

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, JULY 25, 2024 – 2 PM

Hybrid meeting – Missoula County Courthouse Annex Sophie Moiese
Room/Microsoft Teams

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the time stamps listed to view a particular item in the meeting.

ATTENDANCE:

Commissioners Present:

Chair David Strohmaier
Commissioner Josh Slotnick
Commissioner Juanita Vero

Staff Present:

Chris Lounsbury, Chief Administrative Officer, Commissioners' Office
Anne Hughes, Chief Operating Officer, Commissioners' Office
Christina Dewar, Administrative Assistant, Commissioners' Office
Annie Cathey, Administrative Assistant, Commissioners' Office
Melissa Fisher, Strategic Initiatives Manager, Commissioners' Office
Tim Worley, Senior Planner, Planning, Development, and Sustainability
Zach Jones, Planner, Planning, Development, and Sustainability
Shane Stack, Director, Public Works
Karen Hughes, Director, Planning, Development, and Sustainability

1. **CALL TO ORDER** *[Time stamp – 0:03]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:48]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 1:24]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 0:2:13]*
 - a. Closed Captioning
 - b. Proclamation: ADA Anniversary
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 6:30]*

6. CURRENT CLAIMS LIST *[Time stamp –06:43]*

Claims received as of July 02, 2024 to July 16, 2024 by the Commissioners' Office total \$6,683,966.92.

7. HEARINGS

a. Grass Valley Industrial Subdivision *[Time stamp – 07:44]*

Tim Worley, Senior Planner, Planning, Development, and Sustainability

Recommended Motions are as follows:

1. Commissioner Vero moved to approve the request to vary from Section 3.4.7.3 requiring curb, gutter, and boulevard construction for Ranger Road, subject to the recommended conditions of approval and Commissioner Slotnick seconded the motion.
2. Commissioner Slotnick moved to approve the request to vary from Section 3.4.7.3 requiring curb, gutter, and boulevard construction for Longacres Lane, subject to the recommended conditions of approval and Commissioner Vero seconded the motion.
3. Commissioner Vero moved to approve the request to vary from Section 3.4.7.3 requiring curb, gutter, and boulevard construction for Moccasin Lane, subject to the recommended conditions of approval and Commissioner Slotnick seconded the motion.
4. Commissioner Slotnick moved to approve the request to vary from Section 3.4.7.3 requiring curb, gutter, and boulevard construction for Racetrack Lane, subject to the recommended conditions of approval and Commissioner Vero seconded the motion.
5. Commissioner Slotnick moved to approve the request to vary from Section 3.4.9.1 requiring 5-foot sidewalks on each side of Ranger Road be denied subject to the recommended conditions of approval and Commissioner Vero seconded the motion.
6. Commissioner Vero moved to approve the request to vary from Section 3.4.9.1 requiring 5-foot sidewalks on each side of Longacres Lane subject to the recommended conditions of approval and Commissioner Slotnick seconded the motion.
7. Commissioner Slotnick moved to approve the request to vary from Section 3.4.9.1 requiring 5-foot sidewalks on each side of Moccasin Lane subject to the recommended conditions of approval and Commissioner Vero seconded the motion.
8. Commissioner Vero moved to approve the request to vary from Section 3.4.9.1 requiring 5-foot sidewalks on each side of Racetrack Lane subject to the recommended conditions of approval and Commissioner Slotnick seconded the motion.

[All above motions passed 3-0.]

Main Motion:

Commissioner Slotnick made the motion that the Board of County Commissioners of Missoula approve all Grass Valley Industrial Subdivision motions as written based on the findings of fact and conclusions in the staff report, and subject to the recommended conditions of approval in the staff report.

Commissioner Vero seconded the motion.

[Motion Passed 3-0.]

[Letter 2024-156 sent to Grass Valley Industrial Park, LLC in c/o Jamie Erbacher on August 27, 2024.]

- b. **Resolution- Open Hearing for No Parking Zone/Waterside Dr.** [Time stamp – 29:22]
Shane Stack, Director, Public Works

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners open the hearing for public comment to consider No Parking Zone be established on Waterside Dr.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Signed RCA was electronically sent to Shane Stack]

- c. **Resolution- Open Hearing for No Parking Zone/Sunnyside Ct.** [Time stamp – 11:10]
Shane Stack, Director, Public Works

Commissioner Strohmaier made the motion that the Board of County Commissioners of Missoula County hereby adopt Resolution 2022-062 to amend the 2019 Missoula Area Land Use Element, an element of the Missoula County Growth Policy, with any necessary editorial and formatting corrections.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Signed RCA was electronically sent to Shane Stack]

- d. **Clouse Boundary Line Relocation/Aggregation/Right-of-Way** [Time stamp – 11:10]
Zach Jones, Planner, Planning, Development, and Sustainability

Commissioner Strohmaier made the motion that the Board of County Commissioners of Missoula County hereby adopt Resolution 2022-062 to amend the 2019 Missoula Area Land Use Element, an element of the Missoula County Growth Policy, with any necessary editorial and formatting corrections.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Letter 2024-155 sent to Dale Clouse on August 14, 2024]

8. OTHER BUSINESS

[None]

9. ADJOURN

Chair Strohmaier – Called the meeting to adjourn at 3:32 p.m.

BCC Public Meeting July 25, 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 on the county's YouTube channel: <https://www.youtube.com/c/missoulacounty> or contact the commissioners' office to obtain a copy.

Dialogue in the transcription attributed to "Sophie Moiese Room" is for all speakers that attended the meeting in person. Attendees that participated virtually are labeled individually.

Transcript

David Strohmaier 0:03

DS

Thursday, July 25th.

This is a virtual meeting not by virtue of a public health emergency.

As we've done these in the past, but by virtue of the aftermath of the major storm that we're all familiar with, so again, now let's call this meeting to order and let's see.

There we go.

Uh, thank you so much.

Admin206 Admin206 0:28

AA

That's it. She's.

David Strohmaier 0:29

DS

Yeah.

Any for presenting the colors so with.

With that, we are I know it it's a little tacky after having done this in person but it is what it is today.

So please join me in the Pledge of Allegiance.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Admin206 Admin206 0:48

AA

Just.

Say something.

And to the Republic for which it stands, one day soon, under God, indivisible, with Liberty Mutual assess.

Yeah.

David Strohmaier 1:10

DS

OK.

Thank you.

That's that challenge.

Doing that in multiple locations so.

I would First off, even in this remote setting like to acknowledge that Missoula County recognizes that this event today takes place in the Aboriginal territories of the Salish and Kalispell people.

I'm Commissioner Dave strohmeier.

For those of you who don't know me, I am joined today by my colleagues Commissioners Juanita Vero and Josh Slotnick in Room 206 of her administrative building of Missoula County, and it looks like there's a few other staff members there also.

And would you, Annie like to provide us with some introductory comments related to closed captioning and such?

Admin206 Admin206 2:01

AA

Yes, I will do that.

So this is Christina.

If you are joining us for this morning's meeting virtually today, instructions for turning on closed captioning are on the screen.

David Strohmaier 2:04

DS

No.

Admin206 Admin206 2:13

AA

There will coming up.

There will be an opportunity to speak during the meeting for public comment.

Virtually we ask that all speakers today speak slowly and clearly.

This helps with the accuracy of the closed captioning on Microsoft Teams.

If you'd like to speak when discussion has been open for public comment, we ask that you use the raise hand feature.

This is a small hand button.

If you are calling in on the phone, you need to hit star 5 to raise your hand.

Once called upon, you will need to hit star 6 to unmute.

If you have any questions, let me.

Sorry about that.

David Strohmaier 2:46

DS

OK.

And it looks like the the colors keep appearing there which is which is fine.

So before we get on to our one proclamation today, I just wanna make note for folks who are interested in getting information about the aftermath of the storm and recovery from the the effects of last night's uh thunderstorm that impacted the community.

Admin206 Admin206 2:52

AA

This.

David Strohmaier 3:14

DS

You can call and information number it's 406258 info or you can go for online information to Missoula Dot Co Slash storm or if it is a true emergency, do not hesitate to dial 911.

The 911 center has been flooded with calls, so Please be patient if if no one is picking up initially.

It's not because they call center or the 911 center is is not active.

It's just that there are a lot of calls coming in.

So with that would either Josh or Juanita like to read today's ADA, conversely, proclamation.

Admin206 Admin206 4:00

AA

They're happy to do it, whereas disability is a natural part of the human experience and more than 13% of Missoula County residents live with one or more disabilities.

And whereas 34 years ago, the Americans with Disabilities Act, first comprehensive declaration of Civil rights for people with disabilities prohibiting discrimination based solely on one's disability status became law.

On July 26th, 1990, and whereas the ADA is expanded, opportunities for Americans living with disabilities to participate in mainstream aspects of American life pursuant Employment opportunities, purchase goods and services, and be treated as equal and valued members of society.

And whereas Missoula County recognizes that more work is needed to realize the full potential of the ADA to ensure equal access in all areas of life for people living with disabilities, and whereas Missoula County recognizes that community participation by individuals with disabilities is vital to the success of our communities, and the county remains steadfast in its commitment to the principles of equality, the goals of the ADA and reaffirms its dedication to fully implement the ADA now, therefore, we the Missoula County Commissioners do hereby proclaim July 26th, 2024 as a day to commemorate the 34th anniversary of.

The Americans with Disabilities Act in Missoula, Mt, and recognize the hard work and sacrifice of disability advocates and the policymakers who have worked tirelessly to ensure people living with disabilities have access to the same rights and opportunities as everyone else, and to reaffirm our commitment to fully implement the ADA, we dedicate ourselves and encourage all citizens to commit to fulfilling the promise of the ADA for a more fair, accessible and interconnected Community signed the Missoula Board of County Commissioners.

David Strohmaier 5:53

DS

Thank you, Josh for that.

Is there any public comment on the proclamation?

Alright.

And as you'll see on the agenda, there are four public hearings today.

But this is your opportunity.

If anyone's joining us, I was going to say in person or virtually, but I guess if anyone out there virtually joining us today and would like to offer public comment on anything not on the agenda, this is your opportunity.

As Christina mentioned earlier, please use the raise hand function and we will call on you in the order in which you raise your hand.

Any public comment on items not on today's agenda?

Admin206 Admin206 6:31

AA

3.

Close 4th.

David Strohmaier 6:36

DS

And if you're on the if you're on the phone, you can just unmute yourself.

OK, see none.

Admin206 Admin206 6:42

AA

It.

David Strohmaier 6:43

DS

We will move on our current claims list of Missoula County and again, this is claims received as of July 2nd through July 16th by the Commissioner's Office.

Total six million \$683,966.92 we again as I just mentioned have four public hearings today.

Each of these will begin with a staff report, followed by an opportunity if it's relevant for the applicant or the applicants representative to make comments.

We will then open it up for public comment from anyone joining us today from the public, and we'll close the public hearing and then have an opportunity for the Commission to ask questions, deliberate and take action on the items, so we begin today with public hearing that I'll open on the Grass Valley Industrial Subdivision and we'll begin with the staff report from Tim Morley. Tim.

Tim Worley 7:44

TW

Good afternoon, commissioners.

David Strohmaier 7:50

DS

Afternoon.

Tim Worley 7:58

TW

He switched my screens here.

All right, this is Grass Valley Industrial subdivision.

I'm Tim Worley with planning, development and sustainability.

This is a 19 lot industrial subdivision proposal by ethos civil representing Grass Valley Industrial Park LLC.

The subdivision is located in the Y.

It's a 43 acre parcel on again, it's a 19 lot industrial subdivision.

That's proposed in two phases.

The zoning out here is industrial center light, which includes light, industrial, artisan and limited commercial activities.

Some of the activities that you see out here at the Y in this general vicinity include warehousing tool, manufacturing, recycling and fabrication.

Admin206 Admin206 8:53

AA

Great.

Tim Worley 9:03

TW

I'm going to go through the typical subdivision review criteria, starting with agriculture.

This did this parcel did have somewhat of an agricultural history.

The why interchange began construction in the early 1970s, and since that time this locations become increasingly light industrial in nature, this property has no surface water rights at present, and it's surrounded by light, industrial and commercial uses.

There's a network of public and private roads in this location.

It's kind of a mix.

The proposal is to extend to roads and create one new road.

All roads meet the 26 foot wide industrial standard.

So Moccasin Lane is 1 property that's proposed, or one excuse me Rd that will be extended.

Moccasin actually connects all the way out to Dasha Lane and this will provide a connection to enterprise way Long Acres Lane currently proceeds from Alita and terminates here, and his proposed to extend all the way to race track playing which is fairly new paved Rd on the scene and Ranger Rd is the Cul-de-sac Rd that's proposed to be built as a brand new road as part of the subdivision.

Because of the 26 foot width of roads in the subdivision are kind of the bare minimum for industrial and commercial.

So we are recommending a no parking resolution for subdivision roads and there may need to be multiple resolutions as there are multiple phases and four different on site roads involved.

Now, just as a reminder and on site Rd is a road wholly contained within the subdivision.

I'm curb and gutter is required for each of the four on-site rows, so there are a total of four different variances.

Required of this project because the proposals for a 26 feet of pavement with roadside swales.

Staff supports the curb and gutter variances, curb and gutter, or typically part of a larger drainage network which is lacking in this general area.

We thought it was difficult to make curbing gutter work in isolation.

Now planning board in meeting in on these four variances actually had a split vote.

Basically A33 vote which is a no recommendation vote.

Essentially, they're concerned was that this was setting up substandard urban area infrastructure.

Now, Long Acres Lane again, the goal is to create a through Rd that would connect the existing stretch of long acres all the way to race track lane.

We discovered in the review process that Longacres lane, the portion that exists, is within a private access easement with limited use in scope and in essence they can put up a barrier right here and not allow for through traffic and as a result of that, we are recommending a cul de SAC within the subdivision somewhere in this location if needed.

Again, the issue here is that the Long acres numbers 2 subdivision to the East actually has a limited use in scope.

As far as this private access easement, the use and scope is limited to the users or to the folks within the subdivision itself, and evidence for this restriction is on the long edition #2 plat.

There's a couple different lots along enterprise way that if they are built upon a phase one, they can have access directly off enterprise way.

However, we have a condition that wants this cul-de-sac.

Road is constructed at phase two.

These two lots will have to get their access off of the cul-de-sac, but again, it's called Ranger Rd.

There's a traffic impact study conducted for this subdivision that included review of impacts to West Broadway Hwy.

93 and the Interstate from the subdivision it was concluded that the Interstate 90 ramps at the Y are near capacity at present, and that the subdivision will increase interchange traffic by about 1%.

That's a small enough increase that no mitigations were recommended out of the study and we have no conditions related to that.

So 5 foot wide sidewalks are required on all on site roads.

So again, we're talking about four different variances because what's requested in this case is a network of walkways that would be just on one side of the on site roads.

It's essentially a paved pathway network that ties the subdivision together.

No.

Illustrate that starting up here on the North End on Long Acres, the proposal is for walkways 5 foot wide walkways along one side of all these on site roads, including a stretch of enterprise way where walkway isn't required.

Connecting all the way to Ranger Rd, which would also have a walkway on just one side.

Staffing is in support of three of the four pedestrian facility variances.

We felt that Rd alignments make it difficult to meet the two walkway standard for both Long Acres lane and racetrack Dr.

We felt having walkways on both sides of onsite roads, adds, minimal function in fact, and it ends up serving. Subdivided lots on the opposite side of an on site Rd in a way that doesn't really serve folks within the subdivision. So we felt there was an issue of proportionality that we needed to acknowledge.

Staff does recommend denial of 1 variance, and that's UM to allow pedestrian facilities on one side of the Cul-de-sac Road Ranger Rd.

We felt it was fairly straightforward just to wrap a walkway along the opposite side of Ranger Rd, just to have a continuous facility along that relatively short stretch of Rd.

We didn't see any hardship with that.

So with planning board again, there are six members present at the July 6 hearing.

All variants motions related to pedestrian facilities failed.

They didn't get one affirmative vote, the board majority, or I should say they got one affirmative vote for three of the roadways in question.

The board majority simply wanted to see the Subdivision Regulations standard affirmed, and they felt that this was necessary infrastructure for an urban area industrial subdivision.

So underwater and sanitation issues, this project was granted a city sewer connection.

Water will come via a single exempt well pumping to a fairly large storage tank, similar to what you see in this photo.

The loves storage tank, which is about 197,000 gallons, the tank proposed for this project is almost double that at a minimum of 380,000 gallons.

This proposed to be within a utility lot in phase one.

The water tank itself must comply with setbacks, so we do have a condition essentially allowing the utility lot shape to change to meet set back.

Oops.

Now let's Hank will be supplied by a single well, again exempt from water rights permitting.

This applicant is working toward a waterway, but as long as this is an exempt well, the output must remain under the 35 gallon per minute and 10 acre foot threshold.

So we are recommending a condition requiring immediate metering of what?

Well output as well as annual reporting of water usage within the subdivision.

With the Covenant spelling out the usage limitations.

It's noted that external watering sources may be necessary for things like landscaping, and that's something that's actually in the subdivision application.

We think that probably won't be an issue initially.

It would just be an issue if the subdivision built out fairly suddenly and all the water was spoken for in a fairly short period of time, so the water tank will supply portable water via mains to every lot, and that allows for fire hydrants to have essentially municipal fire flows.

Sprinklers may still be required, depending on industrial uses on individual lots.

And so we do have a recommendation for that note to be on the plat to that effect as well as an indication in the covenants.

Planning board expressed concern about the exempt well within the context of industrial uses.

They felt that this project should have a water right immediately and they were concerned that there might be, for instance, some excessive user industrial user that might use enough volume that it isn't consistent with the exempt well assumptions kind of baked into the project.

The geotechnical analysis was conducted on the property.

The site does have fairly diverse characteristics.

In some places you have fairly fast infiltration of water and other places.

They're sort of a hard pan that restricts water infiltration.

So, per the geotechnical analysis recommendation, we are recommending that there be a subsequent geotech analysis for each lot upon development of each lot.

There is a high pressure gas line that crosses a portion of lot 18.

It's required to be a no build zone.

We're recommending also that it be depicted on building site plans with information about it being in the covenants.

On the face of the plat and we do have one condition, Commissioners, that I would recommend a little bit of additional language just to provide some clarification.

We are recommending an amendment section for the covenants that captures a lot of the issues that are important that are directly related to the subdivision review criteria, but we wanted to make sure that those sections could be changed if the covenants are brought back before the County Commissioner.

So that's what that additional language allows for.

So again, Staffs recommendation was for subdivision approval.

Planning board did not support the subdivision.

I think there were six votes against recommending approval of the subdivision.

They did support industrial opportunities that would be provided by the subdivision.

They were concerned about the substandard infrastructure proposed.

They felt that now is the time to make things like pedestrian connections as opposed to waiting.

And that a water right is more appropriate for an industrial subdivision rather than having an exempt, well sort of situation.

So Commissioners, I've got the motions bundled essentially in force.

You might remember curb and gutter effects for of basically based on all the on site roads.

So there's four separate variances, and again, those all those recommendations were kind of deadlocks, so to speak.

These are non recommendations per the three three votes on the the curb and gutter variances, and then regarding the sidewalk variances, planning board agreed on variance #5 that Ranger Rd should have walkways on both sides so they pass that motion to recommend walkways on both sides.

But the three other variance motions, umm, that would allow walkways on one side of the on the other on site roads failed.

And then when it came to the main motion.

Uh Planning board did have six votes of no on that main motion Staffs recommendation obviously is approval for the subdivision, and I'll be available if you have any questions.

And I believe the applicant is also online.

We would recommend a slight amendment to the motion should you approve the subdivision today Commissioners, and that is just adding, as amended, to the end of the motion, because I would guess that there will be amended conditions of approval today.

That's it for me.

Thank you.

David Strohmaier 23:37

DS

All right.

Thanks Tim.

With the applicant or applicants representative like to present to us.

And if uh and Matt, welcome and if you could be so kind as to make sure that in your comments you address the variance requests that would be great, it's all yours.

Matt Mellott 23:57



Thank you, Commission.

David Strohmaier 24:00



And we cannot hear you.

I think he was saying he's OK with the planning boards.

Denial.

Is that what you were saying? That.

Admin206 Admin206 24:14



OK.

Don Mellott 24:16



But sorry about that.

Can you hear me OK now?

David Strohmaier 24:19



We can hear you now.

Don Mellott 24:21



Internal speaker.

It can.

You hear us?

OK, OK.

Admin206 Admin206 24:27



Yep, Yep, Yep.

Don Mellott 24:29



There we go.

Sorry and uh, got gotta habit of doing this after COVID for so long.

Thank you, Commissioner, for the opportunity to present on this project and make her case for it.

My name is Matt Mulot.

I'm with Grass Valley Industrial Park LLC.

The applicant for this subdivision, and we'll have myself speak for a minute about the overall, you know why here and why now?

Don Merlot, my brother and also involved with this project will talk more about some of the specifics related to variances and also Julie Merritt with WDM Group.

We'll talk about the water rights concerns and some of those elements so.

My yeah.

So I guess the start on the the why here and why now I am a owner of a commercial real estate company in town and brokerage firm in town and we feel many a lot of calls from both groups that are already here.

Uh, you know, primarily in the industrial world that already exists there.

They employ people here.

They have a facility and also groups that are looking to locate here for the first time in Missoula.

And so we hear a lot from the people that are the employers, the builders, the umm, the manufacturers, those sorts of people who do the, you know, value added manufacturing and logistics operations and all those sorts of things.

And over the course of years, you start to hear the same themes over and over about these groups that are looking for a new location or to expand a location in Missoula.

And that has been especially in the last couple of years, it's that there is a lack of appropriately zoned relatively flat land.

So appropriately zoned, meaning industrial zone near I-90 and also that has a key element of fire flow water and by fire flow, that usually means enough to provide varying varying ways to look at it.

+14*****44 26:30

OK.

Don Mellott 26:35

DM

But basically enough for fire hydrants and then water capacity that will allow for an esfr sprinkler system which stands for early suppression, fast response.

+14*****44 26:46

Yeah.

Don Mellott 26:48

DM

And so that is the gold standard for many industrial and warehousing uses.

+14*****44 26:52

Well.

Don Mellott 26:53

DM

Is this esfr system and so you need municipal scale water to do that.

And so the development park and this will development park was great for that because it provided all those things had flat land appropriately zoned.

But that the development park is nearing full build out and so there are relatively few factor.

I don't know that there's any really where you can get in the five to 10 acre range of contiguous space to be able to build a new facility for manufacturing.

You know, white manufacturing and which justics operations and those sorts of things.

So as the development park has built out, there's sustained demand for industrial zone land that is in close proximity to I-90 has the right zoning.

All these different elements I was talking about, and so we're kind of running out of it, of platted, ready to go with the services there.

So one of the main reasons for this project is to accommodate those types of users and that type of demand has been consistent.

Umm for this project already?

+14*****44 27:56

I-1.

Don Mellott 27:58

DM

Umm we have.

Yeah, we've already have groups inquiring about it.

You know, provided that it's proved that are inquiring looking to build new facilities on subdivided portions of this property, provided that it's approved.

So that's part of the why feedback that we hear from tenants or and buyers of this land is there's a lack of the right kind of industrial land.

And then second to that, the other point of feedback that we hear all the time from manufacturers and logistics operations is that it is difficult to locate in Missoula because of a lack of housing options and affordability.

And this hearing is not about, it's about Grass Valley Industrial, but part of the reason why in two weeks we'll be back here talking about Grass Valley Gardens.

But the reason why we do these things in parallel is we try to build complete places because doing economic development.

So the job side of it, which is we're focused on heavily with GBI aggressively industrial.

It's.

You can't really do economic development unless you have corresponding housing and then services that go along with it.

So our emphasis in development is to build complete places where you have jobs, housing and then retail and services altogether.

So two separate projects being considered separately, but that's part of the reason why we're doing these two in parallel.

And part of the rationale behind this project.

The reason that a lot of the buildings in the why are developed relatively small and they're relatively small scale is because of this lack of fire flow water.

And so you have a lot of buildings that are, you know, magically 11,999 square feet or less because then you don't have to use sprinklers in many applications.

And even the buildings that are larger than that, a lot of times they're relying on cisterns and wells and things like that that are kind of cobbled together, and they meet the requirements.

But the scale of the development and the intensity of the development that aligns with the zoning is relatively low, and by providing the water system that we're proposing here this half million gallon water system with the booster pumps, that will provide fire flow, water.

With Rehydrates and for esfr systems will allow for better development, more intense development or higher scale uses.

I guess you would say of that land tier art, the 43 acres that we're talking about, it will allow for that.

So that you can bring in the types of companies that do that.

Yeah, that hire that hire people locally that do the value added manufacturing and those sorts of things.

I am in my capacity of the brokerage company that we have.

I worked with Montana Knife Company and specifically identified this area and they purchased a piece of land very close to this and one of the motivating factors for them is knowing that we are proposing this water system and that they would theoretically be able to hook up to that in the near future.

And so when they look at adding a 50,000 foot facility with the potential to add more on to it in the future, a key

consideration is do you have the water to be able to do it?

So that's emoting motivating factor for them.

And I think the representative of a lot of the different users and tenants that we interact with on a day to day basis of yeah, I-90 and 93, there's a reason why they're there.

Uh, like why?

What?

Why a lot of these industrial uses are out there because of that access to those main transportation corridors and that node.

And then if you have the fire flow of water, you can do a lot of different types of manufacturing and logistics and those sorts of things.

So I guess what I'm saying is short is that this type of development, this is where the jobs come from.

This is where the tax base gets improved by the more intense you can do the development on a site provided in conformance with the zoning, of course, but that's that's where jobs and economic development come from is from these types of projects.

Umm.

And I would say the, the, the last thing here is that this this project, so the water system that we're proposing, the initial routing of the main circuit of where the water means would go, you know is centered on our project, the 43 acres that is under consideration here.

But once you have that First Circuit established, it is relatively is much more manageable to then add a new circuits that run out through streets to then open up more development of industrial uses in the surrounding area of the why. And there's quite a bit of either underdeveloped parcels out there or parcels that haven't been developed, but they don't have access to water, municipal scale water currently.

So I think this project can be the catalyst that then allows for the kind of systematic growth of water system that is appropriate for this type of this section.

By the way, that is predominantly industrial.

So that's the the why, Yep.

David Strohmaier 33:14

DS

Thanks Matt.

So since so you have some other folks who are gonna present to here.

Don Mellott 33:18

DM

Yes.

So that that's the why here.

Why now?

I'll hand it off to Don Millant talk a little bit more about the variances and so forth.

David Strohmaier 33:25

DS

Thank you.

Don Mellott 33:30

DM

Good afternoon.

My name is Don Millott.

I'm with etho civil civil engineer and want to present, uh, specific to some of the questions that were brought up by the Planning board a couple weeks ago.

Uhm, I think Tim Worley did a great job of giving an overview of the project, but we'll focus in on some of those items that were emphasized during the planning board and to start us off like to have.

UM. Uh.

Julie Merritt with WGM group talk about water.

And so I will share my screen here and we will bring up slides for her to speak to.

If I can see, do I have the ability to share a screen? Umm.

David Strohmaier 34:28

DS

Christina, can you make sure they can share their screen?

Admin206 Admin206 34:30

AA

Can we can promote Don?

Just like saying, people promotion so.

David Strohmaier 34:39

DS

Bear bear with us a moment, Don.

We'll get you hooked up here.

Don Mellott 34:41

DM

Sure, all the technical nuances.

OK, there we go.

Admin206 Admin206 34:54

AA

There we go.

Don Mellott 35:05

DM

OK.

Julie Merritt 35:08

JM

OK.

Don Mellott 35:11

DM

Good afternoon, commissioners.

Julie Merritt 35:11

JM

Good afternoon, commissioners.

Don Mellott 35:14

DM

Are you able to hear me?

Julie Merritt 35:14

JM

Are you able to hear me?

Admin206 Admin206 35:16

AA

Yes, there's a.

David Strohmaier 35:16

DS We can hear you and we can see the screen.
Can you hear us is the question.

Don Mellott 35:23

DM My try that again.

Julie Merritt 35:23

JM Try that again.
Can you guys hear me before I get started on my spiel here?

Admin206 Admin206 35:24

AA There's.
There's an echo, yes.

David Strohmaier 35:29

DS Yes, we can hear you.
Can you hear us?

Julie Merritt 35:33

JM Yes.

David Strohmaier 35:34

DS OK, that was a yes.

Julie Merritt 35:35

JM Yes, OK, got it.
Alright, so for the record, my name is Julie Merritt.
That's MERRIT and I'm a water resource specialist with WGM group.
I wanna touch on a few things today regarding the water and water rights for this project.
First I wanna explain the water supply that we have encountered with the recently completed GBI.
Well, then, I'll discuss the water demand estimate for the planned uses within the GUI development.
And finally, I will address the future needs and the water right permitting process.
So, to begin, let's talk about the physical water supply.
In 2010, WGM Group and Amit conducted a preliminary preliminary engineering report for the Y area to evaluate the potential for a Regional Water supply system.
The Gvi property lies within this study area.
We recently completed one well that will serve as the public water supply for all the lots in GV.
I this well is in the same aquifer.
Yes, the existing why area water system wells which are known to be good producers, the red box on this slide indicates the approximate location of the gvi property in this cross section representation of the aquifer.
This aquifer is basically a large, uncombined bathtub of layered clays, sand and gravel, and it is connected to the larger Missoula Aquifer and studies have shown that the Missoula Aquifer is one of the most prolific aquifers in the country.

So we're confident that we have a good water supply for the area.

We have just completed a 24 hour pump test on the well and that has showed that the well can sustain a pumping rate of 175 gallons a minute with only a small amount of drawdown in the nearby observation well.

The pump test also tells us that this well will be more than adequate for the immediate needs of the Gvi subdivision, and it has a high potential to be part of the larger Regional Water supply solution.

So let's talk about the water demands next and then this is specific to the Gvi subdivision.

So the water needs for industrial and commercial uses are difficult to accurately predict because a wide range of activities can fall under these categories.

Historically, in Montana, industrial use meant things like mining or wood products.

Processing these activities used up a lot of water.

Uses typical in the white area today are warehouses, auto parts and repair shops, and small fabrication facilities.

These businesses use a lot less water.

The volume of water needed for typical uses in the Y area today is tied directly to the number of employees in each business and mainly consists of water for drinking and flushing.

Flushing toilets for those employees to calculate an estimated water usage for gvi, we assumed that there would be one employee for every 800 square feet of building space and 13 gallons per day per employee, which is a DQ standard.

This works out to and forgive me, I'm gonna throw a few numbers at you, so bear with me.

This works out to an average of about 6 gallons per square foot per year, which is equal to about .45 acre feet per year.

And with the 19 lots in gvi, that adds up to less than 10 acre feet.

Ah, this is comparable to a national study.

That was conducted by the EPA, where the median water use intensity for warehouse type businesses was about 3 gallons per square foot per year, and the 75th percentile measurement in that study was just under 7 gallons.

So you can see that highlighted on the last row of the table in the slide and so our estimation at 6 gallons per square foot falls right within that measurement from the national study.

Admin206 Admin206 39:54

AA

The.

Julie Merritt 40:02

JM

And I think that provides support for the methodology that we use to estimate the water use for this subdivision.

And so since our estimate.

You since our estimated use for the lots and the GBI subdivision is less than 10 acre feet, we will plan to operate the well under an exemption in the coming months as the planned demands develop that exceed 10 acre feet.

We will pursue a full water right permit for the use within the GBI subdivision.

The flow from the well will be restricted to 35 gallons a minute.

The large storage tank that has been mentioned that will be part of the system will make it possible to have a higher flow to have that flow available for short periods of time to meet emergency needs.

But that said, the flow rate from the well will not exceed 35 gallons a minute, even in emergency situations.

So look into the future as the plans for the Y area develop, it's helpful to know that this well is available to be part of a larger Regional Water supply.

It has been constructed to the appropriate standards and is in a central location.

The pump test show that this well could contribute a stantial substantial portion of the flow rate and volume needed to meet future demands.

And most importantly, we have already secured shares from the Grass Valley French Dutch company to provide mitigation for future water right permitting and I'm available for any questions that you guys might have.

David Strohmaier 41:50

DS

Alright.

Thanks Julie.

Julie Merritt 41:53

JM

Yep.

And I'm going to turn it back over to Don.

David Strohmaier 41:53

DS

Uh, OK, back to you, Don.

Don Mellott 42:01

DM

OK.

I'll, I'll.

Move through the rest of this fairly quickly to to wrap us up.

Just wanted to give an overview of the water system beyond what Ted Julie has described.

We are looking at a 500,000 gallon tank for the project, up a bit from our original assumption.

So half a million gallon tank.

Umm, providing fire flows?

Of 1500 gallons per minute for four hours and is Julie mentioned.

This will be a municipal grade system, so we'll be built to municipal standards.

Just a quick visual to show you what that network will look like that will be built out for the project with 12 inch mains that we'll provide a great flow for not only this project but potentially for connection in the future.

Creating that backbone and we will shortly here be proposing a condition, a no protest for an Sid Rs ID to show our commitment to allowing this system to be part of a region wide system should that occur.

Julie mentioned most of these things, but the well being drilled at tested at 175 gallons a minute.

We will restrict that to 35 gallons a minute until water rights are obtained.

Umm.

And then wanted to talk briefly about some proposed modifications we have to the conditions of subdivision approval.

These relate to water and so just run through these uh, relatively quickly.

The first one is as a result of our of review here earlier this week became clear that we needed to make clear that we would restrict the withdrawal out of the well at 35 gallons a minute.

And so we're proposing to add 2 condition 13 the developer shall install either a 35 gallon per minute well pump or a restrictor device on the well that allows the well to be pumped at no more than 35 GPMS and then also to that same condition 13.

We are willing to.

Have the reading, recording and reporting requirement be as often as every six months?

That would be a change from the annual that is shown in the condition 13 were willing to have maximum transparency on the usage out there and we thought every six months would provide even more transparency on the the usage from that well.

Uh, we wanted to propose 2 more conditions altogether.

New conditions.

This first one I'm calling condition 14.

This relates particularly to the application for water rights.

There was some question about uh timeline on water rights and milestone for seeking water rights.

And so we're proposing a condition that says developer shall apply for water rights within 90 days of reaching measured annualized water usage above 5 acre feet, and shall diligently pursue the same through the Department of Natural Resources and Conservation DNRC no additional building permits may be filed within the subdivision until application for water rights has been made to the DNC.

After reaching 5 acre feet of annualized usage and the point here is simply to create a milestone by which we would, umm, uh.

Pursue the the water rights and a means for the county to enforce that.

And then one one additional condition related to the water system we're proposing condition #15.

This relates to connection to future Regional Water systems.

Since there is a considerable movement in that direction, and so our proposed language is, the following statement shall be shown on the face of the plat subject to Planning, Office review and approval prior to final plat approval of each phase.

Uh, that language is acceptance of a deed for a lot within the subdivision shall constitute the ascent of the owners to any future Sid, Rsid, or any legal publicly owned water system equivalent for the purposes of owning, expanding, and or maintaining the projects water system.

The acceptance of a deed may be used in lieu of their signatures on an Sid or Sid petition.

Uh, so just making it clear that we are willing to allow this to be part of a a future regional system.

Very briefly, just wanted to hit on the variance requests and since there was quite a bit of discussion about that at the planning board, umm, very quickly mentioned regarding the curb and gutter variance we are proposing stormwater swales adjacent to the roads, as Tim Worley described.

We do believe that is far and away the best method of stormwater management out there, given the lack of a downstream infrastructure and the introduction of curb and gutter actually makes that complicated and makes the situation more difficult because curbing gutter concentrates the flow and when you concentrate the flow, it's harder to infiltrate the stormwater into the ground.

We think that's a net negative and creates risk for downstream impacts.

So we're requesting the variance to not have the curb and gutter, uh, so that we can sheet flow into the roadside swales, UM.

And this is consistent with the development patterns to the Northeast recent plat approval there as well as the recently approved Riverside Plat that was just approved two years ago.

And then on the sidewalk variants, done just a brief discussion here, Tim mentioned this, the colored lines that you see here pretty clearly show what would be.

Produced if we followed the county code very strictly.

And while it does provide sidewalk on both sides of the road, it creates a a disjointed network.

And there's really no pedestrian connectivity produced.

Uh, we think this is a significant negative for public safety.

So you put a pedestrian on a sidewalk and they develop a sense of comfort by being on that sidewalk.

And then they walk to the end of it and they're dropped off onto the edge of a vehicle lane.

We don't think that that is a good thing to do.

So we are proposing sidewalks on single side of the roads and in lieu of putting sidewalks on both sides, we're offering to, uh, fill the gaps, so to speak, where the code does not require us to to provide sidewalks.

We think this fully interconnected pedestrian pathway is a far safer.

Network for pedestrians and we think it better accomplishes the counties objective for pedestrian safety. And again, this is consistent with recently approved projects in the area, both the Riverside and the long addition projects where sidewalk was uh proposed on.

On one side of both projects.

And this just shows a bit of what Tim was describing earlier on the West side of race track.

This is just one example.

On the West side of race track, you can see that if we were to put a sidewalk on that side of race track lane, it wouldn't serve any benefit for our project that we are developing would mitigate no impacts that were creating with our project.

It actually would do relatively nothing for any of the adjacent properties, either because they receive their legal access off of Moccasin Lane and off of Daysha Lane.

This is just one example.

The same could be said for long acres to the north as well.

So we we think that providing the full connected pedestrian pathway along the length of race track is a much, much better option for pedestrians.

The last thing that I will bring up is that we understand staff.

Recommending denial of the.

Variance for Ranger Rd.

For having sidewalk on Ranger Road and part of that denial related to the lack of pedestrian access to lots for 8 and 14 and and we do understand that comment and as a result we would OfferUp as a.

Modification to actually extend the sidewalk the the length of Lot 5 so that it does provide a pedestrian connection to lot 4.

We'd also offer UMA mid block crossing on Ranger Rd that provides access immediately to lot 8 and lot 14.

We think that would mitigate the concern about pedestrian access to those those three lots.

And with that, uh, that is all we had formally prepared, but we'll be happy to answer any questions that.

That anyone may have later in the hearing.

David Strohmaier 53:14

DS

OK.

Thank you so much, Don and Julie and Matt and stand by will probably have some questions here in a moment. But before we go to questions, is there any public comment today on the Grass Valley Industrial Subdivision proposal?

Admin206 Admin206 53:29

AA

Commissioner Strohmeyer, I have a public comment.

This is Andrew.

David Strohmaier 53:33

DS

I.

Oh, OK, yeah, you were.

Admin206 Admin206 53:35

AA

Yeah.

David Strohmaier 53:35

DS You are like 2 millimeters on my screen, so I could not see who that was.

Admin206 Admin206 53:38

AA OHS.

David Strohmaier 53:39

DS So go go ahead, Andrew.

Admin206 Admin206 53:40

AA Yeah.
Yeah.

Don Mellott 53:41

DM Sure.

Admin206 Admin206 53:42

AA So my name is Andrew Hagemeyer and I'm the community and economic development director from Missoula County.

Don Mellott 53:44

DM I had shared the chair. Yeah.

Admin206 Admin206 53:49

AA I wanted to talk a little bit about condition.

I think it was 15 that Don had proposed.

So this is a little outside of the normal of what would happen is me coming in to make a public comment, but there's a reason and I'm gonna explain it briefly is that we are working on the why infrastructure plan and at the time that this subdivision was submitted and it was going through public or the agency comment period during sufficiency review, we were in a much different phase of the Why infrastructure plan.

We were looking at big picture alternatives, developing a huge water system, huge sewer system.

We weren't to the point in the planning process where we were looking at actual implementable steps that we could financially really achieve and we are starting.

We are in the midst of doing that right now on our planning process and what is, we're a month or two away from having a draft of the plan and what we're seeing right now as we're working through uh this what we can actually achieve financially and both physically is that the best spot to develop a public water supply system to serve the industry well the the, the, the area South of the Interstate at the Y is right along the race track lane and the reason being that's one of the best spots is that's towards the.

North End of Rest Race Track Lane is pretty much the high point of the what's close to the high point of this area South of the Interstate.

And there's also, I think, Julie sort of touched on it.

There's also been some studies, not just for this subdivision but for previous studies that have done some test wells and shown that on a property north of Hwy 10, there's actually really good groundwater there that could support a public supply well.

And so that's all pointing to the potential to have a water systems out at the Y starting along racetrack way.
And so, uh, we're caught.
We were, you know, this kind of just came to light in the last few weeks.
So kind of a little late in the game, but I I reached out to staff and the applicant and said would there be any interest in having a condition to waive the right to protest any inclusion into a rsid or water or sewer district?
In the in the event that we do build a water system right there, well and and.
That that this subdivision would be included.

David Strohmaier 56:37

DS

So Andrew.

Admin206 Admin206 56:40

AA

So that's why this conditions.

David Strohmaier 56:40

DS

So sorry.

So Andrew, just to cut to the chase here, so you're in support of condition #15.

Admin206 Admin206 56:44

AA

Yep.

Yeah, I'm actually trying to give you the the on the record reasoning why and I am complete, I've completed that.

David Strohmaier 56:54

DS

OK.

So that that's a quasi public comment, Andrews part of staff so that we'll consider that in a staff report addendum there.

Admin206 Admin206 56:58

AA

Right, sure.

David Strohmaier 57:04

DS

So thank you for that.

Admin206 Admin206 57:06

AA

You bet.

David Strohmaier 57:07

DS

Ohh OK.

Additional public comment.

Or quasi staff public comment.

Anyone else want to comment on this proposal?

All right, see.

None.

Let's uh pivot questions Josh and Juanita.

Admin206 Admin206 57:24

AA

I have.

I've got one in my back, is sore on standing up something.

Looks like I'm leaving.

I'm not really going anywhere, so Tim, could you describe what what you see the functional difference between having sidewalk wrapping, the entirety of the cul-de-sac, and sidewalk just going on one side, but with those crosswalks?

David Strohmaier 57:31

DS

Yeah.

Go for it.

Admin206 Admin206 57:49

AA

I'm calling them crosswalks.

I I think they the applicant may have used different language.

Tim Worley 57:56

TW

So I'm assuming Josh you're talking about the Ranger Rd crossings that that he showed.

Admin206 Admin206 58:00

AA

Yes, Sir.

Yeah, yeah.

Tim Worley 58:02

TW

OK, umm, this is the first I've seen of though, so I'm not really familiar. Uh.

Admin206 Admin206 58:08

AA

OK.

Do you think Don can?

Can you put that slide your last slide back up again, this shows those crosswalks or whatever.

What?

Whatever you're calling them sort of looks like a question you yeah.

Don Mellott 58:19

DM

Yes, yes, I will do that.

Let me find it here real quick.

Yeah, like too many buttons to push.

If you go back, you may have shared this window.

Good.

Admin206 Admin206 58:43

AA

Yeah.

Don Mellott 58:43

DM OK.

Admin206 Admin206 58:43

AA There you go. Yeah.

Don Mellott 58:44

DM Is that do it?

David Strohmaier 58:49

DS So Don, Don, while while while Tim is while Tim is collecting his thoughts on this image, could you describe again Don exactly what we are looking at by way of those larger red segments?

Admin206 Admin206 58:49

AA So Tim woods?

Ohh do I.

Great. Yeah.

Don Mellott 59:06

DM Yeah, and.

This is a fairly new thought, and so Tim is right.

So I've not mentioned this to Tim, but thinking about the fact that that staff recommendation was to provide to have us provide sidewalk along that West side of Ranger and along the north side of Ranger and one of the major comments reasons why was to provide pedestrian access to all those lots on the West side, Lot 4, lot 8 and lot 14.

Our thought was that a way to do that would be to provide a mid block crossing essentially a crosswalk, but full pedestrian connection over to the intersection of LOTS 8 and 14 in this vicinity and then just extend the sidewalk along the north portion of Ranger Ranger Road to to extend to lot 4.

We thought that that would accomplish that objective for pedestrian access to those lots.

David Strohmaier 1:00:22

DS So back to Josh's question, Tim, thoughts on this, recognizing this is the first you've seen of this?

Tim Worley 1:00:30

TW Well, I think something to be considered, I've.

I've recommended crosswalks before that county public works on 2nd blush out in the field wasn't too crazy about it, and without, I guess maybe we have Shane on, but without them having the ability to weigh in on.

And across walk concept, I'm not sure what I think about it.

Umm.

Especially kind of a mid block one and not one that's at a true intersection.

I don't.

I guess I don't know really what to comment on it.

I mean, I think you're getting a little bit more, uh, walkway on the opposite side.

What I couldn't see when I was writing up this variance is any particular hardship for just wrapping that walkway

around that opposite side.

I mean it's a little bit more asphalt, but it's not leaps and bounds more asphalt.

David Strohmaier 1:01:30

DS

Don, I guess back to you before we hear from Shane potentially is the only the only consideration here cost because as opposed to the fairly compelling case you made for uh, variances to avoid having to put in a sidewalk or a path on the on the West side of of the, I guess on the opposite side of the road West of the development, is there any other rationale besides just saving dollars by doing the crosswalk and this tiny extension?

Don Mellott 1:02:11

DM

Yeah, I would.

I mean, I would say that cost is probably the major concern.

And you know, maybe that it, you know, sidewalks on one side are consistent with the, you know, the development patterns that have been occurring out there.

Even you know, in recent approvals, so that those would probably be the two, the two reasons.

Admin206 Admin206 1:02:37

AA

To even call the Saturday?

David Strohmaier 1:02:37

DS

Thanks Shane.

Admin206 Admin206 1:02:39

AA

Yeah.

Thanks, Dave.

I was gonna see if Shane would have thought.

David Strohmaier 1:02:41

DS

Yeah. Sure.

Shane, are you out there?

Do you wanna weigh in on this?

Shane Stack 1:02:46

SS

I am here and I.

Yeah, I been listening.

Yeah, I think the challenges we face with with the the pedestrian facilities that are being proposed and you know not not just the the crosswalk but you know the asphalt sidewalks, is that 20 years down the road that asphalt probably gonna really be tore up.

Mother Nature really gets after the asphalt versus the concrete.

The the crosswalk it just it's a I I don't know it it it's a little bit more of a maintenance challenge because we have to stripe that crosswalk fairly regularly.

Other than that, it's, I don't think it's that big of a deal.

You're looking at 88 facilities that are gonna have to be potentially adjusted or replaced if there's uneven settlement and we're no longer meeting grades or slopes, but you're going to have that with the asphalt sidewalk or asphalt path as well too, because it a lot of times you'll you'll see quite a bit of settlement in in those.

So yeah, I I don't know that there's a great solution here.

Concrete sidewalks are the best option if we're gonna downgrade to save money.

I completely understand that.

I just off the cuff listening to this presentation, I I don't know that a crosswalk is any worse or better than an asphalt path.

David Strohmaier 1:04:18

DS

OK.

Thanks Shane.

Josh Juanita.

Additional questions.

Admin206 Admin206 1:04:24

AA

Yeah, I didn't quite understand the the northern Rd connecting the called long long, Long acre and and whether it could connect or couldn't connect it, it can't connect.

Is that what I'm understanding?

David Strohmaier 1:04:40

DS

Tim, could you address that?

Because it it seems like the absolute worst in in infrastructure planning to potentially end up with two cul de sacs that **** up against one another.

Admin206 Admin206 1:04:52

AA

Yeah.

And they have to, like, drive around for emergency services to, like, get to the other side.

But yeah, I don't understand it.

Tim Worley 1:05:01

TW

Yeah.

Long Acres Lane now terminates it.

David Strohmaier 1:05:02

DS

Jim.

Tim Worley 1:05:05

TW

You can turn if you go South on Alita and then.

West or right on Long Acres Lane, it terminates at present and I think umm, the developer of Long Edition #2 the subdivision.

I think there might be 14 lots within that subdivision, something like that.

Admin206 Admin206 1:05:29

AA

16.

Tim Worley 1:05:29

TW

They they specified at the time or actually before plating that they wanted that stretch of road to be exclusively used

by.

Lots within that subdivision only, and that's still their preference.

I think they just want lesser traffic.

They're concerned about cut through traffic, especially as the why grows.

That's a fear I heard from Jack McGillis, the person that commented.

There's actually a comment attached to the staff report from Jack.

Admin206 Admin206 1:06:03

AA

Yeah, I was struggling trying to understand that comment.

So, OK, so the folks on the far West like in the?

Uh, yeah, the far West, they.

Those are the folks that are cutting through making kind of pioneer trails as across the land already.

And they're saying that if there's a connected Rd, there's going to be more of that.

Tim Worley 1:06:24

TW

I think it's further.

Admin206 Admin206 1:06:27

AA

Oh, maybe Don can explain.

Tim Worley 1:06:29

TW

Yeah, I think that what I understand is that there's some extrapolation going on as far as some of the pioneer cut throughs that are happening now and what could happen in the future if you have say a big residential subdivision at the Y where you're gonna have folks wanting to cut you know, go down race track and then make A and eastward southeastward cut, they might just say ohh, let's just cut over on long acres and some of the warehouse users in particular and Jack Long Edition would just like to keep their traffic at a minimum.

David Strohmaier 1:06:29

DS

Dot uh.

Tim Worley 1:07:06

TW

It's not good planning.

I'll.

I'll just say that on the record, but it's I'm not sure it's anything I don't, I don't think we can force the issue if it's if it's an access easement of limited scope.

Admin206 Admin206 1:07:10

AA

Yeah, it's like, why, why would the what?

David Strohmaier 1:07:12

DS

Yeah, it's, it's it's a.

Admin206 Admin206 1:07:15

AA

This is one person's cut through another person's good traffic flow.

Wait, so sorry, Tim.

DS David Strohmaier 1:07:19

Yeah, I I.

TW Tim Worley 1:07:20

Yeah.

AA Admin206 Admin206 1:07:20

You're saying that like we can't connect the two?

I I was.

TW Tim Worley 1:07:25

Well, I think I think they can be physically connected, but I think what Jack McGillis and his folks can do is they can put up a barrier.

DS David Strohmaier 1:07:25

That.

TW Tim Worley 1:07:32

I don't know that there's anything that can stop them from doing that.

AA Admin206 Admin206 1:07:35

Understood.

DS David Strohmaier 1:07:36

No.

On Don, would you like to speak to this please?

AA Admin206 Admin206 1:07:36

OK, so.

DM Don Mellott 1:07:39

Yeah.

I just.

I like it to be very clear on the record.

We support the connection all the way through.

We think it makes complete sense on so many different levels.

Uh emergency vehicle access.

Missoula Rural Fire made it very clear they want the connection through there.

We're building a water system with 500,000 gallon tank and fire hydrants that won't be accessible to that subdivision.

If there's not a connection through a, we think it it makes complete sense.

So we will be very much in support of that, but but we do understand that there is the condition on that adjacent plat that we don't have control over.

So I just want to make sure we're clear on the record on that.

David Strohmaier 1:08:26

DS So Don, do you see any possibility of of convincing your neighbors to potentially be receptive to having that connection?

Don Mellott 1:08:39

DM We have made some entreaties.

Uh, that direction?

We and we're hopeful, but but we have not heard a response yet that makes us think that we can plan that direction.

And so we are beginning to think about a cul-de-sac again, we would prefer not to do that.

That is definitely not our preference.

Admin206 Admin206 1:09:05

AA If there's something that could be done to mitigate the potential negative impacts of having a road that flows completely through, I don't quite understand what those negative impacts would be like them just not being very creative.

David Strohmaier 1:09:18

DS Well, more and more perceived as more traffic I I'm assuming and if you perceive more traffic as a bad thing, then you might be in favor of a barricade.

I don't know.

Admin206 Admin206 1:09:35

AA John, it's a private.

It's a private road, right, John, we, we we got nothing to say that.

David Strohmaier 1:09:41

DS Yeah.

Yeah, it does make me wonder.

Back in the day, how that came to be a private road but that.

Presumably was something someone else.

The hand that they dealt us so.

Additional questions, I guess I.

Admin206 Admin206 1:10:02

AA With the water.

Ohh go go ahead.

Dave needs to be talked about.

David Strohmaier 1:10:06

DS Ohh yeah, so I I I guess would be along those lines.

Tim, what is your sense of the proposed condition #14?

Tim Worley 1:10:22

TW Yeah, I think it's a good, a good middle ground, if you will.

As far as like, we always knew that this subdivision was on the road towards securing a water right and we weren't sure what kind of condition might be optimal like making.

Making them secure a water right by phase two might be an example, but I think it's better if an applicant can come up with a mitigation on their own, and they've done that and I think this is a positive step forward.

I think the conditions recommended by the applicant work.

I've read through them and I think they were.

David Strohmaier 1:10:59

DS Both 131314 and 15.

Admin206 Admin206 1:10:59

AA Thanks Sam.

Tim Worley 1:11:03

TW Yes.

David Strohmaier 1:11:05

DS OK, go ahead, Juanita.

Admin206 Admin206 1:11:09

AA No, that's that's fine.

Yeah, that, that, that got what was in my head too.

I have the sense that if if the current water situation now had been described to the planning board a few weeks ago, they would have voted differently.

But that's a lot of there's a lot of hypothetical there, but I made that assumption as well, but it seems like the concerns have been addressed.

David Strohmaier 1:11:36

DS Tim and.

Admin206 Admin206 1:11:36

AA Tim, would Tim, would you, do you feel like that's accurate?

Tim Worley 1:11:41

TW I think it's possible that they, I mean the the there's there's a side to planning board that's strongly advocates against.

Admin206 Admin206 1:11:43

AA OK.

Tim Worley 1:11:54

TW Water rights exemptions in most cases, and I don't know if you can get over that hump in with with this, or I don't honestly know, but I think it's possible it could have gone the other way or at least been maybe a little bit more split.

Admin206 Admin206 1:12:13

AA OK.

David Strohmaier 1:12:15

DS So slightly different topic, Tim.
Or Shane, but I'll start with you, Tim.
As far as.

Asphalt versus asphalt path versus concrete sidewalk, I I totally hear chains concern because I've seen some pretty decrepit looking asphalt paths that have gone on.

I've gone into some subdivisions in the past and and of course I've seen some concrete sidewalks that have not last anywhere close to the 100 year old sidewalk in front of my house either.

Admin206 Admin206 1:12:40

AA Very old.

David Strohmaier 1:12:52

DS But in terms of our subdivision regulations, what is what is required and what is discretionary on the part of an applicant?

Or or what requires a variance, I guess as it relates to the not the location of but the the actual substance by which a sidewalk or path is constructed.

Tim Worley 1:13:18

TW There's a little bit of flexibility and the regulations it has to be a hard surface and one of the modifications that were made a few years back is that there's really no place for gravel trails.

That's what really got us in trouble, where we permitted gravel trails that are now just completely enveloped by weeds.

But the way the regulations read is that sidewalk shall be constructed of concrete and less than alternative materials approved to be consistent with the subdivision design and overall development plan, or the Missoula Active transportation plan.

So there is some flexibility as to the material.

David Strohmaier 1:14:05

DS So ask.
I mean asphalt is allowable then?

Tim Worley 1:14:09

TW Yeah.
I mean the highest standard I think clearly is concrete sidewalk, but asphalt is permissible.
There's there's room for it within the language of the regulations.

David Strohmaier 1:14:25

DS Correct.
Other questions?
Josh Irwin, Nita, are we ready to roll through the motions?

Admin206 Admin206 1:14:39

AA I wanna just had to step out to the bathroom, but I think I'm I I think I've.

DS David Strohmaier 1:14:41
Ohh ah.

AA Admin206 Admin206 1:14:43
I'm I've I personally feel ready, but we can wait till one comes back.

F Frank and Holly Brod 1:14:46
Really.

DS David Strohmaier 1:14:47
Yeah, let's.
Let's wait till she.

F Frank and Holly Brod 1:14:49
A movie coming out.

DS David Strohmaier 1:14:50
Let's wait till she comes back.
How about as far as uh, so we've got the the waiver to to protest.
Uh.
Related to?
A certain subset of certain sub.

F Frank and Holly Brod 1:15:02
Like from Jelly, while anytime tomorrow after two or do you wanna play Saturday?

DS David Strohmaier 1:15:09
I'm sorry, no.
Might have a side conversation going on there.

AA Admin206 Admin206 1:15:14
Yeah.

DS David Strohmaier 1:15:17
Tim, so as far as uh, just want to be clear waiver of right to protest if it's up such a point in time in the future it actually might make sense to have curb and gutter out there and that the mechanism to install that would be through an SSID or an Rs ID is there I think I know the answer but just wanna confirm is there a waiver to the right to protest that scenario.

TW Tim Worley 1:15:50
There is indeed a waiver of the right to protest that includes curb and gutter.

DS David Strohmaier 1:15:56
OK.

Admin206 Admin206 1:15:56

AA

Great.

I that that's right.

That's well, well, well included.

David Strohmaier 1:16:03

DS

Uh, I again.

My screen is so tiny I'm having trouble seeing it has has Juanita reemerged.

Admin206 Admin206 1:16:09

AA

Bounce back?

Yeah, I I'm back.

Did you guys solve the concrete and asphalt recipes?

David Strohmaier 1:16:13

DS

OK.

Admin206 Admin206 1:16:15

AA

Yeah.

We just, we just learned that gravel isn't suitable.

Concrete is the highest standard and asphalt is acceptable guys.

Thank you for that. OK.

David Strohmaier 1:16:28

DS

All right, Tim, why didn't you pull up the the motions for us to consider?

Alright, so we've got the variances here before his any any more questions from anyone?

Admin206 Admin206 1:16:51

AA

I just want to read it like the last three weeks since planning board made this decision because I do feel a little hiccupy.

David Strohmaier 1:16:51

DS

And.

Admin206 Admin206 1:16:58

AA

Uh, where?

I'm guess I'm showing my cards here, but going against planning board recommendations that I don't.

Generally, we don't do that, but I feel like we have new information now and things have been adjusted.

And I I feel comfortable with this as is.

But how do you guys feel?

David Strohmaier 1:17:16

DS

Well, it's it's it's, it's totally.

Admin206 Admin206 1:17:16

AA I feel OK 'cause it was 3/3 to three, so it was kind of.
It was a they made no recommendation.
They didn't say don't do it.
They didn't say do do it.
They were.
They were deadlocked.

David Strohmaier 1:17:27

DS And it's.
Yeah, it's it's totally within our discretion to do something other than planning boards recommendation and in fact are the perspective from which the perspective from which perspective from which we look at these proposals is, is different than many planning board members are viewing it from so.

Admin206 Admin206 1:17:35

AA Gotta break deadline.
Gotta break the demo.
Then I I moved to approve the request to vary from section 3473 requiring curb and gutter and Blvd construction for a Ranger Rd.
Subject to the recommended conditions of approval.
They do all four?
Yeah.
Do we wanna do all four of these?

David Strohmaier 1:18:10

DS Uh, if we are OK doing them as a block, if we're gonna have any dissent or.
Further discussion we.

Admin206 Admin206 1:18:20

AA Is there a bunch you're up?
Won't you take them one at a time?
OK.
Alright, I'll I'll second that.
Then I'll I'll move #2.
I move to approve the request.

David Strohmaier 1:18:31

DS Uh.

Admin206 Admin206 1:18:31

AA A very ohh we gotta vote.

David Strohmaier 1:18:32

DS Ohh well, we gotta vote on number one.

Admin206 Admin206 1:18:32

AA Ohh, you're right. That's right.

David Strohmaier 1:18:35

DS We gotta so.

Admin206 Admin206 1:18:35

AA Yes Sir.

David Strohmaier 1:18:39

DS Before we go on, just just for clarification, Tim, the variance request that staff recommended denying is that, where is that?

Tim Worley 1:18:51

TW That is, that's on Ranger Rd, but that's the walkway, so that will be.

Admin206 Admin206 1:18:52

AA That's on Ranger Rd.

David Strohmaier 1:18:53

DS Is that?

Admin206 Admin206 1:18:57

AA At the curb and gutter.

David Strohmaier 1:18:57

DS Oh, this is Kermit.
OK, this is curbing gutter OK.

Tim Worley 1:18:59

TW This is all.
Yeah, this is the curb and gutter bundle and we'll move on to the walkway bundle next.

David Strohmaier 1:19:05

DS OK, let's take bite size chunks of the curb and gutter bundle, so we have a we have a motion and a we have a motion in a second.

Admin206 Admin206 1:19:09

AA This is the.
Yeah, but they've got her set.

David Strohmaier 1:19:13

DS On the 1st variance request, any further discussion on this?
Seeing none, all in favor.

Admin206 Admin206 1:19:22

AA Aye.

David Strohmaier 1:19:23

DS Aye, #2.

Admin206 Admin206 1:19:26

AA Alright, I would move to approve the request to verify from sections 3.4 dot 7.3 requiring curb, gutter and Blvd construction for Long Acres lane, subject to the recommended conditions for approval second.

David Strohmaier 1:19:42

DS Further discussion on this one see none.
All in favor?

Admin206 Admin206 1:19:46

AA Aye, I move to approve the request to vary from section 3473 requiring curb, gutter and Blvd.

David Strohmaier 1:19:46

DS Aye, number.

Admin206 Admin206 1:19:54

AA Construction for Moccasin Lane, subject to the recommended conditions of approval.
I'll second that.

David Strohmaier 1:20:01

DS Further discussion on this see none.
All in favor?

Admin206 Admin206 1:20:05

AA Aye.

David Strohmaier 1:20:06

DS Aye, #4.

Admin206 Admin206 1:20:11

AA I'd moved to approve the request to vary from section 3.4 dot 7.3 requiring curb, gutter and Blvd construction for Racetrack Lane, subject to the recommended conditions of approval second.

David Strohmaier 1:20:25

DS Further discussion on this.
See none.
All in favor? Aye.

Admin206 Admin206 1:20:29

AA

Hi.

I and this is not saying that says Note recommendation but I meant to say no doesn't matter.

Tim Worley 1:20:34

TW

Yeah, it should say no recommendation.
Good cash.

Admin206 Admin206 1:20:37

AA

OK.

David Strohmaier 1:20:39

DS

OK, let's take the next bundle pedestrian facilities.

Admin206 Admin206 1:20:44

AA

So can I ask 11 pedestrian facility question?

David Strohmaier 1:20:50

DS

Yes, please do.

Admin206 Admin206 1:20:51

AA

So and this is for Shane.

So it's saying you talked about how the the maintenance on asphalt.

So well, that had maintenance is the right word that it's gonna fall apart more quickly than a concrete sidewalk.

Shane Stack 1:21:09

SS

Correct. Yeah.

Admin206 Admin206 1:21:09

AA

Right.

And then you, you and you did say that the there's a little bit of a pain in the ***** if we were to go the route that the developers wanted to with less asphalt, but the pain of the but for you guys would be the repeated striping of the crosswalks because they wear.

That's that.

Paint wears off fairly quickly.

Is that correct?

Shane Stack 1:21:30

SS

Yep.

Admin206 Admin206 1:21:31

AA

So who who's who is on the hook here for doing that?

The maintenance on the asphalt path.

Shane Stack 1:21:40

SS

There are you asking me that or is is that a question for Tim?

Admin206 Admin206 1:21:43

AA

Yes.

Yeah, yeah, yeah.

No, I'm asking.

I'm asking.

I'm asking you, I I don't.

I don't know that I I don't.

I don't know the answer because I'm yeah, who?

Shane Stack 1:21:49

SS

Yeah.

Well, and I and I and I don't either, I don't know Tim, if is this one, is this subdivision where?

Public works would take over maintenance of the the streets and roads.

Tim Worley 1:22:01

TW

Well, we have a condition that basically requires private road maintenance in the event that county public works doesn't accept these roads for county maintenance, if that makes sense.

Shane Stack 1:22:15

SS

Yeah.

Yeah, Josh.

Admin206 Admin206 1:22:19

AA

To they have to ask.

Shane Stack 1:22:19

SS

So like.

Admin206 Admin206 1:22:20

AA

Yeah.

So what do you think, Shane?

Shane Stack 1:22:22

SS

I think it's a, you know, the the road is probably not a challenge.

It you know if if we have to maintain the the pedestrian facilities in the future, you know the 1st 15 years maybe even 20 years is probably not a problem, but.

Admin206 Admin206 1:22:37

AA

OK.

Shane Stack 1:22:38

SS

We're, you know, I think when you look at 88, OK, the requirements that are there a 5 foot shared use are not even share even call it a shared use path that the the A5 foot path that's made of asphalt.

Admin206 Admin206 1:22:45

AA Yeah.

Shane Stack 1:22:55

SS I think it potentially falls apart sooner and it becomes a maintenance challenge for somebody in the next 20 years. It's certainly not gonna be me, but I, you know, I think we're we're at is we're faced with having to deal with these asphalt paths that were built in the past. And it's.

Admin206 Admin206 1:23:03

AA OK.

Shane Stack 1:23:13

SS Yeah, there's no good solution for them.

Admin206 Admin206 1:23:15

AA OK, So what?

I was what I was trying to calculate in my head was, which is the least pain in the ****, the Reese Restriping of the crosswalks, or the additional maintenance on asphalt.

If both sides of the cul-de-sac are covered in it in in in battle path.

Shane Stack 1:23:31

SS Yeah.

Yeah, I think that, you know, striping of a crosswalk is is pretty simple.

It's just it's one of those things where it just takes time, right?

And so you start up a ton of staff time to to spend on pavement markings, but it's as far as the simplicity.

Admin206 Admin206 1:23:44

AA Right.

Shane Stack 1:23:47

SS That's that's an easier one to to manage.

Admin206 Admin206 1:23:50

AA OK.

Well, in that case then and I'm I'm I'm not even reading these, I'm just speaking.

I'd be fine with the asphalt path on one side of the cul-de-sac, with the crosswalks.

Given that, imagine it will functionally work and will be less maintenance for our folks and be less cost for the developer.

So it's it's like a win win, but the W aren't in capitals like like Don't last slide.

What?

What he suggested, correct.

Yes, yes.

David Strohmaier 1:24:21

DS

Tim could, could you speak to this?

I'm I'm still not convinced at all.

Uh, that that cutting the corners like this is is preferable and and again, just for clarification, when it says 5 foot sidewalks on each side of Ranger Road or we to read read that as saying 5 foot asphalt paths on each side.

Tim Worley 1:24:49

TW

Yes, that's the condition.

Admin206 Admin206 1:24:49

AA

Umm.

Tim Worley 1:24:51

TW

I think it's condition #10 does reinforce.

Umm, the five foot wide asphalt path set up throughout the project, and it clarifies that our recommendation is for 5 foot wide asphalt pathways on both sides of Ranger, but it could be modified condition #10 could be condition 10 could be modified to accommodate what's been shown today from Don.

Zach Jones 1:25:13

ZJ

K.

Crack me up so much.

So they just had some guy just like, walk in there and you talked to them, right?

Tim Worley 1:25:30

TW

Hey, Zach, we can hear you.

Not sure why Zach is up.

Admin206 Admin206 1:25:35

AA

Can you meet them?

Are you muted himself?

Tim Worley 1:25:39

TW

OK.

I mean if if if it's the board's preference to.

Admin206 Admin206 1:25:41

AA

I mean, yeah.

Tim Worley 1:25:48

TW

Basically, implement what Don presented.

What I I guess what I would do is I would recommend approval of the variance of variance #5 and then I can give you language for a modified condition #10.

Admin206 Admin206 1:26:02

AA

Thank you.

And David, I, I came to this, it's certainly sensitive to the developers needs to save money and and that isn't unique

to this project.

What really got me was hearing Shane talked about having to rebuild this thing in 1520 years and if we can functionally get to the same level of service for pedestrians with having less path to maintain, I think that would be a win for us and a minor victory.

But a delightful 1 nonetheless for the developers.

David Strohmaier 1:26:36

DS I guess going back to Tim though is cost a legitimate concern to grant a variance?

Tim Worley 1:26:44

TW Not really.

Admin206 Admin206 1:26:45

AA Except for what I'm saying, Dave is that's kind of like an added bonus on our side of thinking.

This is less less than our public works.

Folks are gonna have to replace in 1520 years, and we're gonna get functionally the same level of service for pedestrians.

So it's saving us time, effort, money and it's going to save the developers some money.

But that isn't my inspiration here.

Nearly as much as what I learned from Shane that we're going to have to replace these in not too long and having less of them to replace would be better.

David Strohmaier 1:27:19

DS I I guess going back to Tim though is even that a legitimate rationale for granting a variance request?

Tim Worley 1:27:27

TW Well, I think Commissioners, you have a fair amount of discretion in what you approve for.

Variances typically cost isn't hardship is really the essence of a variance, and cost is usually something you want to shy away from as being a legitimate basis.

Admin206 Admin206 1:27:44

AA But this is cost this this.

Tim Worley 1:27:45

TW But, but I think Josh is talking about sort of a long term replacement cost as opposed to like a developer cost.

Admin206 Admin206 1:27:53

AA Big difference.

There's I'm talking about cost to the public, not cost to the developer, but cost to the public cause it's the public that would be funding that replacement of the asphalt path for whoever is standing in chains shoes 1520 years from now.

Tim Worley 1:27:56

TW Yeah.

Admin206 Admin206 1:28:10

AA And if we're gonna get functionally the same level of service for pedestrians, let's save the public some money.

David Strohmaier 1:28:10

DS I guess for me, that begs.

Admin206 Admin206 1:28:17

AA And that's why I wasn't sure about it.

They're going to have to get replaced, like the whole thing, because the whole thing's gonna fall apart in 50.

Well, yeah.

And they're just. And then what?

David Strohmaier 1:28:24

DS I.

Admin206 Admin206 1:28:24

AA I'm going with is it's less to replace.

I mean, it's not that much, but it's less to replace.

David Strohmaier 1:28:27

DS I guess that for me, for me, for me, that begs the question why we are allowing asphalt paths in the 1st place if if they're going to be falling apart in 15 years.

Admin206 Admin206 1:28:41

AA Because it'll be 15 years before enough people start using them to warrant, like, and it's gonna be a while before you.

While people are like walking on them like the way that you know that regulations are designed and need to be settled.

Yeah.

For this area to be settled.

So in 15 years to the.

David Strohmaier 1:29:02

DS So within 50, so 15 years from now, they'll there will be nap weed poking up through them, and before even anyone sets foot on these things. Uh.

Admin206 Admin206 1:29:11

AA Yeah, that's what I'm.

Yeah, Andrew, what do you, what do you think your planner and and economic developers choose?

What do what do you think?

Yeah, I I don't know.

I don't have strong opinion.

Sorry, do you have a strong opinion?

I don't have a strong opinion from from a legal standpoint, and I I don't know if there's any validity to it or not.

I I I'm not questioning it, but I think we heard from either the applicant or or perhaps from staff that asphalt paths

on one side of the road as long as they provide connectivity is the precedent that we've set in similar subdivisions that are similarly situated, maybe even in the same area.

Maybe I'm, maybe I'm expounding on what I thought I heard, but that's.

I mean, I think that's something that you want to consider and maybe you can get some clarification on some of that too.

That to the extent that I had it wrong and given given the levels of use for this is an industrial subdivision, et cetera, that that is OK with team.

We're not talking about pools and homes and kids walking to school and people walking dogs and pushing strollers to different level of abuse.

David Strohmaier 1:30:28

DS Tim.

Admin206 Admin206 1:30:36

AA Yeah, I I don't share.

David Strohmaier 1:30:37

DS Tim to.

Admin206 Admin206 1:30:38

AA I try not to share those kind of views, OK?

David Strohmaier 1:30:40

DS To Tim, do you wanna speak to what John just said there?

Tim Worley 1:30:46

TW Are language John was referencing was that with Riverside subdivision?

There was a similar scenario and this is the walkway on the opposite side of the road scenario where it benefits the subdivision on the opposite side of the road, but it doesn't really benefit the subdivision before us.

Today I think that was the context that he was speaking to and I'm not sure necessarily applies to Ranger, but.

Yeah, that was the similarity that you definitely have that similarity along the western edge of the subdivision along race track, where if you enforce the regulation, you're building a sidewalk along that western edge of race track.

And it doesn't really function in a way that benefits this subdivision at all.

So we've seen that in the past as sort of a proportionality problem.

David Strohmaier 1:31:41

DS OK.

Shane, any after all of that?

Anything else that you would like to add?

Shane Stack 1:31:49

SS I yeah.

The only other thing I would I would add is I know on roller coaster there is a subdivision that had concrete sidewalks that were just put in in in the not too distant past.

So I would say in the same area, we also have concrete sidewalks, so.

Admin206 Admin206 1:32:06

AA But what kind of subdivision is that?
Is that a residential good question. Ohh.

Shane Stack 1:32:09

SS No, it was industrial.
At least I think.
I think it's industrial, yeah.
But and Tim, correct me if I'm wrong, but.
I don't know if you are familiar with that subdivision, but it does have concrete sidewalks. So.

Tim Worley 1:32:28

TW Yeah, I'm not familiar with it, OK.

David Strohmaier 1:32:30

DS 18.

Admin206 Admin206 1:32:35

AA So my comment may not have much weight.

David Strohmaier 1:32:42

DS All right.
Any additional thoughts?
So the uh, the options right now are to.
Reframe #5 and the posit and the the affirmative.
Or I guess that would be basically it and then and then there would be a modifications to what condition number.

Tim Worley 1:33:03

TW Ben.

David Strohmaier 1:33:04

DS And 10 if, if that's what we wanna go or.

Admin206 Admin206 1:33:04

AA 10.

David Strohmaier 1:33:09

DS Where we can vote on what is presented here.

Admin206 Admin206 1:33:17

AA OK, I could ohk.
OK.
Yeah, I'm just not quite sure how to say it right.

DS David Strohmaier 1:33:25
You just draw replace.

AA Admin206 Admin206 1:33:25
This one the.

DS David Strohmaier 1:33:26
You've replaced denied with approve.

AA Admin206 Admin206 1:33:29
OK so.
I moved to.
Proof.
So we prove approve, move to approve the request to Bay from Section 3 point 4.9 acquiring 5 foot sidewalk.
No, I don't wanna do that.

DS David Strohmaier 1:33:48
Some.

AA Admin206 Admin206 1:33:48
But, but they won't allow them to vary it.

DS David Strohmaier 1:33:48
Something screwy with this.

AA Admin206 Admin206 1:33:51
This is on Ranger Rd.
Yes.
So so if what I want to do, Tim and you guys can before against it obviously is to say no to the sidewalks on both sides, just do sidewalk on one side with the two crosswalks.

TW Tim Worley 1:34:06
Yeah, I think I I agree that this wording is not what it ought to be.

AA Admin206 Admin206 1:34:07
So we're.

DS David Strohmaier 1:34:12
Something.
Yeah, some of these fouled up with the language that we're seeing here.

TW Tim Worley 1:34:15
Let me jump out here if I can do it.

Admin206 Admin206 1:34:22

AA

Yeah, that's correct.

Yeah, right.

Right.

Because we're, we're, we're request, we're approving the variance.

David Strohmaier 1:34:26

DS

No.

Tim Worley 1:34:27

TW

I think if I get rid of this denied language here, that should do the trick.

David Strohmaier 1:34:28

DS

No, no.

Tim Worley 1:34:32

TW

Let's does that make sense?

David Strohmaier 1:34:33

DS

Yeah, that that would, that, that makes sense now.

Tim Worley 1:34:35

TW

Oops, now I gotta.

Admin206 Admin206 1:34:37

AA

OK.

Because we're we're.

I got it.

We're the quest is to vary.

David Strohmaier 1:34:42

DS

There resist an extra phrase in there.

Admin206 Admin206 1:34:46

AA

Right.

All right.

I moved to approve the request to vary from section 3.4 point 9.1, acquiring 5 foot sidewalk side each side of Ranger Rd.

Subject to the recommendation recommended conditions of approval, which would be and the the.

That's what I wanted to clarify.

The conditions are approval or what the applicant submitted today showing an extension of sidewalk partially on one side of Ranger Road to lot number or something and then a crosswalk.

Exactly two was an extension and a crosswalk.

One on top was an extension and the one on the bottom and the one in the middle was a crosswalk.

There aren't 2 crosswalks.

No, I was I think ohh it was gone and it was like the band.

David Strohmaier 1:35:31

DS No. Yeah.

Admin206 Admin206 1:35:35

AA There are two things really an extension got it.

David Strohmaier 1:35:36

DS To.

Did Tim please untangle this for us?

So this this would be a companion to a modified condition 10.

Is that correct?

Tim Worley 1:35:48

TW Right.

Yeah.

And I'll read through condition ten.

I think it will do the trick.

For what you're looking for, plans for an installation of five foot wide asphalt pathways along subdivision roadways, as depicted on the preliminary plat shall be reviewed and approved by public works in the planning office prior to final plat approval of each phase plans for Ranger Rd walking extensions slash crosswalks that provide connections to lots as depicted at the board of County Commissioners public hearing shall be reviewed and approved by public works in the Planning Office prior to final plat approval of the appropriate phase.

Admin206 Admin206 1:36:34

AA It will insert don't slide.

David Strohmaier 1:36:41

DS OK, so that is the language so.

Admin206 Admin206 1:36:43

AA OK, so I I I've moved.

I moved five.

I'm gonna second five.

David Strohmaier 1:36:49

DS OK.

Admin206 Admin206 1:36:50

AA We got a second on five.

David Strohmaier 1:36:54

DS Any further discussion on #5 seeing none all in favor, aye.

Admin206 Admin206 1:37:01

AA Aye.

David Strohmaier 1:37:04

DS OK, let's move on #6.

Admin206 Admin206 1:37:07

AA OK, I I moved to approve the request to vary from section 3491 requiring 5 foot sidewalks on each side of long acres lane.

The approved subject to the recommended conditions of approval, second that.

David Strohmaier 1:37:26

DS Yeah, the language there is a little odd, but I think the gist of it is.

Admin206 Admin206 1:37:30

AA Request through the request to vary but requiring.

David Strohmaier 1:37:33

DS I knew I moved to a I think that second be approved can be.

Tim Worley 1:37:39

TW Yeah, I think the I've added be approves that don't need to be in there.

Admin206 Admin206 1:37:45

AA OK, approved those extra be approved.

Tim Worley 1:37:47

TW Let's get rid of him.

Admin206 Admin206 1:37:49

AA It's probably that proof that.

I will take them all again.

David Strohmaier 1:37:53

DS OK.

Admin206 Admin206 1:37:56

AA OK.

I move to approve the request to vary from section 3491 requiring 5 foot sidewalks on each side of long acres lane, subject to the recommended conditions of approval.

2nd that.

David Strohmaier 1:38:13

DS

Any further discussion?
All in favor, alright.

Admin206 Admin206 1:38:17

AA

I.

David Strohmaier 1:38:19

DS

7.

Admin206 Admin206 1:38:22

AA

Move to approve the request very from section 3491 requiring 5 foot sidewalks on each side of Moccasin Lane, subject to the recommended conditions of approval second.

David Strohmaier 1:38:33

DS

Further discussion.
All in favor, aye.

Admin206 Admin206 1:38:37

AA

Aye.

I move to approve the request to vary from section 3491 requiring 5 foot sidewalks on each side of race track lane, subject to the recommended conditions of approval second.

David Strohmaier 1:38:53

DS

Any further discussion?
All in favor? Aye.

Admin206 Admin206 1:38:57

AA

Aye.

I would move that the Grass Valley Industrial Subdivision be approved based on the findings of fact, conclusions of law in the staff report, and subject to the recommended conditions of approval in the staff report as amended.
Second.

David Strohmaier 1:39:17

DS

They're discussion I I guess I will just chime in that I do as always appreciate the planning boards, careful deliberations and considerations of all of this and it's not lost on me that they're their point of concern about. Developments that that are occurring outside of the city limits that eventually might be within the city and and built to different standards.
I've I've seen that play out in the past and it's not an invalid or inconsequential concern in the case at hand, though, I think what's being proposed seems to be.
Prudent and legitimate.
So any further discussion?
OK, let's go ahead and vote all in favor, please signify by saying aye, aye.

Admin206 Admin206 1:40:08

AA

Alright, thank.

DS David Strohmaier 1:40:12

OK.
Don and Matt go forth.

DM Don Mellott 1:40:15

Thank you for your time and consideration.
Very much appreciated.

AA Admin206 Admin206 1:40:19

Thank to your patients.

DS David Strohmaier 1:40:20

All right.
Thank you.

AA Admin206 Admin206 1:40:21

Thank you.

DM Don Mellott 1:40:22

Thank you.

AA Admin206 Admin206 1:40:25

That was only the first one I know.
I get to leave.

DS David Strohmaier 1:40:29

Ohh.
OK.
No, no, no parking zone.

AA Admin206 Admin206 1:40:33

Water.

DS David Strohmaier 1:40:36

So we've got two public hearings here related to proposed no parking zones.
They're in different locations, so we probably should take these as individual standalone items.
The first one is a public hearing on a no parking zone on Waterside Drive. Shane.

SS Shane Stack 1:40:53

Yep.
Thanks.
Uh Commissioner Strohmeier and I hope this goes a heck of a lot quicker than the last one.
Can somebody allow me to share my screen and I can maybe just share the exhibits for both of these?

Admin206 Admin206 1:41:10

AA Working on it.

Shane Stack 1:41:11

SS OK.

Admin206 Admin206 1:41:13

AA Yeah, should be good.

Shane Stack 1:41:14

SS Awesome.

Thank you.

Hello.

I'm I'm definitely trying here, but it is not.

Let me see if I can do a window.

Try this one.

Alright, you guys see that?

Admin206 Admin206 1:41:51

AA Yes, yes.

Shane Stack 1:41:53

SS Alright, perfect.

David Strohmaier 1:41:53

DS Yes.

Shane Stack 1:41:55

SS Alright, so maybe zoom out just a little bit just to give you a sense of where we're at both of these parking zones are happened to to both be in the East Missoula area, but this first one on Waterside Drive would would begin at the intersection with Waterside Dr and Deer Creek Rd and terminate at the end of the existing waterside Dr Termination where the road ends.

It ends today.

Essentially, this was spurred on by the Spire subdivision.

Admin206 Admin206 1:42:30

AA Yeah.

Shane Stack 1:42:31

SS You know, move my screen, there's a.

Large subdivision proposed just to the South of Waterside Drive.

As a result of that, I think we've got the HOA folks have have requested that we.

Create a no parking resolution or pass a no parking resolution and and restrict parking on the east side of waterside. Drive.

Uh, just to help with the the potential impacts of of traffic from the the future subdivision.
If, if and when it happens, so I know there are.

Admin206 Admin206 1:43:07

AA

Shane is is parking is parking on the east Side Waterside Drive now an issue?

Shane Stack 1:43:13

SS

I don't know and I I would I would lean on the the folks that are that are here from the HOA and I and I wanted to mention too the the HOA is is requesting this so they obviously represent the the folks that that live in that subdivision.

Admin206 Admin206 1:43:20

AA

OK.

Shane Stack 1:43:29

SS

So I I would imagine that if you live on waterside drive, you're in support of this of if you know if your HOA is is supporting it.

So I don't know, John, if you wanted to add anything more to this, I know you've been involved in it probably a little bit more in depth than I have.

Admin206 Admin206 1:43:47

AA

Yeah, let me add a little more context.

So the water.

Waters Edge subdivision.

I remember that one when it was initially given preliminary approval.

The plan the written plan was to prohibit was to have parking on one side of waterside Dr, and it was presumed that that would be the uh the West side of the street, the one that doesn't isn't immediately adjacent to the lots and but that parks there parking for who?

Yes, guess guess, OK.

The HOA Park there now.

The and that didn't happen for one reason or another.

So on on one hand, this is just following through on the plan from the very beginning, but also.

And Commissioner Slotnick, you might have missed the admin meeting where where we brought a mammogram memorandum of agreement between Missoula County and the Waters Edge HOA.

This was within the last couple of months where it in exchange for.

Dedicating trail easements between the river and the homes and clarifying some other issues with those common areas and riverfront trails.

That again are going to if there's a subdivision, an ASPIRE Subdivision will eventually connect, and that was the Grand vision back in the day in exchange for the HOA.

Umm uh, helping perfect those trail easements?

Missoula County agreed to do several things on Waterside Drive, including the passing it.

Considering we we didn't, we didn't guarantee your votes.

We we agreed to consider no parking on one side of water side drive and when Shane and I brought that MOA to the.

To to you at your admin meeting within the last couple months it it might have made Commissioner Strohmeyer

might have been Commissioner Vero, or both of you just said, well, why don't we do it now?

Why don't we cause the plan was to wait to do this if and when there was really a subdivision there and they would see an increase in traffic.

OK.

Like the trade off for trail easements. Yeah, it was.

It was.

It was.

It was a very good it was very good collaborative agreement great.

And Andrew, here's the the HOA president is here with us today to correct whatever I said.

That's not right or add additional context, but that's why we're here today, even though you know and and Andrew can correct me, but I don't think parking today is a big problem on this street.

But it was envisioned that there would never be parking on one side of the street and we just figured why not make it right now, we don't need to wait for the Suspire subdivision.

OK.

So again, we're just opening this windows is close.

It'll close out there a second hearing.

Shane Stack 1:47:23

SS

August, August, August.

Admin206 Admin206 1:47:25

AA

We'll set a second hearing either August or September, OK.

Shane Stack 1:47:28

SS

It's August day that I've already got a scheduled.

It's August 8th.

David Strohmaier 1:47:32

DS

OK, so so before we go to public comment or hear from the waters edge HOA, anything else that you'd wanna share Shane?

And again, this is opening up the public hearing today.

Admin206 Admin206 1:47:43

AA

Thanks for the contact.

Shane Stack 1:47:43

SS

Correct.

Yeah.

Yeah.

No, I don't have anything else to add.

Thanks for the additional information, John.

David Strohmaier 1:47:51

DS

Alright.

Thanks Shane.

Would anyone representing Waters Edge HOA like to speak and I see a Frank, Frank, and Hall, a holly with your hand up.

Are you representatives of the HOA?

Do we have a representative of the HOA here?

Who would like to speak on behalf of the petitioners?

OK, well, if not Frank and Holly, go go ahead.

Admin206 Admin206 1:48:23

AA

They go.

Frank and Holly Brod 1:48:23

F

Well, I'm actually this is Frank.

And I am a member of the HOA and Andrew, as was unable to get connected properly.

David Strohmaier 1:48:26

DS

OK.

Frank and Holly Brod 1:48:33

F

So he is listing in with me and would like to speak.

He's our President of the Joy.

David Strohmaier 1:48:37

DS

Ohh.

Frank and Holly Brod 1:48:39

F

So Andrew, go ahead.

David Strohmaier 1:48:40

DS

Excellent, Andrew.

Yeah.

Andrew, go ahead please.

Frank and Holly Brod 1:48:44

F

Yeah, my apologies.

I was at the library and because I connection at home and within the through the previous experience that maybe I'd get home.

And of course, like as I didn't, but all we're doing is closing the loop on what county approved of the variance for the road with because it was, you know, 50 standardized, I believe they're inch.

I'll write away Rd with with the understanding there would would be one side of parking only and now all we're doing is codifying which side that is and the start of closing the loop on multiple hanging chads with regard to the water badge before the entire subdivision goes in.

So we don't see this as anything that's controversial.

In fact, what we're doing is it's helping County closed loop on what they approved back in 2008.

David Strohmaier 1:49:38

DS

Thanks and thanks, Andrew.

Much appreciated.

Is there anyone else who would like to comment on this today?

Anyone else out there?

OK.

So, Shane, when are we going to do again take this up?

Shane Stack 1:49:56

SS

August 8th.

This is on the the agenda to close the hearing and uh, make it the the decision.

David Strohmaier 1:50:05

DS

OK, so we've got a little bit of time for folks to weigh in if they would like.

So thanks everyone.

We will keep the public hearing open until August 8th.

Thank you.

So let's roll into the second no parking zone public hearing.

This is related to Sunnyside court chain.

Shane Stack 1:50:26

SS

Correct.

Alright, let me share my screen again, see if I can get it to work this time.

Alright, so Sunnyside Court is a just a stones throw from the last parking resolution we were talking about.

Maybe I'll zoom out a little bit here. Uh.

It.

This is the East Missoula area uh waterside Dr being here.

And then if you just go to the north, we are looking at Sunnyside Court, so.

The challenge we face, and this is a just a really a short segment, it's basically the the frontage on the call it the South side of Sunnyside court, uh, just a long property 4751.

So the sunny Meadow sewer and water district owns this property.

There is already a a no parking restriction or resolution along Hwy 200.

The reason why the the.

Sewer and water district would like to have a no parking resolution on Sunnyside Court just for this short distance.

Is that the DEQ is reached out to the district and recommended or highly recommended?

I guess that they avoid having vehicles park near or adjacent to this property because there is a a well here.

This is where the where the water is pumped out of the ground to to service the the homes that are in the sunny meadows water and and sewer district.

So really this is A at the direction and request of DEQ to to reduce the amount of vehicles that are in the area of of the the well.

Granted, we fully recognize vehicles or driving by the the well, but I think what they're trying to prevent is vehicles parked and leaking fluids, and then that those fluids have eventually infiltrate into the into the well.

Admin206 Admin206 1:52:36

AA

Here and with this one, I bet I bet on the hot, sunny day when the parking lot fills up, people Park there.

Shane Stack 1:52:37

SS

So that's kind of the background on it.
Yeah, I I would imagine they do, Josh.
And there I will tell you too.
You know, the folks that I visited with from the the sewer and water district, they were trying to get on and they were having lots of challenges.
I've I've been having phone conversations with them on and off during the meeting and they're they just weren't unable to to connect today, at least I I don't think they were able to.
Maybe they're on, but like.

David Strohmaier 1:53:09

DS

No.
So is there anyone anyone on from the sunny meadows sewer and water district?
OK, well, like.

Admin206 Admin206 1:53:20

AA

Were they telling you anything, Shane?

Shane Stack 1:53:23

SS

Well, they're in full support of the the parking friction.

David Strohmaier 1:53:24

DS

But they're supportive.

Admin206 Admin206 1:53:24

AA

OK.

Shane Stack 1:53:26

SS

Yeah.
And and.

David Strohmaier 1:53:26

DS

Yeah, they're, they're the ones who brought it to us.

Shane Stack 1:53:29

SS

Yep.

David Strohmaier 1:53:33

DS

OK, anyone else any?

Shane Stack 1:53:34

SS

Yeah, that's good.

David Strohmaier 1:53:36

DS

Anyone else wanna comment on this and we are again are just opening up the public hearing today and presumably this too will be heard again on August 8th.
Is that correct chain?

Shane Stack 1:53:46

SS Yeah, correct.

David Strohmaier 1:53:49

DS Anyone else out there?

Admin206 Admin206 1:53:52

AA Mr Stromyer, can I ask, can I ask Shane Stack a question?

+14***44** 1:53:54

Hello.

David Strohmaier 1:53:58

DS You absolutely may.

+14***44** 1:53:58

Hello. Hello.

David Strohmaier 1:54:00

DS Ohh yes, who who is joining us here?

+14***44** 1:54:02

Hello.

This is calling the command Cindy window from the homeowners.

The Water System board, we've had a devil of a time getting a hold of you guys and a hard time unmuting.

So we're here now.

David Strohmaier 1:54:14

DS OK, epic.

+14***44** 1:54:14

We're hearing now and we do have something to say.

David Strohmaier 1:54:18

DS OK.

Well this this is your moment to say it.

So go right ahead.

+14***44** 1:54:22

OK.

Well, in reviewing what we could do and the complaints of many of the people in the area about hitting people,

blowing up their rafts in the middle of the highway, my main concern is the fact that we are under DQ restrictions, that we have two wells, not what and that there is 100 foot radius well protection zone that is protected by Montana State law.

Since the documents to Shane where we, we can be fined heavily and never be able to afford our water if they find contaminants in our wealth.

As a result, the parking going on around that what I'm not sure if Shane received my message where I realized that I did not give him the right information.

That request for the No parking zone needed to be extended further north, as the resident that lives in the house adjacent to that lot, 75% of her property, she cannot use any chemicals at all fertilizers.

Nothing, because of the proximity to that well.

So in my in you know that the coverage should also be rejected if there's any chance that we could have that zone created, it would really help us, you know, protect our water.

David Strohmaier 1:55:53

DS

Shane, did you receive that?

And and would any modification to what's being proposed trigger kind of restarting this process?

Shane Stack 1:55:59

SS

Yeah.

I'll defer to John on restarting the process if we wanna change it.

And I don't know.

I don't think I received the request, but I can certainly run through my emails and and we can adjust the exhibit.

Really, it's just gonna be a matter of I think adjusting the exhibit more than anything.

David Strohmaier 1:56:26

DS

John, do we have the?

+14***44** 1:56:26

Yeah, we just.

Admin206 Admin206 1:56:26

AA

The house across the street?

Or is it to the which the neighbor house?

David Strohmaier 1:56:31

DS

To to the to the north.

Admin206 Admin206 1:56:34

AA

Twice, I mean N across the street are just West.

+14***44** 1:56:35

To the north north of the.

Admin206 Admin206 1:56:40

AA

That one.

OK.

Yeah, we can get some of this clarified between now and August 8th.

David Strohmaier 1:56:43

DS

Joe.

Admin206 Admin206 1:56:46

AA

I assume, Shane, you have this one scheduled for August 8th also.

Shane Stack 1:56:51

SS

Correct.

Admin206 Admin206 1:56:52

AA

Yeah.

And and one of the reasons that we have two hearings on a on a, on a no parking resolution is to accommodate changes that might come up at the first hearing.

And it's also because these include civil penalties, and so the law requires us to have two hearings.

I I don't think we need to have 1/3 hearing.

This was noticed up.

We can make modifications to the resolution and the exhibit between now and the second hearing that'll be posted as part of the agenda for the second meeting, and that's the kind of thing that you might anticipate coming up at the first hearing.

So let's go forward if it's appropriate and justified to add no parking in front of the adjacent parcel or part of the adjacent parcel.

Let's go ahead and do that.

David Strohmaier 1:57:52

DS

John, so in terms of public notice.

How do we how do we ensure that the adjoining property owner is aware of this change because they might be perfectly fine with no parking on on the the parcel as as depicted here.

But if it's now no parking in front of their property, they're probably going to want to know about that.

+14***44** 1:58:16

Yeah, I've spoken to the owners of the property and asked if she would want to be included in that and she said that actually people, when the lot tells us that they've been parking in front of her property with their vehicles.

And so that actually keeps her from using that part of her property.

And it also is within the 100 foot radius of a well.

You know, it extends out into the street, so she was in.

David Strohmaier 1:58:49

DS

Yeah.

Yeah. Thank.

+14***44** 1:58:51

She was gonna try try to join the meeting today, but she was working.

So I'm not sure I think that if she was able to, she would chime in.
Now her name is Natalie Morrow.

David Strohmaier 1:59:03

DS

Thank you.

So I guess jump back to you, John, just in terms of public notice, uh, what, how does it, how does it work in situations like this?

Admin206 Admin206 1:59:14

AA

Well, one one option would be to have Shane Stack contact that that individual and verify that that that, that, that person wants to be included.

Your son tells me that every single person on Sunnyside court would like to be included on this this.

David Strohmaier 1:59:34

DS

You know, I I.

+14***44** 1:59:35

Well, well, we we would like that parking on the highway to something to be done because we're almost hitting children, you know?

Admin206 Admin206 1:59:37

AA

And.

David Strohmaier 1:59:38

DS

I.

+14***44** 1:59:45

So, but that's a that's a whole nother issue then.

David Strohmaier 1:59:45

DS

Yeah, we.

Admin206 Admin206 1:59:47

AA

We did.

David Strohmaier 1:59:49

DS

That that, that is a that.

+14***44** 1:59:49

This is just checking our water.

Admin206 Admin206 1:59:49

AA

We did.

We did build a parking lot in passano parking resolution.

David Strohmaier 1:59:52

DS That that is a whole different issue that we can talk about it in a different context.

+14*****44 1:59:56

That is.

Yeah.

And I don't wanna talk about it anymore.

I apologize, but we just basically want to protect our water source and wanna be able to to assure that we're gonna have clean, safe water and that we don't end up losing the ability to pay for our own water.

David Strohmaier 2:00:02

DS No, that's OK.

Admin206 Admin206 2:00:17

AA So.

So why don't we do this?

David Strohmaier 2:00:18

DS Thanks.

Admin206 Admin206 2:00:19

AA They think this is what I propose.

Shane, can you figure out how the the the minimum, no parking strip that's necessary to keep vehicles out of that 100 foot?

Well, isolation zone that Cindy Watcher's referring to and then work work with my tester to adjust the exhibit and and we can contact if if if additional.

Well, length is necessary.

You can contact the adjacent property owner, yeah.

Shane Stack 2:00:58

SS Yeah, I can.

I I can.

Yeah, we can figure out that length and then work with the property owner and make sure that they and their can attend the next hearing or.

At least have a a comment that they can share.

Admin206 Admin206 2:01:14

AA Yeah.

David Strohmaier 2:01:14

DS Yep, that sounds that that sounds great.

+14*****44 2:01:14

I'm saying I.

Admin206 Admin206 2:01:14

AA

An email or letter.

+14*****44 2:01:18

Jane, I could.

Shane, I can forward her information to you.

Shane Stack 2:01:23

SS

OK.

Thank you, Cindy.

+14*****44 2:01:26

You're welcome.

David Strohmaier 2:01:26

DS

Thank you, sue.

+14*****44 2:01:27

Thank you.

David Strohmaier 2:01:28

DS

I see your hand.

You've been patiently holding your hand up here.

Go ahead.

Sue Holden 2:01:34

MM

Yes, thank you.

Can you hear me?

David Strohmaier 2:01:36

DS

Yes.

Sue Holden 2:01:37

MM

OK.

Thank you.

I'm just wondering because this is the residential area directly across from the new Sharon parking area and it appears that it's being requested for the no parking along there because of the DEQ requirements and I know this is kind of been which it sounds like is being considered a separate issue in getting that whole area as no parking because of the overflow from the parking lot.

Can we not kill two birds with one stone in this case and get as much of that as no parking?

At the same time as.

David Strohmaier 2:02:26

DS

Sue I.

Yeah.

Thank.

Thanks, sue.

I would say no.

Wow.

And and part of my reason is we could sign every square inch of that entire neighborhood with no parking and we just do not have even as you probably seen right now and Brickyard Hill, we don't have the law enforcement capacity to enforce what we have.

So just adding that this point my opinion is additional signage that's not hyper focused for in this case there's a clear water quality issue and and legal issue that DEQ is as alerted the sewer and water district to I think there's some broader issues in terms of needing to figure out people's parking behavior that.

I I would not want to bog down the sewer and water districts request with the the broader issue at this point.

Sue Holden 2:03:28

MM

Of course.

Thank you.

David Strohmaier 2:03:31

DS

You bet.

Thank.

Thank you.

It the the parking issue is not lost on us though.

Other thoughts?

Other comments from folks and again the public hearing will be open until August 8th and we'll take it up again.

+14***44** 2:03:48

Thank you.

David Strohmaier 2:03:51

DS

Alright.

Thank you, Cindy.

OK.

We'll see folks back on August 8th for more discussions of parking.

Admin206 Admin206 2:04:04

AA

Parking.

David Strohmaier 2:04:05

DS

Let's OK a boundary line relocation.

Just just to keep things spicy here for us.

So Klaus Binder, boundary line relocation and aggregation and and right of way for good measure, Zach.

Zach Jones 2:04:26

ZJ

Hello everyone I'm hopefully this is not that spicy.

Hopefully it won't take up too much more of anyone else's time at this hearing.

Let me share my screen, bring up the presentation.
Can everyone see my screen?

David Strohmaier 2:04:51

DS

Yes.

Zach Jones 2:04:52

ZJ

OK, great.

OK, so the item I'm presenting on is a boundary line relocation aggregation and right of way creation and I forgot to fill out these couple of items, but the claimant is Dale Klaus and it is located just West of the Walmart on Mullen Road and the representative by Wyeth Engineering and Incorporated.

And again, I'm Zach Jones, planner with planning, development and sustainability at the county.

I've highlighted the location of the subject parcels here.

As I said, Walmart is right here.

This is a corner of Mullen and reserve.

Admin206 Admin206 2:05:49

AA

Who is Zach?

Where we're not following you or or slight your slides are.

David Strohmaier 2:05:52

DS

Yeah, you.

It it if you could make it full screen presentation mode and then advance it, that would be great.

Zach Jones 2:05:55

ZJ

Nope.

Ohh I thought it OK, something weird happened here.

Hold on.

Their screen.

OK, so you should be able to see just my PowerPoint.

It's not in presentation mode yet and then yeah.

David Strohmaier 2:06:39

DS

It is not a presentation.

Zach Jones 2:06:43

ZJ

OK.

Do you see it in presentation mode now?

David Strohmaier 2:06:47

DS

No.

Admin206 Admin206 2:06:47

AA

No.

Ohh yeah.

Well, it's not advancing.
We just see like your your title slide.

David Strohmaier 2:06:54

DS Yeah, you're just gonna have to manually advance it, I guess.

Zach Jones 2:06:57

ZJ Uh.
OK.
I wonder if I can share it in a different way.
Do you see the second slide now?

David Strohmaier 2:07:23

DS Yes.

Zach Jones 2:07:25

ZJ OK, this should hopefully work from here on out.
Yeah.

So as I was saying before, the subject properties are located West of Walmart and the corner of Mullen Road and Reserve St, and I've highlighted them in red here.

There are nine subject parcels which will have a map showing those in a second.

So these are the 9 parcels or tracks record that are included in this application.

Currently there's 4 tracks that are located along Mullen Road, and then five more tracks that are farther S that are currently used for sort of an agricultural use.

There's a Poplar farm there where the city actually leases the land in order to use for wastewater purposes.

And this tracked here where my cursor is highlighted or is over.

Is actually like a utility lot that is owned by Northwestern Energy, and that is not a part of this application.

So that will remain the same after this boundary line relocation.

And these tracks are actually, uh remnants from railroad right of way.

So the proposal is to relocate the boundary lines of these 9 tracks to create additional parcel that can be accessed from Mullen Rd.

So instead of there being the four that are currently there off of Mullen, there would be 5 and then also to create a right of way parcel along Mullen Road and you'll see in the next slide the proposed layout that is tracked 9 and that is to be dedicated to the city of Missoula for right of Way along Mullen Rd, presumably for some future improvements.

And then also aggregation of any underlying unidentified tracks.

So those would be tracks that may.

Uh exist from the usually it's a section lines that are bisecting tracks.

Admin206 Admin206 2:09:53

AA The Phantom track.

Zach Jones 2:10:04

ZJ So those will be aggregated.
And this is one of the proposed layout slides.

As you can see, some of the changes, umm, there was two tracks here.

Where my cursor is and there will only be one and that kind of allows to create another tracked up towards small and road, and then we'll go to detail showing that.

So this is the proposed layout for the tracks along Mullen Rd.

There would be 5.

Currently, there's two houses on two of these tracks track two and track four, and then the right of way that I mentioned would be located right here labeled as track 9, just along Mullen Road and the blood plane boundary is actually delineated on here as well.

So everything to the South of this line, which might be a little bit hard to see, but roughly tracing it with my cursor here.

Umm is actually located within designated floodplain, but it is not intended for residential or any sort of development.

Use.

It's going to continue to use for agricultural purposes, which is allowable within the floodplain.

And this is just a little bit about the zoning on the properties, this darker green color is AGR or agriculture reserve and it will continue to be used for agriculture.

Like I said, uh, these properties that are are parcels that are accessed off of Mullen Rd are zoned NR, which is neighborhood residential, which is a residential focused zoning designation where actually the zoning requires a minimum density of eight homes per acre.

And currently there's two houses on a couple of those lots already.

So that is intended for future residential development.

So a little bit about some of the general evasion criteria and rebuttable presumptions that we review when we're looking at subdivision exemptions.

The first of which is if the claimant is in the business of construction or dividing, developing or selling land.

So Dale Klaus, the property owner?

Umm, I believe Klaus Properties LLC is actually listed as the owner, but he's involved with that LLC is actually the President of Missoula Concrete construction, and they specialize in construction of precast concrete on commercial projects.

Now this boundary line relocation doesn't really have anything to do with any commercial projects as it's zoned for residential development and intended for that.

So that's not a criteria that we are considering to be for subdivision evasion.

And then there was also a boundary line relocation on one of the tracks, which is track nine of the existing tracks of record described on CS6158.

And I can actually go back to show which one that was.

So that is this current tracked was created through Boundary line relocation.

And then another one is if the division will result in a pattern of development equivalent to a subdivision without local government review.

So this division will result in six or more tracks, although calling it a division just regarding the boundary line relocation as somewhat of a misnomer because the boundary line relocation does not actually create any more tracks than our already there.

Umm.

And then we do not think that there is a development plan equivalent to a subdivision.

It's really just kind of moving boundary lines to create one more lot that could be used for development along Mullen Road.

And there already are several lots and houses that are there and it's not adjacent to any other platted subdivisions.

Or and doesn't really contain any improvements or infrastructure that would often be associated with a subdivision. So on to a couple of agency comments, this one from Matt Hymel, our county floodplain administrator.

This is just a summary of the comment because it was very extensive, so the entire thing is in the staff report, but this boundary line relocation will result in tracks or portions of tracks that would be within the Clark Fork River Hazard area, which I kind of talked about the floodplain and where it's located earlier.

However, the application and supporting documentation states that these tracks aren't intended for any building purposes or development.

They actually intend to sell the southern tracks to the city.

For to maintain the same, use that is already going on there currently.

So with the existing Poplar farm and wastewater project that is there.

Umm.

Now, if anyone was to actually try to do any development in the floodplain, it would require a floodplain permit and they would have to meet requirements for that.

And just this is the mapped floodplain showing where that was.

I kind of traced it on the proposed lot layout earlier, but just so you can see it a little more extensively where it's located.

This red and black cross hatched.

Is actually just city land, so this is right at the border of the city and the county where it currently stands.

And this red this darker red color is actually flood way, which as you can see that's kind of closer to the Clark Fork River and this is yeah, just 100 year floodplain.

And another comment from the county clerk and recorders office.

SO1 requirement for the right of way creation exemption is that there is a notarized document submitted that shows the.

Purpose and.

Acceptance, I guess, of the right of way by the grantee.

So the city of Missoula would be the ones that are accepting this right away.

Umm.

And the this document never arrived at the clerk and recorder's office.

And it sounds like there may have been a bit of a mix up from the spitty trying to submit that to the clerk and recorders.

However, this same document would be required for actually recording the survey.

After this is approved and when they actually go out and try to and survey all the lines and try to file them, they would need to have this anyways.

So approving this right of way exemption would not create a problem with the county subdivision regulations, as that would be required upon filing anyways.

David Strohmaier 2:18:28

DS

It is a very long distance from City Hall to the clerk and recorder's office, so it's understandable how that document got lost.

Admin206 Admin206 2:18:37

AA

Might be a Spokane.

Zach Jones 2:18:40

ZJ

Yeah.

So I believe the I actually tried to talk to the tried to get in contact with someone from the city today, but I believe they're actually not at work.

Admin206 Admin206 2:18:41

AA

Or the new new mails route.

Zach Jones 2:18:54

ZJ

I think due to the storm.

David Strohmaier 2:18:58

DS

Hey, look who's at work.
The county, so.

Zach Jones 2:19:01

ZJ

Yeah.

David Strohmaier 2:19:03

DS

OK.

Zach Jones 2:19:03

ZJ

So anyways.

David Strohmaier 2:19:04

DS

Continue on.

Zach Jones 2:19:04

ZJ

Umm yeah.

So with that, our staff recommendations for the three of these exemptions are approval and the boundary line relocation, the aggregation and right of way creation.

And I have recommended motions, but I'm guessing you probably have some questions that you might want to ask me, and I believe the applicants, representative Logan Jacobs from Boyd Engineering, is also here and available. So yeah.

David Strohmaier 2:19:38

DS

OK, let's let's do that then.

Thank you.

Zach is the applicant or applicants representative on the line and would you like to say anything?

Logan Jacobs 2:19:48

LJ

Boo.

Ohh I Jackie.

A good job summarizing that I have nothing else to add.

David Strohmaier 2:19:57

DS

If you could do us the favor of stating your name for the record, that would be great.

Logan Jacobs 2:20:01

LJ Ohh, this is Logan Jacobs with wife engineering.

David Strohmaier 2:20:04

DS OK.

Then thank you, Logan.

Before we go to questions, is there any public comment anyone online who would like to comment on this proposed boundary line relocation aggregation and right of way?

OK.

Uh questions Josh and Ranita.

Admin206 Admin206 2:20:25

AA Actually feel pretty good about this from hearing about the second time, and I'm really glad to hear that the city's gonna buy the after farm. No.

So I I feel good about this, but yeah, likewise I'm grateful that you showed us this on Tuesday.

So yeah, and I see the complexity, but it all works.

David Strohmaier 2:20:49

DS OK, let's run through through these motions.

Admin206 Admin206 2:20:49

AA I.

Yeah.

Move that the request by Dale Klaus and Klaus Property LLC to utilize the boundary line relocation exemption as presented in the exemption application affidavit be approved.

Oops, sorry.

David Strohmaier 2:21:04

DS Up what?

Admin206 Admin206 2:21:05

AA When I read the wrong one, I move to approve the request, move to approve the request by Dale Klaus and Klaus Property LLC to utilize the boundary line relocation and aggregation exemptions as presented in the exemption application and affidavit.

David Strohmaier 2:21:07

DS Do we have different?

Admin206 Admin206 2:21:20

AA I'll second that.

David Strohmaier 2:21:23

DS Any further discussion and and now Zach, this is the time when you flip back to the other different set of motions for us.

Admin206 Admin206 2:21:30
AA Yeah.

David Strohmaier 2:21:31
DS No, just joking.
Any further discussion?
All in favor?

Admin206 Admin206 2:21:36
AA Aye, I I would move to.

David Strohmaier 2:21:36
DS I.
2nd.

Admin206 Admin206 2:21:39
AA I would move to approve the request by Dale class and Class Property LLC to utilize the right of way exemption as presented in the exemption application and affidavit to create one new parcel designated as Mullen Road right of Way second.

David Strohmaier 2:21:55
DS Further discussion on this, seeing none all in favor.
Aye.

Admin206 Admin206 2:21:59
AA I I.

David Strohmaier 2:22:00
DS All right.
Thank you, Logan.
Thank you, Zach.

Zach Jones 2:22:04
ZJ Thank you.

Logan Jacobs 2:22:04
LJ Thank you.

Admin206 Admin206 2:22:05
AA Yeah. Thanks.

David Strohmaier 2:22:08
DS Is there any other business that needs to come before us today? Ohh.

Admin206 Admin206 2:22:12

AA And you.

David Strohmaier 2:22:13

DS Andrew, did you have something some late breaking news from Water's Edge?

Admin206 Admin206 2:22:17

AA Yeah.

David Strohmaier 2:22:24

DS Was that an accidental raising of the hand?

Andrew Hirss - Water's Edge 2:22:26

A No, no, it was not.

Admin206 Admin206 2:22:26

AA Yep, perhaps.

Andrew Hirss - Water's Edge 2:22:28

A My apologies, I was sorry I I was trying to get home quickly before my item came up and I was in transit. I wanna make sure that there were no other questions from Commissioners on our right. Our one side of street parking request.

Admin206 Admin206 2:22:44

AA I think we're good.

David Strohmaier 2:22:45

DS Thanks.

Admin206 Admin206 2:22:45

AA I think we're.
Yeah. Thank you.

David Strohmaier 2:22:46

DS Yeah, we, we'll.

Admin206 Admin206 2:22:47

AA You.
You're.
I feel like your your views were represented well.

Andrew Hirss - Water's Edge 2:22:51

A So it sounds like August 8th is what we're looking at.

Admin206 Admin206 2:22:54

AA Yes, Sir.

David Strohmaier 2:22:54

DS Yep, August 8.

Andrew Hirss - Water's Edge 2:22:54

A Yeah.

Alright, that's all I have.

OK, I will let you guys go.

Thank you.

Admin206 Admin206 2:22:58

AA Thanks.

David Strohmaier 2:22:59

DS You bet.

Thank you.

Anything else from anyone?

John is in the starting blocks.

There I see so.

OK.

Admin206 Admin206 2:23:09

AA My shoes.

David Strohmaier 2:23:11

DS With that, we'll be adjourned.

Thanks everyone.

Admin206 Admin206 2:23:14

AA The calling at the Mullen Road right away.

☐ **Christina Dewar** stopped transcription