block Length



Article 3, Section
3-030.2.A: 480-
foot maximum
block length

Lots 19-31, 114-
123, and 47-48



**Heartwood
Place**

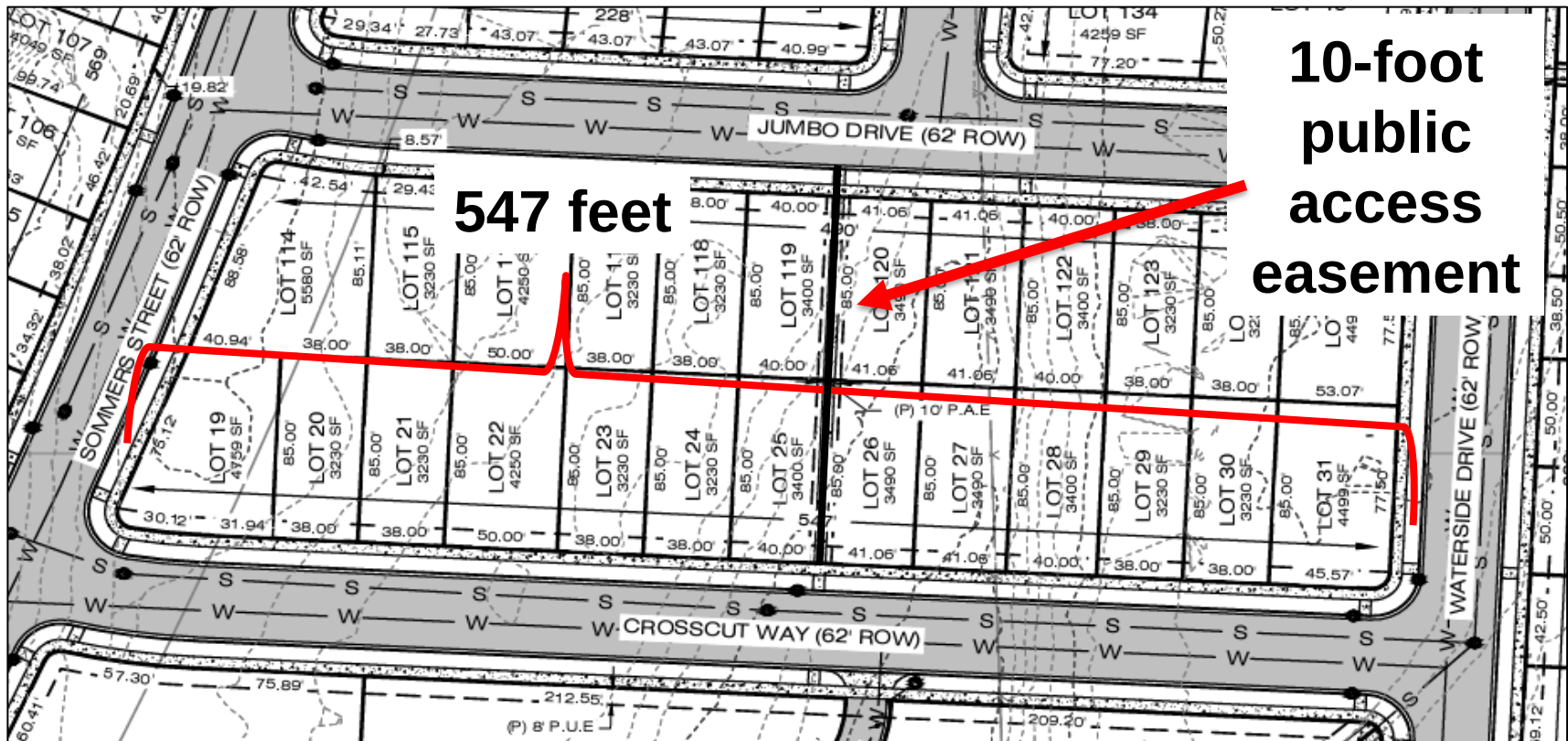
547 feet

Variance Request #5: Block Length



Article 3, Section 3-030.2.A: 480-foot maximum block length

Lots 19-31, 114-123, and 47-48



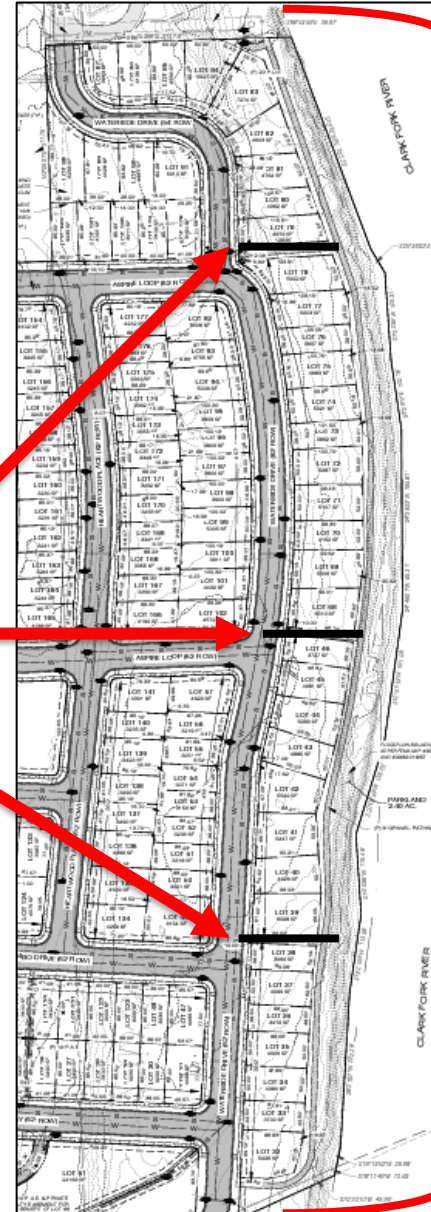
Variance Request #6: Block Length



Article 3, Section 3-030.2.A: 480-foot maximum block length

Lots 32-46 and 68-87

**10-foot
breaks
between lots**



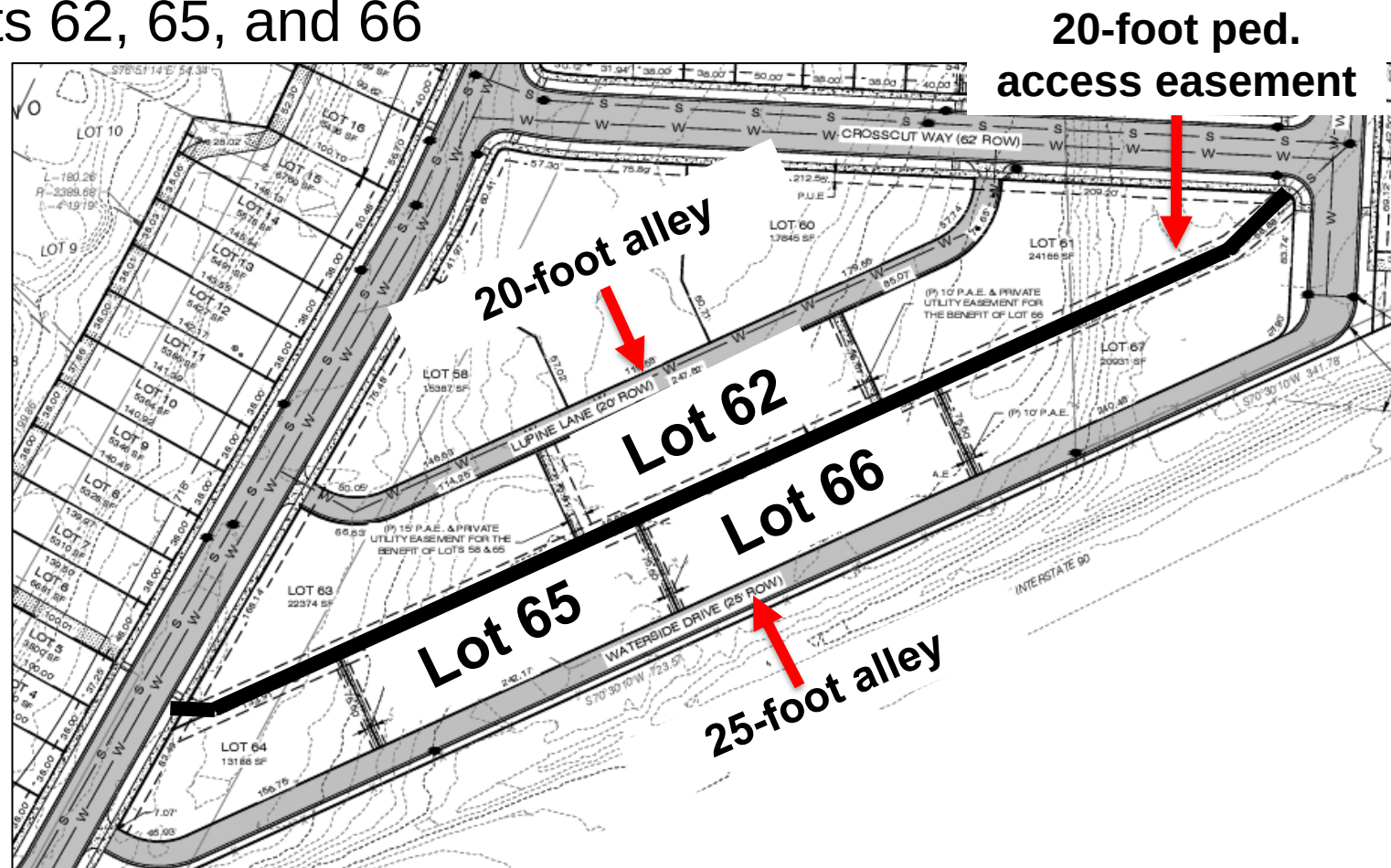
**1,815
feet**

Variance Request #7: Lots Abutting a Street



Article 3, Section 3-030.1.C: Each lot must abut upon and have access to a public or private street or road.

Lots 62, 65, and 66



Variance Request #7: Lots Abutting a Street

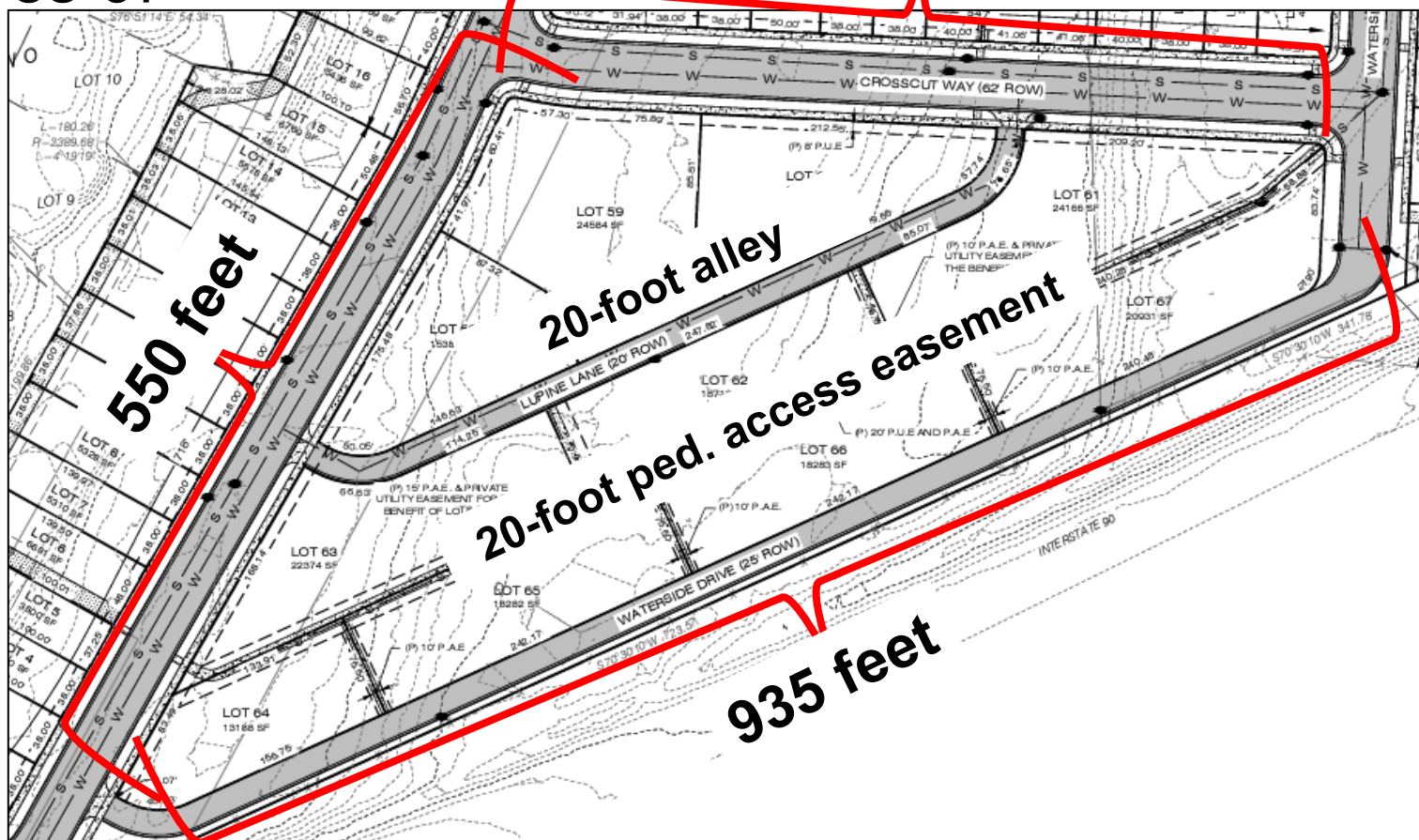


Variance Request #8: Block Length



Article 3, Section 3-030.2.A: 480-foot maximum block length

Lots 58-67 **935 feet**



35 recommended conditions

- Final platting according to a revised phasing plan
- All internal streets, alleys, and utilities to be built by the developer and dedicated to the City of Missoula in phases
- Sommers Street improved prior to final plat filing of Ph. 1
- Upgrade offsite water main to maintain fire flows
- Fire hydrants
- Parkland dedication and park improvements including riverfront trail and removal of outdated playground equipment from Canyon View Park
- Water rights dedicated to the City

Recommended Motions



1. Recommend City Council **approve** the adoption of an ordinance to rezone the subject property as shown and legally described in Exhibits A and B from RT5.4 Residential to RT5.4 Residential / NC-A, Aspire Neighborhood Character Overlay.
2. Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-020.2 Table .2A to allow Aspire Loop, Heartwood Place, Jumbo Drive, Crosscut Way, Sommers Street (onsite), and a portion of Waterside Drive (onsite) to have a 62-foot right-of-way easement instead of 70 feet for the Low Density Urban Local Street type.
3. Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-020.2 Table .2A and 3-020.4.N to allow the northernmost approximately 415 feet of Waterside Drive to have a 54-foot right-of-way easement and one parking lane instead of two.
4. Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-020.2 Table .2A to allow a sidewalk on only one side of the street for approximately 460 feet along the northwest corner of Aspire Loop.
5. Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-030.2.A(2) to allow the block serving Lots 1-18 and 103-113 to exceed the maximum 480-foot block length requirement.

Recommended Motions



6. Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-030.2.A(2) to allow the block serving Lots 19-31, 114-123, and 47 - 48 to exceed the maximum 480-foot block length requirement.
7. Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-030.2.A(2) to allow the block serving Lots 32-46 and 68-87 to exceed the maximum 480-foot block length requirement.
8. Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-030.1.C(3) to allow Lots 62, 65, and 66 to abut and have access to an alley instead of a public or private street or road.
9. Recommend City Council **approve** a variance from City Subdivision Regulations Article 3, Section 3-030.2.A(2) to allow the block serving Lots 58 - 67 to exceed the maximum 480-foot block length requirement.
10. Recommend City Council **approve** the Aspire Phased Subdivision preliminary plat application, subject to the recommended conditions of approval, based on the findings of fact and conclusions of law in the staff report.

Housing Needs (from draft Community Profile update)

- Currently there is an underproduction of approximately 2,000 – 3,000 housing units needed to achieve a 5-8% vacancy rate
- City's population is projected to grow by 34,419 residents by 2045
- 19,000 – 23,750 new homes are needed - roughly 1,000 homes per year

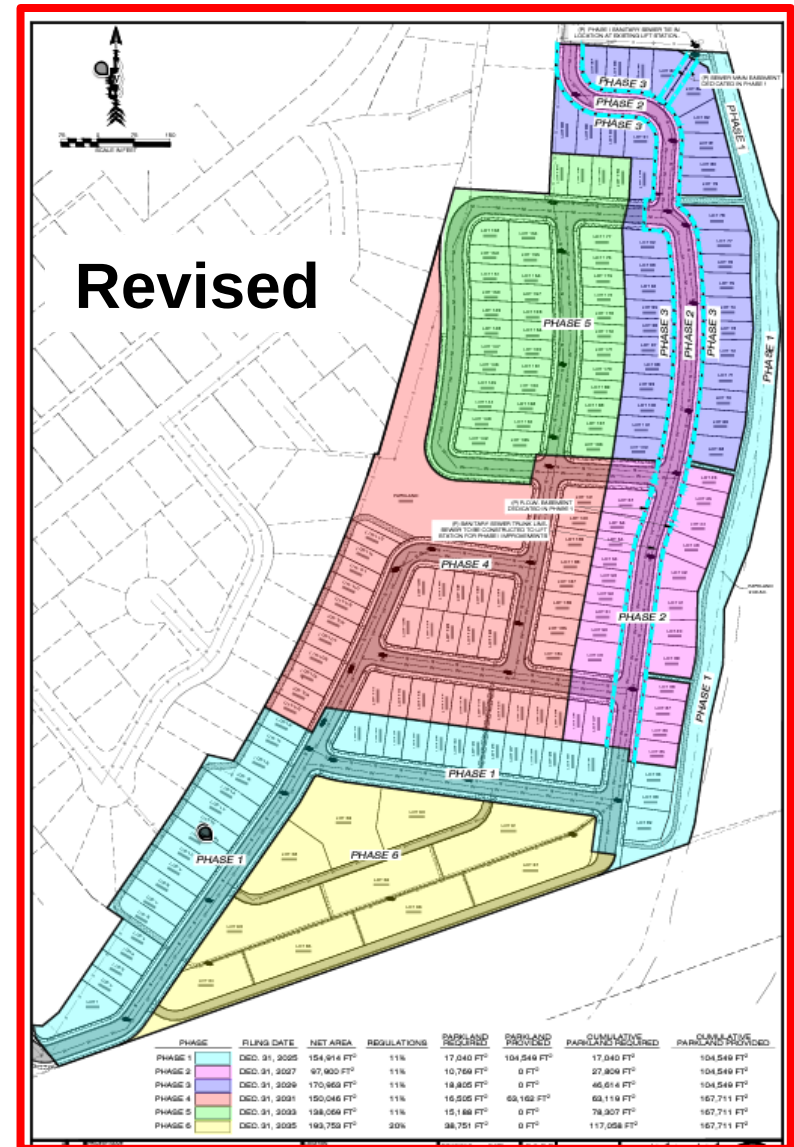
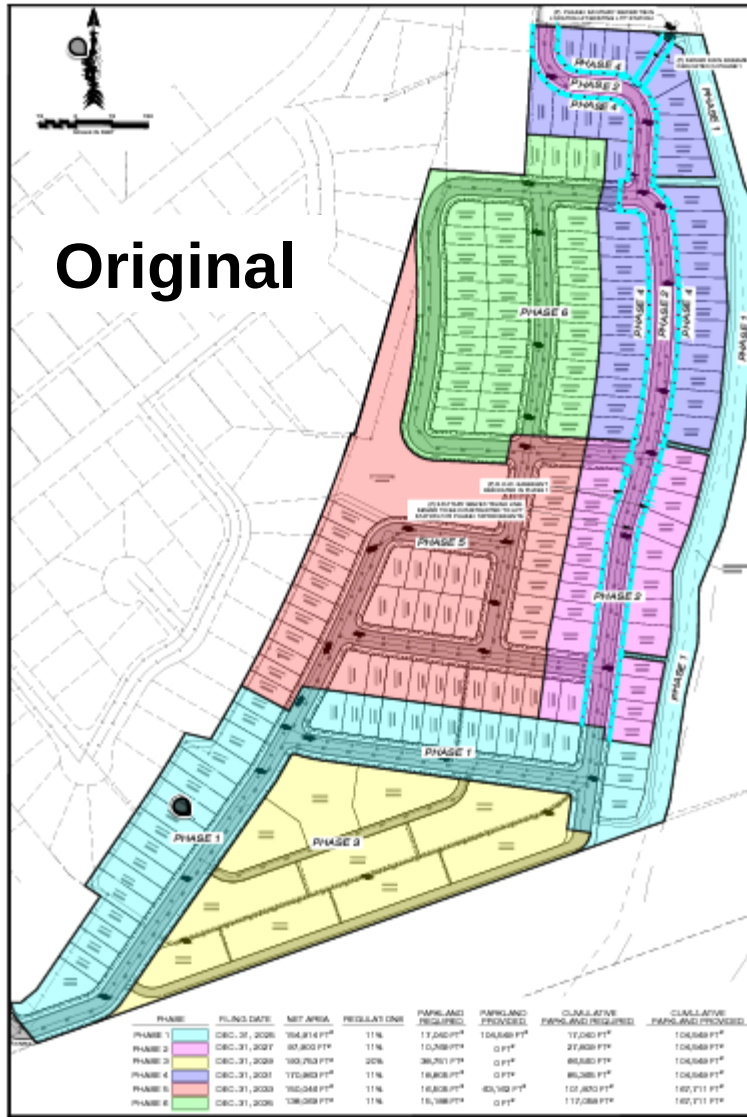
Where Should Homes Be Built?

- City Growth Policy calls for a focus inward approach – infill is a priority
- On existing utilities and near transit, schools, stores, medical facilities, recreation
- This approach contrasts with farther out greenfield development where there are fewer neighbors who will be impacted

Tradeoffs

- Infill development impacts existing residents – need to minimize / mitigate
- Infill can impact habitat and farmland in exchange for a compact development pattern that meets many of the City's goals (affordability, accessibility climate, etc.) and reduces sprawl

Phasing Plan Revision



Sommers Street Offsite



Rezone Request

—
Planning Board

715 and 725 W. Central Ave.

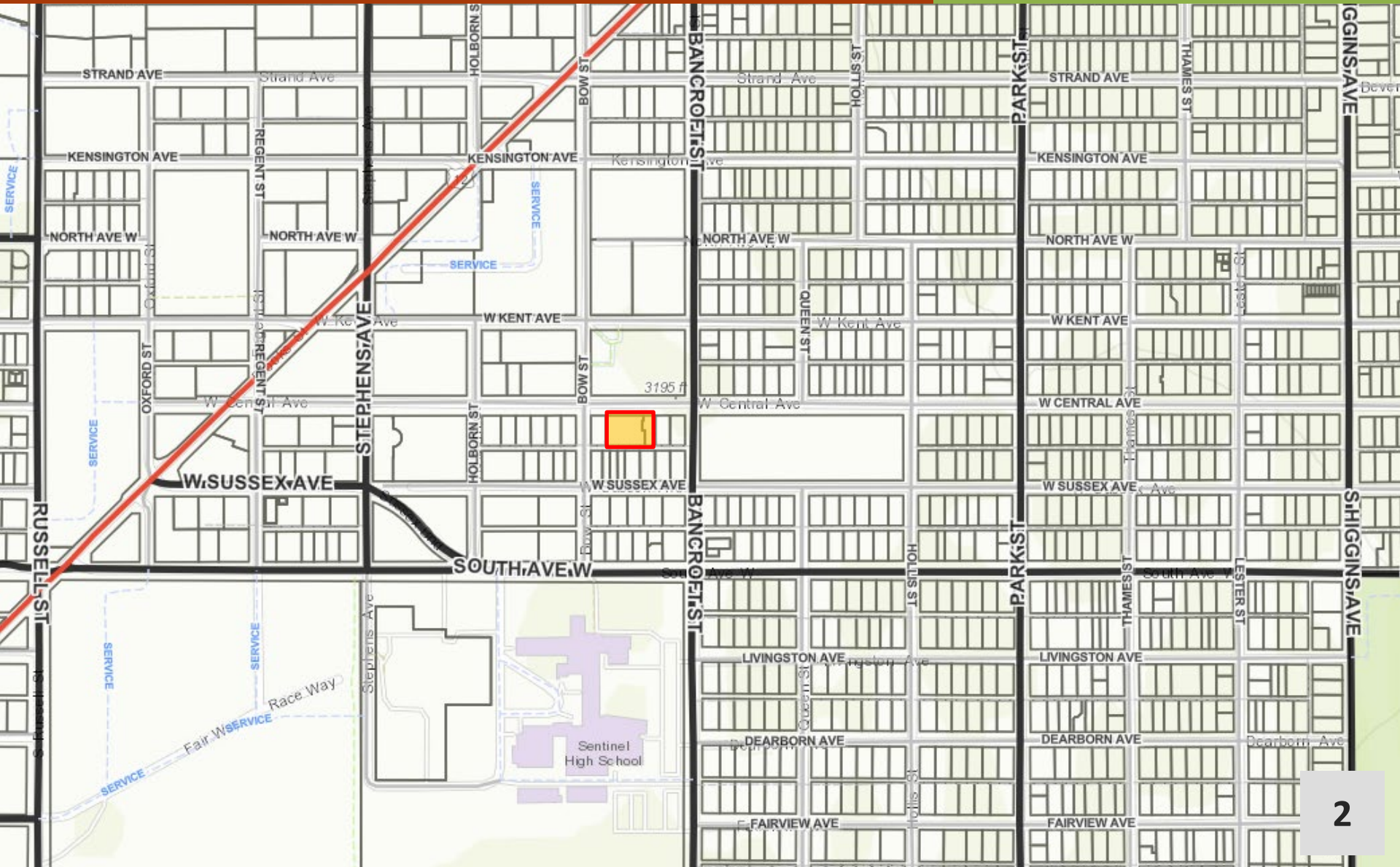
From RM1-35 to B2-2

Residential multi-dwelling to
Community Business

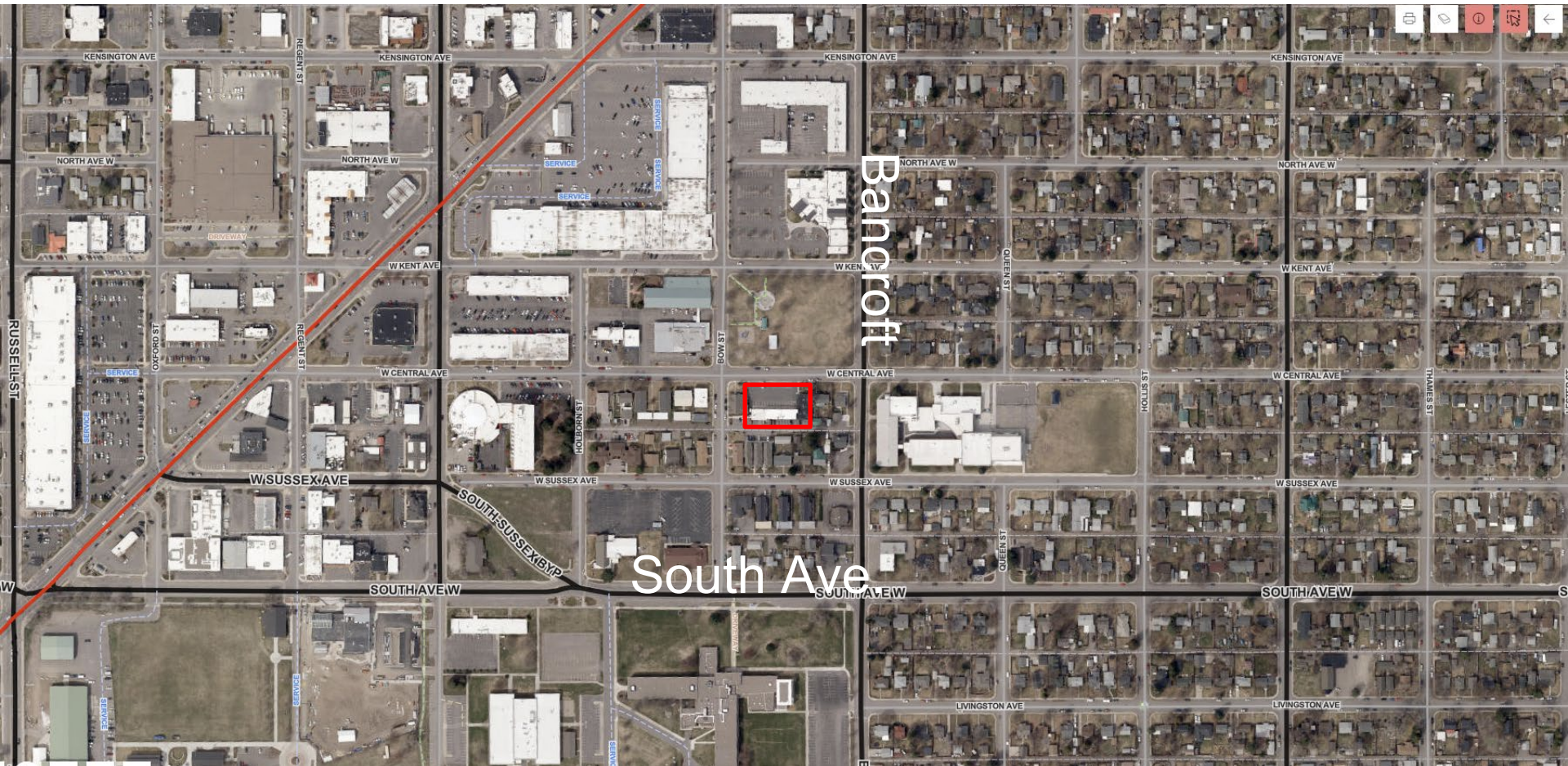


Jon Sand, Associate Planner
Community Planning, Development and Innovation
August 6, 2024

Property Location



Property Location



Existing Site: Aerial



Existing Site: Street View



715 Central Ave



725 Central Ave

Missoula, Montana



Google Street View

Oct 2018 See more dates



Growth Policy Map



**Community
Mixed Use**

**Residential
Medium Density**

**Neighborhood
Mixed Use**

Relatable Districts

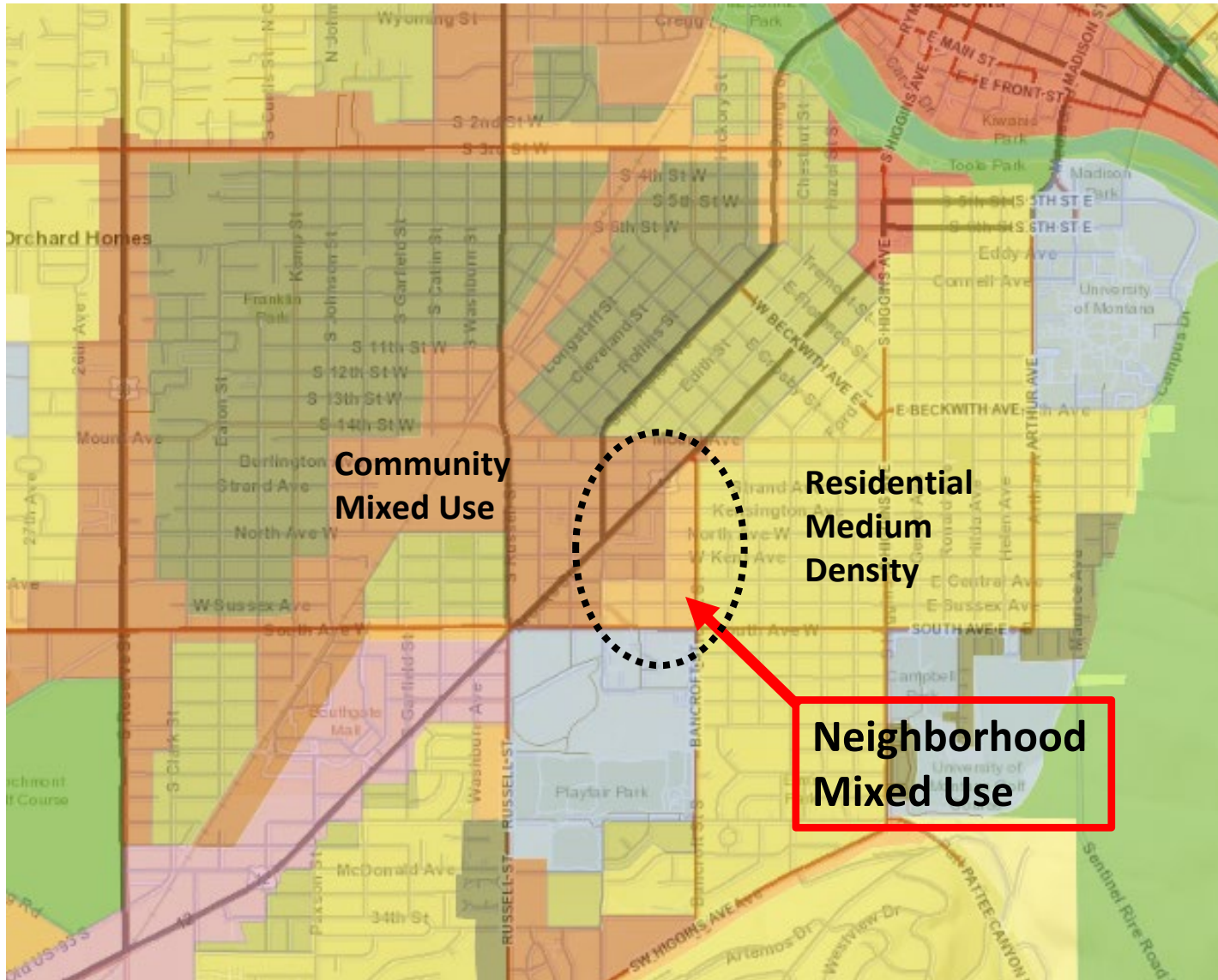


Residential Land Uses	Basic Description	Current Relatable Zoning
Residential Rural	Less than and including 1 du/2 acres	R215, R80, Cluster & Conservation option, OP2
Residential Low Density	Between 1 du/acre and 2 du/acre	R40, R20
Residential Medium Density	Between 3 du/acre and 11 du/acre	RT10, R8, R5.4, RT5.4
Residential Medium – High Density	Between 12 du/acre and 23 du/acre	RT2.7, RM2.7, RMH, R3
Residential High Density	Greater than 24 du/acre	RM1-35, RM1-45, RM1.5, RM0.5

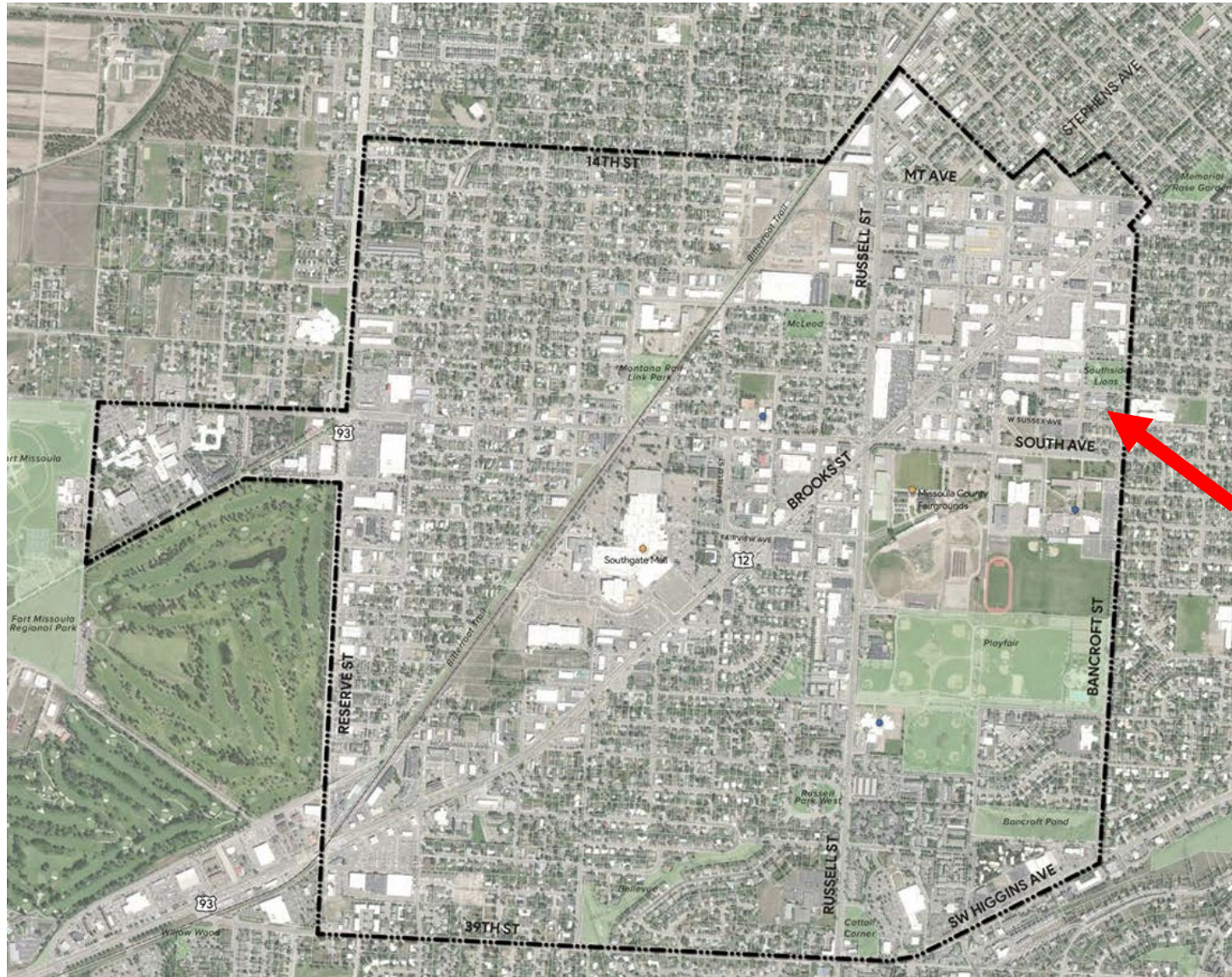
Primarily Mixed-Use Land Uses	Basic Description	Current Relatable Zoning
Urban Center	Concentration of high intensity commercial, retail, arts and entertainment, and high density residential	CI-4, C2-4, CBD, Pedestrian Overlay
Community Mixed-Use	High intensity commercial serving general community needs and high density residential intermixed	CI-4, C2-4, MIR-2 Pedestrian Overlay
Neighborhood Mixed-Use	Mix of neighborhood-serving commercial uses and medium-high residential density	BI-1, B2-1, B2-2, MIR-2

Employee-Based Land Uses	Basic Description	Current Relatable Zoning
Regional Commercial & Services	Commercial uses serving the needs of the broader region and often requiring larger land areas	C2-4, MIR-2, OP3, CI-4 Pedestrian Overlay
Light Industrial (LI)	Manufacturing, distribution, R&D, assembly, storage, etc.	M1-2
Heavy Industrial	Similar to LI and usually requiring operational permits from the MCCHD (Air or Water)	M2-4

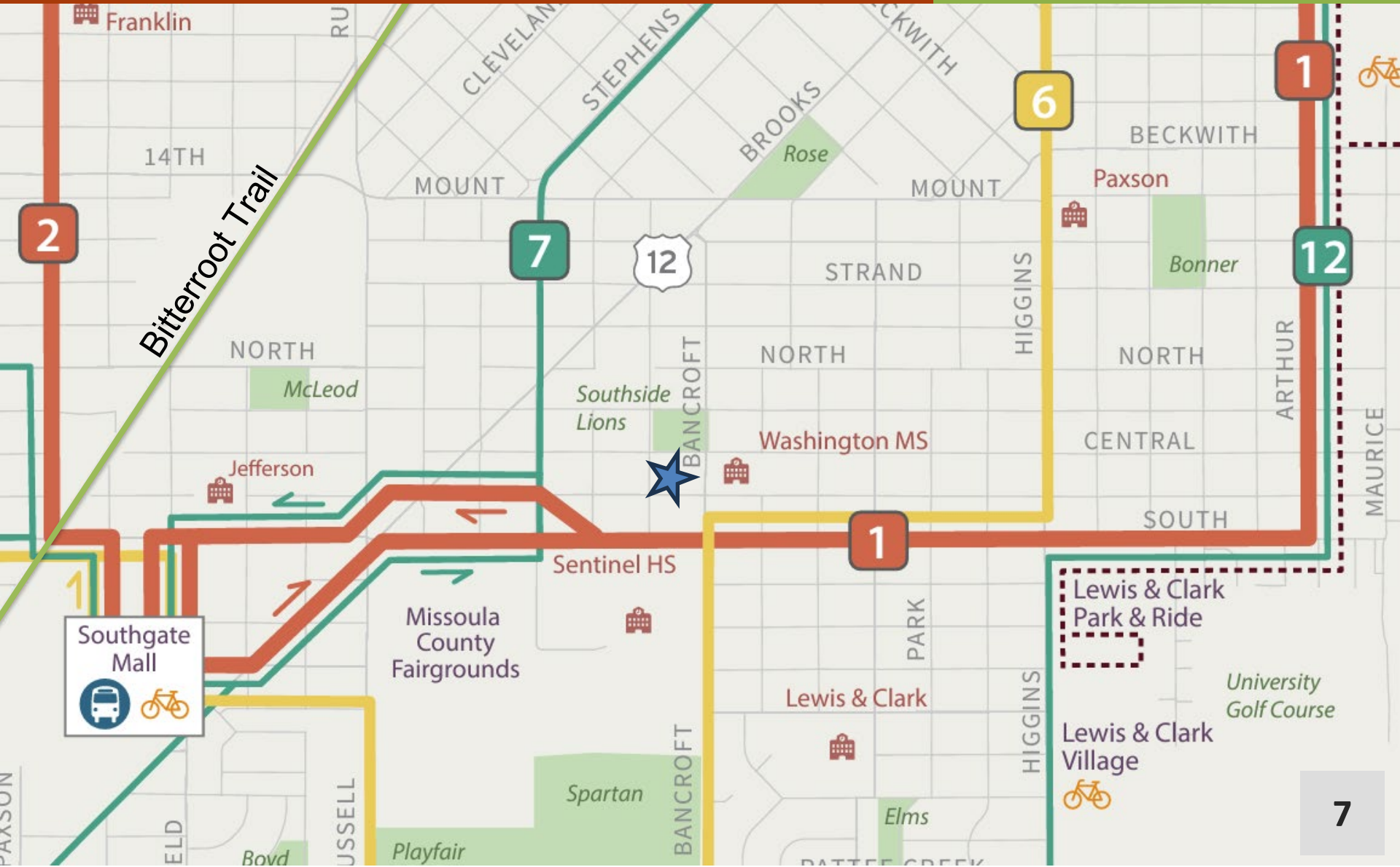
Growth Policy Map



Midtown Plan Area



Growth Policy: Focus Inward







Standards Comparison



	Existing	Proposed
Zoning	RM1-35	B2-2
Min. Parcel Size	3,000 ft ²	None*
Parcel Area / Unit	1,000 ft ²	1,000 ft ²
Setbacks	Front: 20' Rear: 20' Side: 5'	Front: 20'* Rear: None Side: 0/5'*
Max. Height	35'	50'*
Permitted Uses	See staff report or Title 20 for a full list of uses. Both districts allow for all types of residential development. B2-2 allows many additional commercial uses and a handful of low intensity industrial uses when compared with RM1-35.	

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

Motion



Recommend City Council adopt an ordinance to rezone the subject properties located at 725 W. Central Ave. and 715 W. Central Ave. and legally described as Lots 5-10 and the east one-half of Lot 11 in Block 35 of Homevale Addition, located Section 28, Township 13 North, Range 19 West, P.M.M. from RM1-35 Residential (Multi-dwelling) to B2-2 Community Business, based on the findings of fact and conclusions of law in the staff report.