

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, SEPTEMBER 11, 2025 – 2 PM

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

[Click here to view the meeting recording.](#)

Time stamps (in green) correspond to meeting recording above. Please click to
the time stamps listed to view a particular item in the meeting.

ATTENDANCE:

Commissioners Present:

Chair Juanita Vero

Commissioner David Strohmaier

Staff Present:

Cheryl Hartman, Administrative Assistant, Commissioners' Office

John Hart, Lead Civil County Attorney, County Attorneys' Office

Nicholas Zanetos, Manager, Parks, Trails, and Recreation

Kevin Heisler, Combination Inspector, Public Works

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

Samuel Scott, Assistant Recording Director, Clerk and Recorders' Office

Bethany Gunther, Project Specialist, Parks and Trails

Jennie Dixon, Planning, Development, and Sustainability

Michael Tester, Land Survey Manager, Public Works

Christina Dewar, Administrative Assistant, Commissioners' Office

Carey Powers, Communications Coordinator, Communications

Katy Reeder, Planner, Planning, Development, and Sustainability

Patrick Swart, Planner, Planning, Development, and Sustainability

Melissa Fisher, Strategic Initiatives Manager, Commissioners' Office

Tenzin Lhaze, Communications Engagement Coordinator, Communications

Jason Mitchell, Chief Officer, Public Works

Allison Franz, Manager, Communications

Erik Dixson, Transportation Engineer, Public Works

Chris Lounsbury, Chief Administrative Officer, Missoula County

Kevin Dantic, Planner, Planning, Development, and Sustainability

Kathleen Arthur, Planner, Planning, Development, and Sustainability

Chet Crowser, Chief Officer, Lands and Communities

Ian Varley, Manager, Planning, Development, and Sustainability

1. **CALL TO ORDER** [Time stamp – 0:00]
2. **PLEDGE OF ALLEGIANCE** [Time stamp – 0:03]
3. **LAND ACKNOWLEDGEMENT** [Time stamp – 0:17]
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
4. **PUBLIC ANNOUNCEMENTS** [Time stamp – 1:09]
 - a. Closed Captioning
 - b. Proclamation: Hispanic Latin X Heritage Month
 - c. Proclamation: Climate Smart Week
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** [Time stamp – 5:36]
6. **CURRENT CLAIMS LIST** [Time stamp – 09:27]
Claims received as of August 28, 2025 to September 03, 2025 by the Commissioners' Office total of \$2,149,910.90.
7. **HEARINGS**
 - a. **Petition to abandon a portion of Clar Avenue** [Time stamp – 09:58]
Samuel Scott, Assistant Recording Director, Clerk and Records' Office

[Postponed until October 02 Public meeting]
 - b. **Resolution of intent to create an RSID 8499 for El Toro Lane** [Time stamp – 18:55]
John Hart, Civil County Attorney, County Attorney's Office

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners approve the resolution of intent to create a RSID to pave El Toro Lane.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Resolution 2025-087. Book:1117 Page:1267]
 - c. **Resolution of inclusion in RSID 8901** [Time stamp – 39:30]
John Hart, Civil County Attorney, County Attorney's Office

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners approve the resolution of inclusion in RSID 8901.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Resolution 2025-072. Book:1117 Page:1165]
 - d. **Grass Valley Farms Boundary Line Relocation** [Time stamp – 46:48]
Jennie Dixon, Planner, Planning, Development, and Sustainability

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners approve the proposed boundary line relocation and aggregation

exemptions for property legally in Attachment B, based on the fact and findings and conclusion in the staff analysis and as presented by in the exemption application and affidavit.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Letter 2025-151 was sent to IMEG, Corp. in c/o Tamara Ross.]

- e. **Belltower Planned Unit Development Subdivision** *[Time stamp – 1:04:52]*
Katy Reeder, Planner, Planning, Development, and Sustainability

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners approve the Belltower PUD subdivision, subject to the conditions as presented by staff based on the findings of fact and conclusions of law in the staff report, and subject to the recommended conditions of approval.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Letter 2025-152 was sent to 406 Engineering, Inc. in c/o Karl Treadwell.]

- f. **The Dairy Preliminary Plat Adjustments and Plat Extension** *[Time stamp – 1:52:11]*
Katy Reeder, Planner, Planning, Development, and Sustainability

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners approve The Dairy Preliminary Plat Adjustment and Extension, subject to the conditions of approval as presented by staff based on the findings of fact and conclusions of law in the staff report.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Letter 2025-153 was sent to PCI in c/o Ron Ewart.]

8. **OTHER BUSINESS** *[Time stamp – 2:08:37]*
[None]

9. **ADJOURN**
Chair Vero – Called the meeting to adjourn at 4:08 p.m.

BCC Public Meeting September 11, 2025 – 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.

0:03

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.

0:17

And Missoula County recognizes acknowledges that this event takes place in the aboriginal territories of the Salish increased people.

0:27

We have closed captioning announcement.

0:31

Hello everyone.

0:31

If you're joining us for this meeting virtually today, instructions for turning on closed captioning are on your screen.

0:37

If you are joining us in person, we'll have closed captioning on all the screens here in the Sophie Movies room.

0:43

Just as a reminder, will there be multiple chances during the meeting for public comment virtually and in person?

0:49

During those times, if you like to speak, we ask that you use the raise hand feature.

0:53

If you are on Microsoft Teams, this is the small hand button at the top of your screen.

0:58

If you're calling in on the phone, you'll need to hit *5 to raise your hand.

1:01

Then once called upon, you'll need to hit *6 to unmute.

1:04

If you have any questions, please come find me during the meeting.

1:07

Thank you.

1:09

Thanks, Cheryl.

1:09

We have a couple proclamations to read.

1:14

I'll begin with Hispanic Latin X Heritage Month.

1:19

Whereas September 15th marks the independence from Spain for a number of Latin American countries including Guatemala, Honduras, El Salvador, Nicaragua and Costa Rica, followed by Mexico on September 16th, 1821, Chile on September 18th, 1810 and Belize on September 21st, 1981.

1:39

And whereas Hispanic, Latino, Latin, Latina and Latin X are pan ethnic terms used to encompass people from South America, Central America or other Spanish cultural origins regardless of race.

1:51

And WHEREAS National Hispanic Heritage Month began in 1968 as Hispanic Heritage Week and

grew to a 30 day observance in 1988 to recognize and honor the diverse people and rich histories, cultures, and legacies that have Hispanic and Latin roots.

2:06

And WHEREAS, between 2010 and 2020, the Hispanic population accounted for 51% of the United States population growth of 22.7 million.

2:16

And WHEREAS, the national growth of the United States Hispanic population is reflected in Missoula County, with 2.6% of Missoula County residents identifying as Hispanic representing Missoula County's largest racial and ethnic demographic, keeping in mind that people of Hispanic and Latin ancestry can be racially white and or black.

2:34

And whereas, more than 20 million people who identify as Hispanic represent multiple ethnic, racial, geographic, and other intersecting social identities.

2:43

And WHEREAS Missoula County celebrates the culture, life experiences, and perspectives that this diverse population brings to our community while also acknowledging the inequities that exist.

2:53

Whereas in the words of revolutionary Mexican painter Frida Kahlo, at the end of the day, we can endure much more than we think we can now.

3:01

Therefore, be it resolved, we, the Missoula County Board of Commissioners, do hereby proclaim September 15th through October 15th as Hispanic Latin X Heritage Month to celebrate their freedoms won by people in many Latin American countries and to honor the rich Hispanic cultures and histories that have shaped our country and community.

3:19

Day of this 11th day of September 2025, your County Commissioners Juanita Varro, Josh Slotnick and Dave Stromayer.

3:28

Our second proclamation is to acknowledge Climate Solutions Week.

3:34

Whereas, human caused climate change is resulting in more extreme weather patterns, wildfire smoke and extreme temperatures, and scientists urge us all to rapidly decrease fossil fuel pollution to keep our environment safe and healthy.

3:47

And whereas we are more aware than ever of achievable solutions to reduce the impacts of the climate crisis and build resiliency in our communities, such as electrifying our buildings, using clean energy, planting and caring for trees, and investing in sustainable transportation and infrastructure.

4:05

And whereas, Missoula County and the City of Missoula have committed to implementing the Climate Ready Missoula plan, to using 100% clean electricity in the urban area by 2030, and to a joint Electrify Missoula campaign in collaboration with Climate Smart Missoula.

4:22

And WHEREAS, we all play a part in addressing this unprecedented climate crisis, from us here at local government to all residents and businesses.

4:32

And we must all address it together with urgency.

4:36

And whereas we know it is not too late to act and our actions now will have lasting impacts on our future, we know we can and must eliminate fossil fuel use in our transportation, buildings, operations and lives.

4:49

And we know we can build a better future not based on the premise of sacrifice, but based on our ability to transform.

4:56

Therefore be it resolved, we Missoula County in the City of Missoula do hereby proclaim September 27th through October 5th, Climate Solutions Week which will kick off in Karis Park with Climate Fest, an event to inform, educate and energize Missoula County and City residents so we can meet this moment capably with urgency, together.

5:16

Dated this 11th day of September 2025 by the Mayor of Missoula, Andrea Davis and your Missoula County Commissioners Juanita Vero, Josh Slotnick and me, Dave Strohmeyer.

5:28

Thank you.

5:29

Is there anyone to speak to either of these proclamations?

5:36

OK.

5:36

Is there any public comment on items not on the agenda?

5:44

And then just make sure you turn the button.

5:47

Yeah.

5:47

Perfect.

5:49

I'm Peggy Miller, 1520 S 7th St.

5:52

W, Missoula, and I spoke briefly to the Consolidated Planning Board on September 2nd.

5:59

I've gained a little bit more information since that point.

6:03

This is regarding though I support the proclamations you just read.

6:10

This is regarding the Johnson St.

6:12

shelter closing.

6:15

It's saying great support for that they found housing Sprint found 55 homeless from Johnson St.

6:24

some place them permanent shelter.

6:27

So that's all great, but winter's coming and I had been looking for beds and that's what got me into the information of who had what shelters.

6:37

And Hamilton and Ronan was struggling to run tiny ones and cities with populations much greater than Missoula County area.

6:49

I mean much smaller, half the size.

6:51

Like Bozeman has 240 beds and Kalispell has 150.

6:56

It just, we, we're going to need 100 beds anyway.

7:01

And So what I have here, and I'd like to leave these sheets for you because it's it's summarizing, I went through the delinquent properties that are the forfeit properties over three years, many of them not paying many of them, a few of them not paying taxes for many years and found a few that might be possible as farm shelters.

7:28

So if Poverello was the umbrella organization and took control of one or two of these acres and use some of the other forfeit properties, selling them for the cost of getting a farm, an actual farm started where we could have beds but also get the people farming as well and getting involved from that standpoint.

7:52

And they could raise food for both Poverello and the food bank.

7:57

And I know it's like, Oh yeah, right.

7:59

But this is actually very possible.

8:03

And so I did look up some properties.

8:06

One of them, the one on Mullen has.

8:10

My question there was, does is the drinking and irrigation water acceptable?

8:15

It's right by Smurfit, but certain reports are showing that the drinking water is usable.

8:23

So I'd like to leave these if that's is that OK to leave these with leave?

8:29

It has the properties below delinquent properties that are maybe possible.

8:35

Plus it summarizes some of the other ideas and I'll be continuing to work on this, but would obviously appreciate it if you all did as well.

8:45

Thank you.

8:46

Thank you, Peggy, and thank you for your emails.

8:50

Any other public comment?

8:52

And we do have a bit of an agenda, so I failed to mention if we could try to keep our comments to two minutes.

9:00

Hi, I'm Cindy Johnson, 11884 Chula Vista Lane.

9:04

And I would like to make sure that we have a proclamation that Constitution Week is September 17th through the 23rd and I would appreciate it if we would acknowledge that.

9:17

Thank you, Cindy.

9:20

Any other public comment that's not on the agenda?

9:27

OK, Current claims list of as of August 20th, 2025 to September 3rd, 2025 by the Commissioner's Office total 2 million, a \$149,910.90.

9:42

We have 246 hearings and we'll begin.

9:45

Oh no, Are we not doing this one first one, Sam Scott.

9:50

OK, thank you, Sam, all yours.

9:58

Thank you, Sam Scott with the clerk and recorder.

10:02

Our office has received a petition to abandon a right of way.

10:07

The right of way proposed to be abandoned is a 260 by 30 foot strip along the northern boundary of lots one and two of Burns Addition that's in Section 30, Township 13 N, range 19 W, shown in blue here.

10:21

The petitioners are the owners of the property highlighted in this one as well.

10:27

Both of them are here today and would appreciate some public comment I'm sure.

10:32

The petition was signed by all affected land owners.

10:34

It's been published.

10:35

Notice of this hearing has been published 2 times in the Missoula and all affected land owners have been notified of this hearing today.

10:40

The fee has been paid.

10:43

Normally now is when we would set a date for a Rd.

10:46

viewing and a second hearing and take public comment on it.

10:50

Unfortunately, we're going to need to push this hearing out to these the next meeting on October 2nd, these properties were inadvertently annexed into the city while this sense notice of this hearing was set.

11:07

The city acknowledged that that was done in air and but it has yet to be resolved.

11:11

And so in consultation with John, until that's resolved, we don't feel that we can take any action on this petition.

11:19

With that said, again, the petitioners are here today, so I'm sure that we could take public comment on it, but before taking any sort of official action, that would be appreciated.

11:30

But again, just to set the date for the next hearing of October 2nd, hopefully we can take action at that point once the city has taken corrective action.

11:40

Thanks him.

11:41

Yeah.

11:42

So if it was in a inadvertently annex, will it need to be formally de annexed?

11:50

It will.

11:51

That's the question that's been posed to the city attorney and we're awaiting a response of the method that will be taken, John.

12:00

I mean, some official action by the city will have to be of record before we can consider this road or have jurisdiction over this road.

12:13

I don't know if that takes a form of I I don't.

12:16

I just don't know what the that takes.

12:18

But we're waiting.

12:22

Thank you.

12:23

Well, are the Dodges or Mace here?

12:30

Do you have anything to add?

12:31

Ironic.

12:34

Yeah.

12:34

Here.

12:35

Come.

12:35

Come on up.

12:39

I'm James Dodge, 21 O 527th.

12:41

I am that house.

12:43

I'm I'm sorry, James, is your, is that my I can't tell.

12:46

It is OK.

12:47

Maybe just get a little closer to it.

12:49

All right.

12:49

James Dodge 21 seventh.

12:51

I am the greenhouse that's highlighted there.

12:54

And if you'll notice, to the north of me, my property boundary is about 18 inches away from my house.

13:00

That that road used to be 60 feet wide.

13:03

And the county already gave the northern 30 feet to my northern neighbors.

13:08

So now the the road was planned to be 60 feet wide.

13:12

Now half of that's gone.

13:16

The city did try to annex us.

13:18

The annexation failed and it went through anyway.

13:22

But that's not for today.

13:24

They were trying to run a road 10 feet from my property.

13:29

I've gone looking everywhere and I've never seen a residence 10 feet away from the street.

13:35

The current county zoning says I have a 15 foot set back and that hasn't applied because we're trying to do the whole thing.

13:49

Yeah, I wasn't planning on arguing anything, just bringing facts.

13:52

I've been trying to procure that piece for over three or two years now.

13:57

April 8th, 22 is when I started.

14:00

I got all the signatures going.

14:01

We've got all of the signatures needed, the only problem is the city accidentally annexed us so there's again not a whole lot we can do today.

14:11

But that piece of land I have manicured, I've mowed, I've taken care of.

14:17

If you do your site survey you'll see it looks like it's tied to my property.

14:20

When I bought the piece I thought it was my property but as he is I can't make any improvements to my house.

14:26

I've been waiting 2 1/2 years to redo my basement because I can't make an egress window because I don't have this much room between the end of my house to the end of my property.

14:39

So I've been tied up and severely inconvenienced by this whole process, and now it's just further tied up and more inconvenience.

14:50

Yeah, there's not a whole lot to say today.

14:52

It's kind of pointless.

14:54

But that's my piece and I'm trying to build it to make a better house in life for my family, but I can't.

15:01

I've tried and I've done everything right and I've done everything and I've waited and I haven't gone up and raged and rioted.

15:09

I'm just trying to go through the steps.

15:10

But at every turn I'm getting resistance and cut off and repeat culprit is just the city they want to take us.

15:18

And I know that we're, Kirk and I have worked on making improvements and doing this that in the other, but again, nothing has come to fruition and we've been working on it for over 2 years.

15:30

So we'll just have to wait another 30 days or so.

15:34

I'll see you then.

15:36

OK, thank you.

15:40

Kirk, I think you may have turned it off accidentally.

15:49

There we go.

15:55

OK, I'm Kirk Mays and I'm the developer there for this Burns Edition.

16:03

It's a mistake was you said lots one and two.

16:08

It's 1 and 10.

16:10

OK, We've worked with the city for city sewer, city water, which is nearby, but it's just quite a, quite a runaway to develop and build a sewer that's extra deep and a long ways away, extra size for the city's sewer so they can attach to that and we will build it to our this development.

16:44

We've went through quite a process.

16:45

I've had an engineer the entire time, but it came down to the fact that it couldn't meet the conditions of approval to annex.

16:58

So then it reverted back to county.

17:01

I got county refund for taxes.

17:05

I got county design for roads, county designs firm from the fire Marshall for access to a portion of these lots and it's a surprise that they actually accidentally annexed it.

17:23

I'm, you know, 'cause they knew we couldn't make the conditions of approval, so it couldn't be annexed as well.

17:35

I can provide copies of the stuff I've been working on with the county to continue and start this development and get it going.

17:44

So this is one of the hold UPS as well for both James and I.

17:50

So that's just about it right there.

17:54

Thank you Kirk.

17:56

Copies I can give to Sam.

18:03

So John or Sam what?

18:05

What will happen on October 2nd?

18:07

What can be done?

18:10

Well, hopefully the city will have D annexed or taken some official action that clarifies the jurisdiction and we can open the public hearing on this abandonment petition, set a date for viewing and a date for the second hearing and proceed.

18:35

Thank you.

18:35

Does that answer your question?

18:36

It does, thanks.

18:42

Sorry, is there any other public comment?

18:47

OK, to be continued.

18:50

Hang in there.

18:55

Resolution to create an RSID on El Toro Lane.

19:02

Good afternoon, commissioners.

19:04

This is John Hart with the County Attorney's Office.

19:07

I'm going to kick off this this action item and I'm going to read you the title of the proposed resolution because I think it's helpful.

19:19

It's very wordy, but it's helpful in understanding really what you're being asked to consider today.

19:25

So this is a resolution relating to Rural Special Improvement District 8499 declaring it to be the intention of the Board of County Commissioners to create the district for the purpose of undertaking certain local improvements and financing the cost thereof and incidental thereto through the issuance a Rural Special Improvement District bond secured by the county's Rural Special Improvement District revolving fund.

19:57

I'm going to go through several of those things just to give you more background the improvements that are being proposed here.

20:09

Let me let me back up the the neighbors on El Toro Lane.

20:15

In the county, El Toro Lane is a spur off of Hwy.

20:20

93 N north of the Y.

20:25

Several of those neighbors submitted A petition to the county asking the commissioners to consider creating an RSID to pave and otherwise improve El Toro Lane.

20:41

The more than 50%, perhaps as many as 60% of the neighbors sign that petition.

20:51

Clerk and Recorder's office verified the petition and it and it came to myself and Public Works then to put together this proposed RSID.

21:07

The total cost of the improvements that are being proposed are approximately 534 dollars, 500 and \$34102.66 of that amount, John, that was 500,000.

21:29

Is that I'm sorry, I'm sorry.

21:31

I, that would have been a screaming deal for these folks.

21:33

You know, I was complaining to people before the meeting how tired I am, and that's already showing through.

21:41

Yeah.

21:41

So the so correct \$534,102.66 and of that an amount the county is going to procure a bond for \$247,650 and that is the amount that \$247,650 is the amount that these neighbors on El Toro Lane will pay back over a span of 20 years with interest and other incidental costs.

22:19

The screaming deal here that that's just my opinion is the is that the county is going to provide in kind contributions for the remaining \$286,452.66 and that will be in the form of Labor and equipment engineering and and other costs that are outlined specifically in the the proposed resolution of intent.

23:01

So there's 25 lots in, there's 2025 lots in the proposed boundary of this RSID.

23:10

That means that for each of those 24 lot owners, 25 lot owners, they will be paying approximately \$9906.00 with interest in incidental costs over the course of that 20 years.

23:30

What else do I want to tell you about this?

23:32

OK, I Kevin Heisler is here.

23:36

Kevin is one of the neighbors that has petitioned for this RSID.

23:41

He may have more interesting information to provide than I just provided, but let me let me finish up the boring stuff.

23:54

Assuming you you decide to approve & this resolution of intention today, the Clerk and Treasurer's Office then will publish notice of the passage of the resolution in the Missourian on September 20th and September 27th.

24:17

Every property owner in the proposed district will receive a mailed copy of the resolution and the exhibits to the resolution and that will mailing that will start a 30 day protest.

24:34

Wherein any property owner in the proposed district can submit a written protest to the Commission submitting it to the clerk and treasurer's office.

24:46

That the clerk and treasurer explains all that and their cover letter and, and the notice that goes to residence.

24:53

And then there will be another meeting on October 23rd where you, the Commission will hear and pass on all protests that have been received.

25:07

And you'll, you can also at that time make a decision on whether or not to pass a resolution that actually creates the district.

25:18

This again is the is one of the first steps in the process.

25:22

So that's what I have for you.

25:24

If you if you don't have any questions for me, I think I think Kevin Heisler is here and I think there are some, some of the residents from the neighborhood who are here in support.

25:40

Thank you, Kevin.

25:45

Hi, commissioners.

25:46

Kevin Heisler, Missoula County Public Works, but also a resident at 11077.

25:50

I think you have to bring the microphone closer to you.

25:53

You can you can just hold it if you want.

25:56

OK.

25:57

Then you don't have to bend over.

25:58

Perfect.

25:59

Also resident at 11077 El Toro Lane.

26:03

I'm just here to voice my support of this RSID proposal and also thank the Commission and the county for this as an option for county residents to improve roads.

26:17

And I can answer any questions if you haven't.

26:20

That wasn't as exciting as John.

26:21

Yeah, John did way better.

26:23

Yeah.

26:23

So, so maybe somebody from public Works is online Who who wants to.

26:29

I do have, I do have a question.

26:30

So paint a picture for us what condition the road is in right now.

26:34

So the road is a County Road that is privately maintained, which also means it's not maintained real well.

26:42

We have a few residents on the road that do their best to maintain the road plowing.

26:47

A few years ago we had a resident who owned a dirt working company and he would spread some gravel here and there.

26:53

But the drainage on the road is very poor.

26:57

There's really not any culverts.

26:59

It's about, I think the road is about .58 of a mile long.

27:04

It's not up to county specs right now.

27:05

So that's something that would have to be addressed prior to paving.

27:09

Yeah.

27:10

So there's a hill right off the bat that gets real bad in the winter time and it's just up to the residents to plow it.

27:20

OK, that that was more exciting.

27:21

Yeah.

27:23

OK, So what what?

27:32

One other question and I don't know if this is for you, Kevin or or John.

27:36

So John, you mentioned a figure 247,000 some change yet the the fiscal impact on the on the RCA here says \$286,000 is is interest accounting for that.

27:59

Honestly, I'm, I'm not an expert in filling out those Rcas, but what I intended by that fiscal impact is that Missoula County Department of Public Works is putting \$286,000 in change in, in kind contributions to this road.

28:21

OK.

28:22

Now what fiscal impact in Missoula County and whether residents do.

28:25

OK.

28:26

So whether or not the that's a fiscal impact for purposes of the RCA or the finance department would call that a fiscal, I don't know.

28:36

I don't know.

28:36

I'm, I'm just a lawyer, you know, what do I know?

28:40

OK, we'll live with that.

28:42

Thank you.

28:43

Are there any other residents who'd like to speak to this to come on up?

28:51

Good afternoon.

28:51

My name is Kimberly Roth ROTH live on 10350 El Toro Lane.

28:59

I want to thank Kevin very, very, very much.

29:01

We have tried through various entities, through our neighbors to get this road.

29:07

We bought our property and built our home in 1989.

29:12

We've been there for a very long time.

29:14

We were one of probably three homes initially and we are based pretty much close at the bottom when you first enter El Toro Lane.

29:24

And if you were to drive there now, you'd probably see easily 30 potholes to the, on this day right now that are embedded down into the ground.

29:35

The neighbors, those of us down at the lower at the, I'm sorry, at the initial entrance of El Toro have worked diligently over the, over the years to get those filled up.

29:46

Have it graded mostly too, because our Frenchtown school bus, that's their entry level.

29:52

They come in, they go up, they pick the children up, then they kind of turn and then they back into, I think it's treasure court to turn around and go back out.

30:02

And it's, it's quite a bumpy ride.

30:04

And then also to Kevin's point, as you go up El Toro and you start to turn left, you see larger potholes filled with water.

30:13

And no matter how diligent we have been working together as a community of neighbors, the

grading the gravel to a great expense, I have to say we purchased that on our own lasts a very minimal amount of time and it makes it more difficult.

30:31

Also as the neighbors on top of El Toro come down.

30:34

I've had my mailbox knocked over easily 20 times because of the way the water does not flow off the end.

30:44

I mean seriously, 20 times.

30:46

So it's I greatly appreciate if you would consider this.

30:50

I think with Kevin's hard work and a lot of the neighbors that he's received over the amount of percentages needed to go forward.

30:58

He was very clear on the various taxing options that we had and we were very open to anyone, any, any program that all of the that the other homeowners felt was a, you know, appropriate.

31:13

And so I really appreciate your time and, and consideration.

31:17

And again, thank you, Kevin very much.

31:19

Thanks, Kimberly.

31:22

You know, now might be, I see that Eric Dixon is online.

31:26

Eric, of course, is a county engineer.

31:29

He this might be a good time for him to explain little specifically what the county would do to help that road.

31:38

And that would be a good thing to have as part of the record.

31:41

Eric, are you able to do that?

31:44

I can sure give it a shot, Yes.

31:47

So hopefully if you can see my screen as far as the location of El Toro, just north of the Y off of Hwy.

31:56

93, that's the location where we're working.

31:59

This is actually a process that started the first time in 2021 of the residents, not Kevin, but another resident had contacted us to see, you know, what, it would take that same question, what would it take to improve the road to where Missoula County could take it over for maintenance?

32:20

That discussion kind of kind of lingered for a while and then eventually died out.

32:24

So then in 2023, roughly, that's when Kevin brought the idea up again.

32:31

And he worked with Shane Stack, the public Works Director at the time and developed the estimate that we used as the basis for the numbers that John referenced in the petition.

32:43

So that plan is to improve the road slightly with alignment.

32:50

There are some encroachments in the existing county easement.

32:54

So we have to work with those property owners to to deal with those encroachments and how the road fits in around those.

33:01

So we will work work that process to improve the road and then ultimately provide an asphalt surface and then that would be taken over for regular county maintenance.

33:16

You know, as far as the improvements go, Dave, you asked what condition the road was in.

33:20

These are some photos from from 2020 when the question first came up and and I drove the road and just have a matter of reference for discussions like this.

33:30

This is right off of Hwy.

33:32

93.

33:33

And as you can see then I don't know if it's been improved or or graded since then.

33:38

But as was just mentioned, if the school bus comes off the road, you can see where the the edges here.

33:45

There's obviously a drainage problem and that contributes to the the potholes are that are there.

33:50

So it's, you know, I, I, I compare it really to a lot of existing county roads that we have, you know,

we have drainage problems, we have narrow portions, we have steep sections, we have encroachments.

34:06

It's, it's really no different than a lot of things that we face with our existing maintained roads.

34:12

So seeing what the conditions were at the time, that's why Shane was able to move this forward and, and come up with the estimate that we are using.

34:21

And you know, there have to be some, some widening efforts, some ditching, but that's what all those costs are accounted for in that estimate.

34:32

So you know, it's, it's a, an existing county easement.

34:37

You know, as John mentioned, the the bond amount would be just over \$247,000.

34:43

And for the past several years we had been using these RSIDS with the understanding and the agreement that the residents would pay for the materials and as an existing county easement, then, you know, we would contribute the the labor and equipment and design to, you know, make that make that RSID happened.

35:08

So that's why the county contribution of, you know, around \$286,000, that's how it was factored into the decision at the time so that, you know, sticking with the process that was in place.

35:21

Residents pay for materials and then we contribute the work.

35:26

So I'll just step through a few more photos here where again, you know, this is very comparable to a lot of county roads that we that we maintain already.

35:34

So if we can get the, the assistance from the residents to pay for the out of pocket cost, that's always our, our, our hardest thing to come up with.

35:45

Then that's just the service that we agreed to consider and that's why it's moving forward now.

35:54

Thanks, Eric.

35:57

Go ahead.

35:58

Hi, my name is Mia Whitfield and I live at 10866 El Toro Lane and I'd like to thank Kevin for his time and help on this and I appreciate that you guys are considering this.

36:12

I have lived there for about 7 years now, actually 8.

36:15

And one of the big concerns is it's just a horrible road to drive.

36:19

There's dust because it's a dirt road.

36:22

And the Frenchtown school bus actually about four years ago said they would not come to pick up kids because of the condition of the road.

36:32

And there's a man who lives at the very end of the road who has been plowing just that section and the pull out area and putting down gravel.

36:40

And he talked the French Town district into continuing to come pick up kids.

36:44

If he stops doing that, we will no longer have bus service for those children that live on that road either.

36:50

So I hope that you will consider it and appreciate your time.

36:53

Thank you.

36:54

Thanks, Mia.

36:56

The other residents.

37:03

Oh, Stacy Flynn.

37:06

Yes, this is Stacy Flynn.

37:08

I live at One O 580 El Toro Lane.

37:10

And I also wanted to voice my support of paving the road.

37:13

We've lived here for probably just about 25 years.

37:17

So just to echo everything else everyone has said and to what Eric said, if the homeowners are going to help pay for it, I would hope that you guys would approve this.

37:28

And I think it would be a great improvement to the area and El Toro and as Mia said, just Frenchtown schools and the bus service.

37:39

So thank you for your consideration.

37:41

Sorry.

37:42

Thank you.

37:47

Anyone else online?

37:52

OK, Discussion.

37:56

Nope.

37:56

I'm ready for a motion.

37:57

If we're good, I would move that we approve a resolution of intention to create a rural special Improvement District to pave El Toro Lane.

38:06

Second, thanks for making this easy for us.

38:10

All in favor or excuse me, Any further discussion or public comment?

38:15

All in favor aye.

38:19

OK, Grass Valley.

38:21

And so when when again is the the next time we will take this October 23rd, Yep, October 23rd same time, same place to hear protests and perhaps finalize creation of the of the RSID.

38:38

Thank you.

38:39

Thank you.

38:43

OK Jenny Grass Valley farms boundary line relocation.

38:49

What can I say it and it does not rude folks.

38:52

If unless you really want to stay for all the other public hearings you can you can take off not to drive you out of the room.

39:06

Oh, I misread.

39:08

I'm sorry.

39:10

I'm sorry Jenny.

39:11

OK, it we have a resolution of inclusion in RSID 89 O one.

39:16

Thank you for catching that.

39:23

That's right commissioners, you get to hear from me again.

39:30

A large property owner in in Lolo has petitioned to have its property included in RSID 8901.

39:47

That is the water, sewer and parks RSID in Lolo and the property owner is MCG Vines LLC managing member Dave Sanson.

40:05

Dave Mr.

40:06

Sanson is the one who signed the petition asking to have some of his property included in.

40:16

RSID 8-9 O 1 and I don't have a map of the of the property that is going to be included.

40:26

It is an attachment to the petition and the petition is part of the draft resolution that's in before you.

40:37

The long and short of it is that later today you're going to hear a proposal for the Bell Tower subdivision.

40:45

And about half of that, the property that is going to be subdivided in that subdivision, half of it is in RSID 8901 and the other half is not.

40:58

And in order for the subdivision to be given preliminary approval, the other half of the property that's not in the RSID must be annexed in and included.

41:14

And so that is why the property owner has petitioned.

41:20

Actually, the date of the petition was January 7th, 2025.

41:25

There's been a lot of back and forth.

41:28

This property in includes some of what was the old Lolo School and in negotiating with the developer as to whether or not this development could be included.

41:50

There is substantial evidence to show that at the time MCG Vines LLC purchases property, there were assurances from the County and the County employees that operate the water and sewer district that by purchasing this property, the developer would also be purchasing 56 connections to for water and sewer and that the cost of each one of those connections would be \$3000.

42:30

You may recall that in the last two or three months the County raised the connection fee, We call it a development fee, for each sewer and water connection.

42:43

We raise that from \$3000 to \$10,000.

42:47

But in the equitable thing to do here based on those assurances is that the connection fee for each water and sewer connection be \$3000 rather than the current rate of \$10,000.

43:08

All of this is, I hope, very clearly stated in the resolution that's in front of you.

43:15

I hope it's clear because I drafted it.

43:17

If it's not clear, then I have a problem.

43:21

But, but I, I think this is all memorialized.

43:25

The, the developers approved of the resolution.

43:29

I ran it by the developer's attorney and and he thinks it's sufficiently clear so that everybody understands that by annexing this property into the district, they're getting 56 connections and no more.

43:45

And the cost is \$3000 each and the negotiation for the 57th connection is completely different.

43:55

I'm happy to answer any questions.

43:58

There may be other county employees too that can provide some information.

44:03

Again, I agreed to kick this off.

44:07

OK, What's before us doesn't have anything about the the financial agreements.

44:15

So the last two WHEREAS clauses in the resolution address the 56 connection.

44:22

Well, yeah, the last two and then the final WHEREAS clause states that petitioner will be assessed \$3000 per connection.

44:32

Thank you.

44:33

Sorry, I was, I was just looking at that action request summary.

44:36

I wasn't looking at the the clauses.

44:38

Thank you.

44:46

And just to confirm, there is capacity within the system to to handle these additional connections.

44:56

There's capacity within the system for these 56 connections because they represent the same water use that the Lolo school was using at that at that location.

45:09

But that's a good point, Commissioner, The the capacity in Lolo for additional water and sewer users is for all intents and purposes, maxed.

45:25

Thank you.

45:28

Is there anyone from staff who has anything to add?

45:36

OK, this is Jason Mitchell, Chief Public Works Officer.

45:40

I just know that I've reviewed this thoroughly with John Hart and Brent O'Connor, who manages RSID 89-O1 and just give it my approval.

45:51

Thanks, Jason.

45:56

Any public comment in the room?

45:58

We're online, OK.

46:07

OK.

46:08

Seeing no public comment, I move that we approve the resolution of inclusion in RSID 89 O one for the property in question.

46:17

Second, any further discussion or public comment?

46:21

OK, All in favor, Aye, Thank you.

46:24

Thanks, John.

46:24

Thank you.

46:41

All right, you ready?

46:45

All right.

46:47

Good afternoon, commissioners.

46:48

My name is Jenny Dixon.

46:49

I work for a Planning Development Sustainability department for Missoula County and this is a

request from 700 SW Higgins and Corey Miller, represented by I Meg, to use the boundary line relocation exemption.

47:03

When boundary line relocations affect six or more lots, we are obligated to bring it before you at your public meeting for your action.

47:12

So the property is located on the West side of Missoula, southwest of the International Airport and encompasses approximately 670 acres.

47:24

The Butler Creek drainage runs through the middle of the property north to South where it that is then diverted into from its original channel into the Grass Valley Irrigation Ditch.

47:40

The proposal is to relocate common boundaries between 13 tracks that make up this property.

47:45

No additional tracks will be created by this exemption.

47:48

Primary access to the ranch is via Prada Drive in.

47:53

The Ranch Club, which is down on this picture is down on the lower right hand corner of the property where I've got access point pointing to that.

48:07

And then also there are connections and that and that connects to Rooster Ridge Rd.

48:12

So Prada Drive through Ranch Club then turns into Rooster Ridge Rd.

48:16

going through the property and then connects out to access points on Deshaw Lane to the West.

48:25

The area shown in the orange circle is the area of development of the site, including the 1920 residence and farming structures, storage and a farm store little a small farm store stand.

48:42

You can see on the right in this image the home of at 404055 Rooster Ridge Rd.

48:52

It is the only home on the property and actually that circle is pretty much the only structural developed.

48:59

Substantial structural development.

49:02

The the property is currently being farmed.

49:08

Let's see.

49:10

All tracks are zoned and reflect the land use designations shown here in the land use element.

49:16

The applicant has stated that the intent of the this boundary line relocation is to create distinct parcels to better align with the existing zoning district boundaries and these growth policy land use designations which coincide the the growth policy in the zoning.

49:34

No rezoning of the property is recommended or requested.

49:40

All tracks fall within the boundaries of the growth Policy and land use element and the western portion of the property is recommended for open and resource land use.

49:51

Transitioning to residential, dense with residential with increasing residential density on the east side of the property.

49:59

And it increases from that RRS one, which is 1 dwelling unit per acre to anywhere from 6 to 11 dwelling units per acre in that darker yellow.

50:09

And that, of course, is contingent upon connection to public sewer and water, which the site is not currently.

50:17

The tracks are zoned, as I said, to match the growth policy.

50:22

So we're hoping that this boundary line relocation will better align the tracks with those zoning district boundaries.

50:33

This boundary line relocation creates 10 tracks in the rolling hills on the east east side of the site, each approximately 20 acres.

50:41

The larger tracts ranging from 122 to 207 acres comprise the western half of the site where Corey plans to continue his farming operation as a regenerative farmer and agricultural related businesses.

50:55

The boundary line relocation separates areas of active farm and ranch use from the areas which you can see here in the foreground and then the from the residential area intended and recommended for the the area shown in the more rolling hills closer to the Missoula Valley.

51:14

Flood hazards from Butler Creek and the Grass Valley French Ditch do exist on the current and proposed tract configurations.

51:21

The proposed boundary line relocation does not violate any flood time regulations, but there are safety concerns and floodplain regulations that must be addressed prior to development through floodplain permitting.

51:37

This is a shot of the Grass Valley French Ditch through there.

51:46

The original ownership consists of 13 tracks.

51:49

None of them exceed 320 acres.

51:51

Therefore, none of the existing tracks can be further divided without without review as using the definition of subdivision, which is a lot less than 160 acres.

52:03

The proposed tracks vary in size from the 20, about 20 1/2 acres to 207 acres.

52:09

All proposed tracks are less than 320 acres.

52:12

Therefore, it is not possible to divide them without further review and that's one of the things we look for in boundary line relocations.

52:22

You can see the larger tracks, three of them, 12, let's see, 1112 and 13 are pretty much make up the western half of this.

52:30

And then the other 10 make up the eastern half in the yellow and the orange.

52:37

The sorry.

52:38

If the proposal had been brought forward as a subdivision, the following impacts might be considered for mitigation through conditions of approval.

52:46

But do keep in mind, this is not a subdivision.

52:48

This is an exemption to subdivision which you may not impose conditions upon as long as you determine that it is not an attempt to evade subdivision review.

52:57

And I'm going to go through there's, there's a couple of them.

52:59

I just want you to be aware of things that might be addressed if this were a subdivision that we're not really addressing right now, and that includes roads and non motorized facilities to meet county standards.

53:12

Traffic impacts to off site roads would require mitigation depending on the level of development proposed and we did get a comment from MDT stating that residents in this area perceived that the increased traffic has made driving on Mullen Rd.

53:28

riskier.

53:29

Should a large development on this property in the future occur, a well thought out traffic study should be conducted.

53:37

Also, subdivisions are required to develop a plan for fire suppression, addressing water supply for Fire Protection and adequate physical access to accommodate emergency service vehicles.

53:48

And finally, well, no, there's there's a few more.

53:51

Major subdivision requires 11% park or common area dedication or cash in lieu.

53:58

The mitigating impacts on agricultural soils could play a role on the West side of the property where the NRCS maps identify prime farmland soils.

54:07

If I if irrigated, I mentioned the flood hazard mitigating conditions which are not part of this exemption but would come would kick in at time of floodplain permitting or subdivision, which would be a delineation of no build, no alteration zones for all areas subject to flooding.

54:26

Elevating and flood proofing structures and utilities.

54:29

Improvement for emergency access, including culverts, bridges and driveways.

54:34

Notification related to flood hazards and applicable requirements, including potential flooding due to the irrigation ditch.

54:41

High groundwater mitigation for areas near the floodplain or modeled inundation areas such as prohibiting basements and requiring crawl space specifications.

54:52

There may also be conditions regarding areas of repair and resource which would need to be identified and protected through a protection plan.

54:58

And finally, areas of slope over 25% which really it includes just the slopes of the rolling hills on the east side.

55:06

That West side is flat as pancake.

55:11

There would be a requirement for a geotech study if the area is to be disturbed or built upon or at the very least a designation of no build, no alteration.

55:20

So that is the the extent of my staff report.

55:25

I know Joe Dennert from IMEG is on.

55:28

And Cheryl, I don't know if you saw my message, but he was hoping and I'm not sure if it's automatic, but he's hoping that when he speaks, we'll be able to see him.

55:37

And I don't know if if we have control over that or OK.

55:42

He he was just messaging me asking that, but I will just let you know.

55:46

Staff is recommending approval and we have a motion here.

55:49

This, all of the photos by the way of shown in the slideshow were from the site.

55:53

It's very beautiful and Corey has done an amazing job out there.

55:59

Thanks, Jenny.

56:00

Joe, hey, can you all hear me?

56:04

Yep.

56:05

OK.

56:06

Yeah.

56:07

It's helpful to have a camera on sometimes, so I'm not thought of as fully an interloper here, but hopefully you recognize the voice.

56:15

This is Joe Dennert.

56:17

I do work in the Missoula office there.

56:20

I makes Missoula office.

56:21

And I'm actually joined by the landowner today, Corey Miller.

56:25

He's there in the crowd and you know, Jenny's staff report was straightforward and to the point.

56:32

Thank you, Jenny for kind of laying the groundwork.

56:36

I'll keep my remarks here pretty brief because I, I want to leave room open for questions because you know, you, you can cover a lot with a boundary line exemption like this.

56:49

When we first really were having this conversation with Corey, the the, the rearranged tracks look a little bit different than they than they do with what's before you today.

57:02

Fortunately, the county including Matt Heimel was, was willing to meet with us a number of times to really spell out what we were going to have to address in terms of the exemption affidavit requirements for the proposed relocation.

57:19

And just for some context on kind of the private side of things, whenever you are.

57:26

Thank you so much Jenny for sharing this by the way, because I also don't have screen sharing capabilities.

57:29

So this is the perfect screen.

57:31

If you could just stay here, you know, when whenever you go in for a proposed boundary line relocation, especially if there's any sort of zone A especially that's a, that's a particular, you know, floodplain designation approximate without elevations.

57:49

Whenever you have it on your property, you have a few different options on what you're required to do and what the landowner or the applicant is required to do.

57:57

And more often than not when we're proposing these relocations, you can basically put a waiver.

58:04

You can voluntarily put a waiver on the face of the plat and on the property that says, you know, something to the effect of any future development on this site may be required to submit an engineered flood hazard analysis.

58:21

And that's a way, for lack of a better term, to pass the buck.

58:26

You know it, it basically pushes this downhill a little bit further so you can get the BLR approved and you know that the protections will be in place.

58:34

And when we originally were talking with the county, we knew that the, you know, the rearrangement of boundaries, which originally was just to kind of get the irrigation infrastructure and the ag lots and then the residentially zoned areas segregated.

58:47

That's really what Corey wanted to do.

58:49

It was for not the total tracks of record.

58:51

It was only for five instead of the 13.

58:54

Well, in those initial conversations, we asked, hey, you know, we're planning on putting this on here for the, the waiver on on the face of the plat and the floodplain administrator has some discretion.

59:06

And, and Matt basically said, you know, for public health and safety concerns, we really want to see this portion of Butler Creek mapped basically, you know, with, with base flood elevations established.

59:18

And so when once we learned that, kind of had to go back to the drawing board of OK, Corey, what's, what's your vision here?

59:24

What are the goals here?

59:25

What, what are you trying to do?

59:28

And instead of, you know, rearranging 5 now and maybe 8 later or coming up with a different proposal, really we approached the county and said, OK, well, he has 13 tracks of record and this is what he would like to do.

59:41

He would like to adjust the boundary lines so that way we can clean up this split zoning as it stands as much as possible while still following the logical infrastructure that's there for irrigation and

access and get, you know, the bulk of these parcels over on the eastern side so he can continue doing his operations and the highest and best use can happen over on the southeastern portion.

1:00:05

Especially if he was going to have to put in all that investment to do the engineered flood analysis.

1:00:11

So that's when really this layout that you're seeing in front of you started developing.

1:00:16

And it's, it's not arbitrary by any means, although some of the the lines might look a little funky to you.

1:00:24

We had to have multiple iterations here because Corey knows his land really well and you know the the implements that he has to irrigate different portions of the larger acreage run basically along the the boundaries there for 12/11/12 and 13.

1:00:44

And similarly you know close to Rooster Ridge as you get towards Butler Creek joining the ditch.

1:00:51

And the same thing goes for the 20 acre, roughly 20 acres, some of them are 2320 point O 7.

1:00:57

But the 20 acre parcels over in the southeast where there is the residential, residential zoning for his property, it follows the existing access to basically secure that legal and physical access that's a requirement when you're evaluating these, these boundary line relocations.

1:01:14

So you know, there, there has been I would say a lot more planning, a lot more effort and coordination with not only planning and development, but also Matt Hymel and even the DNRC.

1:01:28

Because we did have to get an engineered flood hazard analysis completed that established the base flood elevations for Butler in this area, the estimated base flood elevations and also had to determine what the hazard level would be for a potential overtopping event of Rooster Ridge, right.

1:01:48

And that was really what Matt was focused on or the floodplain administrator was focused on is he wanted to make sure there wasn't going to be a any danger to the public.

1:01:56

And in that analysis actually using more accurate Lidar and topo.

1:02:01

And we went out and surveyed the whole length of the ditch, surveyed Butler, surveyed along the road to make sure that, you know, we were getting accurate topo and accurate models to send to the DNRC.

1:02:12

They found it was the lowest classification, the low danger level.

1:02:15

And Matt talked about this or the floodplain administrator talked about this in his comment, you know, saying that that in the event of that overtopping 1% chance flood for that zone A, A, it's going to be actually at a less depth than what FEMA was designating it as.

1:02:30

But also there's not the danger of of cars being washed away.

1:02:35

So that was a critical element of this, which is a bit atypical for a boundary line relocation.

1:02:41

Outside of that, as Jenny alluded to in her presentation and also she mentioned in her staff report, you know, all the current stuff that the landowner has going out there is fully permitted.

1:02:53

And really this is just, you know, in his mind to to clean it up, get it to align with zoning, rearrange his existing tracks of record.

1:03:01

So that way tracks 1112 and 13 follow those, those irrigation implements, the infrastructure that's in place.

1:03:08

And then the rest of the tracks on the southeastern side can, you know, realize their highest and best use by someone else.

1:03:15

Corey has no interest in developing this or developing any of those tracks.

1:03:20

So I hope that's helpful.

1:03:22

I am available for questions and like I said, Corey is as well.

1:03:25

But I really appreciate your time and attention and apologize for not being able to at least put a face to this voice today.

1:03:31

But thank you very much for your time.

1:03:34

Thanks, Joe, and thanks for the history.

1:03:37

Corey, is there anything you'd like to add?

1:03:41

OK, Jenny, do you have anything for that?

1:03:48

Oh, John.

1:03:50

OK, she was pointing at you.

1:03:55

OK.

1:03:56

Any further comments in the room or online questions about a motion, Jenny?

1:04:16

I move to approve the request by 700 SW Higgins, LLC to utilize the relocation of common boundaries exemption on properties legally described in Attachment B based on the findings and conclusion in the staff analysis and as presented in the exemption application and affidavit.

1:04:33

Second, any further discussion or public comment?

1:04:38

OK, All in favor.

1:04:40

Aye.

1:04:41

Thank you.

1:04:45

Thank you very much.

1:04:46

And thank you, Jenny.

1:04:52

OK, Bell tower.

1:04:56

So the Bell Tower PUD subdivision, we're going to have the applicant's representative present 1st, and I don't know if Brian is in the room or online.

1:05:06

Oh, there's a large pillar in the middle of the room.

1:05:10

Yes.

1:05:10

It's ruthless.

1:05:14

Now, can I share my screen?

1:05:19

So you need to be in the Teams meeting for the commissioners.

1:05:23

I am.

1:05:24

OK.

1:05:24

And then in Teams, there's a button to share.

1:05:28

Yeah.

1:05:28

It's not allowing me.

1:05:29

So it's not allowing.

1:05:31

Oh, is that what the problem?

1:05:32

I don't know.

1:05:33

Joe might be gone already, but I don't know why Joe didn't share.

1:05:37

Can't get pressure.

1:05:43

Oh, what's what's going on?

1:05:47

Oh, yeah.

1:05:49

Should be Brian Throckmorton.

1:05:55

Or do you have a thumb drive that I don't have?

1:05:59

So it'd send it to you.

1:06:00

And then what would you do?

1:06:01

Would he show it from your computer?

1:06:04

Oh, OK.

1:06:05

Let me see.

1:06:05

The only problem is it's big.

1:06:07

Probably big.

1:06:08

Yeah, that's OK.

1:06:10

I'm going to take this opportunity for a bio break.

1:06:13

Yeah.

1:06:13

So there you go.

1:06:14

Now I can share it.

1:06:15

So somehow I bought this.

1:06:16

We're good.

1:06:17

I'm still going to go.

1:06:18

Yeah, that sounds good.

1:06:31

We're taking a short recess.

1:06:32

Yeah, I'm just going to have it up.

1:06:33

So I'm perfect.

1:06:48

There we go.

1:07:16

What's going on India hiking through the Henley Mountains for three weeks.

1:07:41

So I'll have to refer to notes a little more than usual, but we'll we'll give it a go.

1:07:49

So the bell tower subdivision is basically is the old Lolo school.

1:07:55

So many of you guys, we did just talk about, you know, coming in the RSID for, for what was the old Lolo school.

1:08:01

But this basically is the development.

1:08:04

Look at the property.

1:08:06

There's going to be two steps that we'll talk about, but the phase one is the 1st 56 lots or the allocation from the old school.

1:08:15

And then they'll be a future of what we can do when we know if there's water or sewer, but located in the heart, heart of Lolo right off of Hwy.

1:08:24

93.

1:08:24

So our two of our exits are on the Highway 93 and then the property is totalling right about 33 3/4 acres.

1:08:35

So in in essence this started, we brought, you know, this whole idea before you guys afford.

1:08:42

This is kind of a continuation of the growth policy amendment.

1:08:46

So when we, you know, when MCG Vines originally purchased this property, it was actually quasi public for the school in that process.

1:08:55

Then we we reached out to planning.

1:08:58

We went through about a year process where I think we had three neighborhood council meetings, we had a community charette, and then we came before the county commissioners.

1:09:08

And on June 22nd of 2023, the current growth policy that you guys see was voted in, which consists of open space residential at 16 dwelling units an acre, some general commercial and some small part of community commercial for hopefully, you know, some kind of either coffee shop, small restaurant or something close to Hwy.

1:09:31

93 in the future.

1:09:39

So the site itself has a lot of limitations.

1:09:43

1 the old, old school is there.

1:09:45

So there's a lot of existing buildings.

1:09:48

But as you guys can see from this map, basically you don't this whole entire area is is pretty steep and it's been a big open hillside, which is actually been nice.

1:09:57

I think for most low low residents to have an open hillside.

1:10:01

Everything in red is over 25%.

1:10:04

So that in essence would be a difficult place to build a house.

1:10:08

I know you know, there's a few exceptions and even regulation one allows you to put septic systems on about 35% slope, but in essence in 2025% is kind of a cut off of anywhere you'd want to build.

1:10:20

So, you know, understanding what that limitations were, when we went and talked with Jenny at the county, she suggested APUD subdivision.

1:10:32

At first I kind of pushed back.

1:10:33

So I was like no PUD thinking zoning, but the PUD subdivision process has actually been fantastic.

1:10:38

So, you know, meeting with Jenny and I think she's going to go over kind of all the criteria that that takes, what we met on those criteria.

1:10:48

But I really wanted to hit that.

1:10:50

The county's been great to work with through this process.

1:10:53

It's been very collaborative.

1:10:54

It's allowed us to, you know, work with staff from extra Parkland trails that are desired to public parking, you know, working with public works on what it looks like.

1:11:08

And then Jenny as well.

1:11:09

So it's been, it's been a process that I haven't ever used and I would definitely use it again because it's helped us with the waivers that we've needed from subdivision, but at the same time, you know, allowed us to collaborate with the county.

1:11:23

So they got some extra out of it that benefits them.

1:11:26

Some of the waivers I will point out, one of them is our block length over 450 feet, eliminating the boulevards between the sidewalk in the road to kind of shrink the road with down to to do less cutting in the hill sidewalks.

1:11:42

In that process, though medium county works, we did take the sidewalks from 5 to 6 feet.

1:11:46

The one place we didn't do it, and I'll kind of show you guys is as we're going up the steep hill.

1:11:52

So you know, this area here is the area that then has only one sidewalk so that as you walk up the hill, everywhere in front of any houses has two sidewalks.

1:12:04

But that's a kind of a steep spot where we go up the hill.

1:12:06

So to keep that cut as as limiting as possible, we kept that to just one side.

1:12:13

Also the block links, when you guys look at like that block right there is over 450 feet.

1:12:19

But to put a road in to that hillside doesn't make a lot of sense.

1:12:25

And then also with with looking at the boulevards, the wider we make those streets, then the more we cut into the hillside.

1:12:34

Here's kind of a another same look with the existing school kind of overlaid with the existing topo and satellite imagery behind it.

1:12:44

Few things that extra though for Ino County Park.

1:12:47

So even in when we did the growth policy, we had 13.42 acres of open space this development.

1:12:55

So what we're proposing here is 16.71.

1:12:57

So we added, you know, another 3 acres outside of what was in the growth policy.

1:13:05

You know, talking with with Nick he the desire to have trail connections to multiple points and other subdivisions.

1:13:13

So you know, we've had the ability then to go in and these trails aren't exact where they're going to be.

1:13:18

Obviously we're going to have to do a little bit more engineering, but this is in general keeping the trails out of 5% slope so that somebody could walk down a 5 foot wide trail from the neighborhoods to the West and then work their way down through the school and actually get all the way to 93 and go back and forth.

1:13:36

The other addition right here is a public parking lot so that the general public could access what is currently still, you know, been used historically for open space or public land for people that aren't even in the community.

1:13:51

So that was another great thing that that we got out of just working together.

1:13:55

It works out good for our guys, but the collaboration I think added a lot to the community as well.

1:14:05

So the the limitations part.

1:14:08

So here's one of the major things that we gained.

1:14:10

You guys can see this is a little bit hard to see, but it kind of shows all the places that we're cutting, filling the grids are the fill and the slashes are are kind of the the cut areas.

1:14:21

But what what it really boils down to is when you look at this map is everything that's dark red is additional cut over that 25%.

1:14:31

So I kind of showed what was existing 25%.

1:14:33

So the dark red is everything getting pushed back for the new.

1:14:37

But what that did allows us to get those units on there with a lot less disturbance to the actual hillside than if we would have added, you know, another 7 foot Blvd.

1:14:50

on each side.

1:14:50

So 14 feet.

1:14:51

So every foot, I think Carla calculated that we widen that street, we basically have to go two or three more feet up the hill.

1:14:59

So it really took a ton of disturbance away from that hillside, which I think just provides a better product all, all around utilities.

1:15:14

Just to piggyback a little bit on what John had before, the 56 units are from the DEQ equivalents of a school of Lolo size.

1:15:25

So that that is kind of the equivalency for the capacity outside.

1:15:29

Remember capacity is site specific to sewer mains, water mains downstream uses.

1:15:36

So that that's kind of the capacity for that site for the existing that we worked a bunch with Missoula County Public Works on to get that number.

1:15:46

You hear Jason on there earlier.

1:15:49

So that that has had the probably the biggest part of this entire project has been, you know, the result of getting into the RSID, into the district.

1:16:00

The other things will be pretty simple.

1:16:02

We, you know, tying into the existing water and sewer mains.

1:16:05

We really don't see any loss of service or much of an issue with affecting any, any of the residents because there's existing water and sewer on site.

1:16:12

So we'll just upgrade what's there as far as the future development goes.

1:16:22

So I know this is a better look at the 56 lots, but this lot right here has been left behind as almost kind of a remainder piece.

1:16:34

Which lot were you talking about as a remainder piece?

1:16:37

Big lot.

1:16:38

Oh, the big one.

1:16:39

OK.

1:16:40

So so that yeah, a lot a so it's it's the big what's what's left that will have restrictions on the plat for sanitation if it has to go back through even if it's rental, since this isn't zoned, we'll have to come to you guys for building for lease or rent.

1:16:58

So anything that happens there, we'll have future review, let alone you know what we'll have to get some connections.

1:17:05

But to do that right now with the unknown of what the water and sewer looks like, seems I would just hold this up because we'd go through and ask for permission and then we would get told we don't have the capacity and the whole thing would stop.

1:17:16

So that is one reason why you're seeing a big, big blank spot in that area right now.

1:17:25

So just just kind of another overview shot of of the closer view of what that the houses will look like.

1:17:33

So this is kind of a quick look at some renderings of the houses and how you know the single family homes will look.

1:17:41

That's about 6 dwelling units an acre.

1:17:43

Now you know that's a lot less than the current growth policy at 16.

1:17:48

I think what you'll find is hopefully when depending on water, sewer capacity that the lower area will have more of like some row houses or some more housing variety into it that have some more shared walls than just single family.

1:18:02

But if not, if the capacity is not there, then then maybe it's just single family.

1:18:06

So we'll, we'll cross that bridge when we get there.

1:18:12

A look at the keeping the right away with, but again, getting rid of the boulevards and then adding, you know, these sidewalks, they say 6 1/2 because you have 6 inches for curb.

1:18:23

But this, this also, you know, behind the sidewalk we can put dry utilities.

1:18:29

Also, each of the houses will be at least 18 feet back.

1:18:34

So when you look at these plans, you know, 18 feet is is the closest that they are to the sidewalk.

1:18:40

So, you know, most houses will then have trees and full, you know, landscaping in the front yard.

1:18:45

So even though the Boulevard is not there, the idea then would still to be have decently sized trees that are on and close to the sidewalk.

1:18:57

And then I will say that that this cross section, I bet we met with public works three times, maybe more than that on a back and forth of, you know, what would they like to see?

1:19:07

I know Carl also went to the neighborhood council for for just this asking, you know, what residents would would rather see parking.

1:19:15

We originally went in saying, well, what if we just did a sidewalk on one side?

1:19:21

It was requested to definitely have sidewalks on both sides.

1:19:23

We kept sidewalks on both sides and the Boulevard was the thing that everybody said, hey, let's just move that to the outside.

1:19:30

So this, this right away.

1:19:32

And then, you know, the variance through the PUD that that has really allowed us then have all these discussions of what works best for everybody, what public works is comfortable with on getting their plows through.

1:19:43

So, so this is, it's been a great process.

1:19:48

Traffic impacts.

1:19:50

So you're looking at the connection points are already there.

1:19:55

So currently what we'll consider the main entrance is where the stop light currently is to enter into the school.

1:20:03

There will be modifications to that stop light to make sure 'cause currently there's no turn.

1:20:08

You can't come come, you know, north on 93 and then make a left hand turn into there 'cause it's, it's an exit only.

1:20:15

So the this intersection here will be a right hand turn only and then you'll be right and left hand turn.

1:20:23

Coming out across from Tyler Way, we've been working with MDTA ton on this.

1:20:31

This has this will, this will definitely have a lot more meetings to vet out what that fully looks like.

1:20:36

But MDT has been aware about this subdivision since they did the corridor study.

1:20:41

So we've went to the open house, we worked with them, they've put this development in their corridor study.

1:20:47

So it's not like this is something shocking and new to them and and it's pretty much been prepared for.

1:20:57

So one of the things that came out of planning board was kind of a question about parking on the street.

1:21:05

I know Shane had asked about actually, you know, the desire if we're going to have streets as wide as we showed them to make sure we did have parking so that it slowed cars down.

1:21:14

He was worried that if we had these giant streets with no parking, the cars were going to go through pretty good.

1:21:19

But also the desire to have, you know, extra parking on the streets.

1:21:23

You know, this graphic, the dark spots are extra parking spots.

1:21:28

Just on a on a calculation basis, there's about 76.

1:21:32

Each house will also have a driveway.

1:21:34

They can park 2 cars, including A2 car garage.

1:21:37

So there should be plenty of parking.

1:21:38

There's also additional parking on the road coming in.

1:21:41

So, you know, hopefully there's enough parking within the subdivision.

1:21:45

And then this is also, you know, a shot of the public parking for the park itself, so that when the general public comes in, they're not even parking in front of the houses.

1:21:56

They have a separate parking lot to then access the current open space.

1:22:02

The last bit of this is the bell tower.

1:22:05

So, you know, the old, old, old school, we reached out to the historic society, the national registry.

1:22:13

They came and looked at it.

1:22:14

We've had multiple architects go through.

1:22:16

The problem is the school is so old and falling down that in essence, if you were going to reuse it, you'd basically have to rebuild it with modern materials to look older.

1:22:27

So they, they didn't, they said that there's a, you know, has no historical integrity, so it can't be on the list.

1:22:35

We are going to work and this is in the future phases.

1:22:38

Again, this is part of phase two currently in phase one that will be protected.

1:22:42

They're going to demo the newer modular buildings on it and it will be fenced at a minimum.

1:22:48

I know our guys would like to preserve the bell tower and make a monument of it and have a plaque.

1:22:52

We've also been talking to a few locals, local people about either relocating the school and making it some kind of museum, but to reuse it just as kind of the question because of the the current materials that are in it.

1:23:10

I will say this is, you know, we really have no comments on the conditions of approval, which is pretty rare to be honest.

1:23:16

And that that isn't because the initial part of this, we work together so well through parks, public works planning.

1:23:25

And so it, we kind of vetted everything before we venture down that path, which was great.

1:23:29

We didn't submit something that we'd spent, you know, 8 months working on and then get beat up on it.

1:23:34

And then since we've been working eight months on it, you don't put our foot down and get stubborn.

1:23:39

We did that in the beginning and it's been a really nice process.

1:23:41

So thank you for that.

1:23:44

So, yeah, any any questions or feedback, I'm happy to answer them and I will stop sharing.

1:24:01

I know, I know.

1:24:02

Well, I guess I have a question for you.

1:24:05

Do you guys have a time limit for the meeting today that you have to be?

1:24:08

I mean, I don't have a lot and, and in fact, no, I have another lot, but I want four.

1:24:14

I wanna, you wanna try to be done by 4.

1:24:16

So you still have another hearing.

1:24:18

Yes.

1:24:18

OK, So what I'm planning to do, and I may jump around in my, in my slideshow a little bit because I do not want to duplicate what Brian just said.

1:24:30

And so I'm gonna I guess let me get this started sharing.

1:24:34

How do I make this go away?

1:24:50

OK, get my slideshow going.

1:24:55

So I'm going to hit on there might be some repetition, but I may have some slides that I just fly through because it is total repetition and I don't want to do that.

1:25:04

But I do want to start with this has been I want to echo this has been a fun project to work on the four O 6 and the applicant have been great to work with.

1:25:16

We started our initial meeting with us, the subdivider on the subdivision.

1:25:22

Of course, a couple years ago there was the growth policy amendment.

1:25:25

So this has been in their court much longer.

1:25:28

But I view this project for me as starting in June of 2024.

1:25:33

And what I like to do, what we like to do in the planning office is ask subdividers to put their 150% effort in at the front.

1:25:43

So as what Brian described, they don't get 8 months down the road and find that there are issues.

1:25:49

So they were very accommodating to do that upfront work so that by the time we got to pre app and scoping and element and sufficiency it you know there were certainly hiccups but we had

about 5 or 6 scoping meetings during that time, the one required pre op and then in February of this year the neighborhood meeting and then we got it submitted in early June.

1:26:18

And here we are with with two weeks to additional cushion so that if you needed to have extra time to consider this today, if there were issues that came up, we are meeting the 80 day working deadline for them more more than meeting that.

1:26:36

So I guess I also want to thank the subdivider for for working with us.

1:26:45

As Brian mentioned, growth policy amendment happened a couple years ago.

1:26:49

It's got four different designations on the property, but the property is unzoned.

1:26:54

So land uses are not governed by zoning.

1:26:58

We are not putting all of our eggs in any basket as far as what they say land uses will be.

1:27:05

But pretty much you can assume that based on the sewer connections.

1:27:11

Of course, uses plan for residential and then we have lots A&B, which I'll talk about in a minute.

1:27:17

But this is a beauty subdivision.

1:27:19

In order to be designated that way, the subdivider has to meet three of the five criteria.

1:27:26

And in our staff report, you'll find the findings conclude.

1:27:32

You can conclude from the findings that they meet four of the five and potentially five of the five.

1:27:37

But we did not include meeting the preservation of historic and cultural resources, which is ironic because that's how I started the conversation as hey, you should think about this being Apud subdivision because of the existence of the old Lolo school.

1:27:52

And then I then I noticed that they had a much greater Parkland dedication than they needed to.

1:27:59

So it was that's what APUD is, is the county getting something in exchange for them getting some relaxed standards, waivers, if you will, of yeah, and maybe you'll get to this.

1:28:12

I'm still not exactly since we virtually never have PUD subdivisions.

1:28:17

They're all just more the standard major or minor subdivisions.

1:28:23

What?

1:28:23

What is it that maybe we'll get right there?

1:28:27

OK, there we go.

1:28:28

I bet that's what you're wondering, right?

1:28:30

So, so if they meet three of three of the five or in this case 4.2 of the five, then they don't have to comply with certain provisions.

1:28:43

They get a waiver from provisions in the road and PED section and the lots and blocks sections.

1:28:50

And so, and that means they don't have to ask for variances.

1:28:54

So they could have said we might qualify as APUD, but we still don't want to go to the trouble.

1:28:59

We're just going to ask for variances.

1:29:01

But what this process does is it says if we if and we work.

1:29:07

That's why working upfront is so crucial, especially in APUD, that they don't go to all of this effort and then submit and say we think we're APUD 10, you know, 10 months down the road.

1:29:17

And we say, no, we don't think you are sorry.

1:29:20

So we worked upfront to determine pretty much as, as we went through the process that we felt like they were meeting the criteria.

1:29:28

And then they listed out the waivers that they didn't want to meet and they've given some, I thought, very thoughtful analysis to like the grading issues.

1:29:38

It was one of the first packets I've seen that actually had math in it that I was just so pleased that showed why putting landscape boulevards is not a good idea at this location.

1:29:51

So that was really helpful.

1:29:53

So you as Brian said, that block is is longer because there's nowhere to put a road and therefore you have lots the elimination of the Landscape Blvd.

1:30:03

sidewalk on only one side because the road has to get narrower to go up a steeper portion of the property and the road width on that portion.

1:30:14

And then because it's so steep not being able to comply with ADA on a certain certain segments of the sidewalks and then elimination of bike lanes on internal roads because the roads do more than meet the road width requirements.

1:30:30

So those are the waivers that when they would need to be asking variances from if this was not APUD subdivision, I would mention that the, and I'm going to get to this later.

1:30:39

But one of the criteria criterion one of the let's see it's here accommodate superior common area design.

1:30:52

And basically they have to not only just provide additional common area or Parkland, but then make opportunities for improvements, which we're going to I'm going to try to I want to went through this.

1:31:09

So we've already looked at the existing conditions, but I do want to point out, I think this makes this just reemphasizes what Brian showed, which is that the two access points to the site are the stars down there on the bottom there is 1/3 access point and that is on the the North End of what you would know is Lot A.

1:31:30

It is not proposed to be used right now.

1:31:32

It might be used for future development of lot A, but the main access is going to be this light here at Tyler.

1:31:42

And then the secondary access will be where the the entrance to the school up to the school is or was.

1:31:50

There's this down in the South end where you see the zero, the the O with this, the X through it.

1:31:59

There's a 20 foot access easement there, Lolo Vista Drive I think it's called.

1:32:04

And it's pretty unclear if they have vehicular rights to use that for access.

1:32:10

And of course, as you can see, it's running into 25% slope.

1:32:14

So why would, why, you know, why would you do that unless you know, you, you could come along along the slope, but they're not proposing that because they don't know what their rights to use that are.

1:32:26

So there's a 20 foot access easement from long ago on that subdivision or division that that we are acknowledging could provide connection to Hwy.

1:32:39

12.

1:32:39

And we are asking for pedestrian connections from that to this park.

1:32:45

So the people over here in Lola Vista can walk down that road and get to this park as well.

1:32:52

OK.

1:32:53

And it's going to require crossing.

1:32:56

Let's see if I have a good.

1:32:58

And so here's that point again.

1:32:59

And this is the line for proposed lot B which is the commercial lot.

1:33:03

So what we've said is we want to see an extension of that Lolo Vista Dr.

1:33:10

access easement, if you will, to then cross there or somewhere preferably actually along the following the topo lines to get people to this trail that the subdivider has proposed within the 1617 acre Parkland, which is county owned, county maintained Parkland.

1:33:29

They are going to construct a 5 foot wide natural surface trail, subject to review and approval by our Parks Department.

1:33:36

With the trailhead coming off of the cul-de-sac down here on Tertiary Lane.

1:33:42

We also are asking a condition of approval that I know was a tough one for them to swallow.

1:33:49

But we've got some slope here and, and, and, and we have a development over here that doesn't, isn't really, it's not certainly not conducive to a vehicular connection, but in addition to the connection on the South and actually even oops, heading over to the West, potential to connection there.

1:34:16

And, and here at captive via I took too much French captive villa.

1:34:24

We are looking at pedestrian connection easement with no construction required, just providing the easement connections.

1:34:31

So that should development on the north want to access through these public roads to this public parking area, you know, public area access trailhead to the public park, making that opportunity available.

1:34:45

And that's one of the conditions of approval.

1:34:50

One thing I do want to make clear that this is not a phased development.

1:34:55

Brian referred to him in phases and I and that I think that's a logical language to use, but in subdivision that means something and this is not phased.

1:35:06

It is all going to be filed in one phase.

1:35:10

But what his what he's trying to convey to you is that the 56 lots will be developed first.

1:35:16

Nothing's going to happen on the commercial lot B or the seven acre lot A unless and until sewer, sewer and water is connected or potentially uses that do not require require sewer and water.

1:35:34

So Lot B has the potential to be, you know, I can't think of many uses that don't require sewing water, but unfortunately many storage is one of them that I don't know that that can happen here.

1:35:47

But the access to Lot B is up through the subdivision, through the cul-de-sac, and then there's going to be a driveway down low here to Lot B.

1:36:00

The growth policy designation for Lot B is commercial we and if it were zoned would not allow many storage at that location because that's only allowed in industrial areas.

1:36:13

But because this is unzoned that is a possibility.

1:36:16

So something to just keep in mind we've recommended so you can see here the two obvious connection points to Hwy.

1:36:24

93 A traffic.

1:36:26

There has been a traffic study and we recommend a condition of approval that and I wonder this is important because MDT is has as Brian indicated has had a lot of concern about making sure that they're safe connection points to Hwy.

1:36:42

93.

1:36:42

So we recommended a condition that traffic mitigations attributable to the subdivision be implemented prior to final plat approval subject to approval by public works, Missoula County public works and MTMDT.

1:36:57

So based on the traffic study, if impacts were identified and mitigations can alleviate those those impacts, then MDT and county public works has the ability to to impose those including, you know, signalization, lane configurations, whatever they may need to make this a safe access point.

1:37:28

These rows here actually divide lot A.

1:37:32

I'm going to just zoom in a little.

1:37:36

So this is the property boundary actually for lot A and it extends, I don't know if you know, you can see my little hand cursor down here along this, the east side of those homes.

1:37:48

Then it's divided by secondary road and then it has this area here that has the old school and some other school buildings.

1:37:56

These are proposed to probably stay with future development, but again, that's well into the future.

1:38:02

And then it's divided by a road again and you have this area over here.

1:38:06

One of the conditions of approval, because of our regulations which state that roads may not divide a lot, we recommended that this be divided into 3 lots rather than have them redesign the roads, which probably isn't even possible anyway.

1:38:23

That condition, we'll just say there are three lots there.

1:38:27

That doesn't really change the development capacity or ability for those areas, but it will result in additional lots.

1:38:45

Let's see which covered.

1:38:47

So the Parkland, we've talked about the slopes and can, can we zoom?

1:38:55

OK, you got it.

1:38:56

Yeah, the slopes and the areas with the trail, but I'm going to I want to call your attention to this little what what they're calling the pocket park.

1:39:07

And this was enabled by being APUD subdivision to have less grading due to fewer areas like the landscape Blvd.

1:39:19

They're able to provide A1 acre relatively flat pocket park that is accessible from the trail between these lots here also for off the end of tertiary cul-de-sac and getting up here and then ultimately getting up to captive billa another and I'm almost done.

1:39:43

Another thing you should be aware of is that the subdivider.

1:39:45

This isn't something relatively new that has come out of discussions with public works that not only are we asking for waivers of rights to protest RSID for public roads, which these are, the subdivider will be required and has agreed to initiate a petition to create an RSID.

1:40:09

Since we are taking them on as public roads, we're asking them to create the RSID for that maintenance and that is in a condition of approval.

1:40:18

There are, I'm gonna just jump ahead now actually to probably the end.

1:40:23

And these are highlights of recommended conditions of the 30, which we've basically talked about implementing.

1:40:33

The traffic study, making separate lots where the road divide lots, a petitioning to create an RSID for Rd.

1:40:40

improvements as well as a no parking.

1:40:42

The no access strips along Hwy.

1:40:43

93, the access easement to the north, a sidewalk at the end of the tertiary lane cul-de-sac connecting to the trailhead.

1:40:54

20 foot separation between the lots to get up to that little pocket park non motorized easement from Lola Vista Dr.

1:41:02

We've talked about the natural surface trail that the app developers going to install parking area at the end of the cul-de-sac.

1:41:11

Compliance with the recommendations from the geotech study making all utility easements 20 feet wide as required by subdivision regulations.

1:41:19

And finally, last but not least, the historic preservation opportunities that the developer is pursuing and we are asking them to at the, you know, in good faith effort to do that.

1:41:32

So Planning Board had a public hearing on this project August 20th, recommended 8 to 0 in favor of this proposal with the 30 conditions as recommended by staff.

1:41:46

Thanks, Jenny.

1:41:47

Yeah.

1:41:51

Do we want to talk?

1:41:52

OK.

1:41:52

Sorry.

1:41:52

Is there any public comment on this?

1:41:54

Come on up.

1:42:00

Hello.

1:42:00

Can everyone hear me OK?

1:42:01

Yep.

1:42:02

Alright.

1:42:02

Pleasure.

1:42:02

Hi, my name is Tyler Lolo resident.

1:42:05

I wanted to just bring up a discussion about the proposed Parkland in this space.

1:42:10

I've been advocating to get a disc golf course restored.

1:42:14

I know there is mention of it used to be open space, but that's not necessarily it hasn't always been like that.

1:42:21

In 2018, the Lolo school had installed the disc golf course that had been used by designed for kids, their families and just kind of affordable outdoor recreation in general.

1:42:34

I have gone, sorry.

1:42:37

Let me just pull up a note here.

1:42:38

So this like the, the disc golf course had existed there.

1:42:44

There's an existing social trail system up there.

1:42:48

I've just been advocating at the Lewis and Clark Community Council meetings.

1:42:52

I think I've been emailing a lot of our, our community staff trying to get this resource restored.

1:43:01

I don't know the last time you checked the public comment section on the proposal, but I think 27 out of 29 comments are just asking to get disc golf back in the space.

1:43:13

This is something that we had and we lost.

1:43:16

And Lolo has pretty limited like outdoor active recreation options.

1:43:22

Commissioner Strohmart, you, you asked earlier about like how to paint a picture for something.

1:43:27

Lolo has about 4500 people.

1:43:29

And when not including the school, because when school's in session, we have a basketball court and a swing set to share between our entire community and our and our immediate area.

1:43:41

So this was another activity that we had and we lost.

1:43:44

And really just trying to bring that back to do this is something that we there's a community of folks that want this and can help.

1:43:58

That's we have a couple disc golf communities within between Missoula and Hamilton that are willing to help make this happen.

1:44:09

But this is something that's been lost and we're really just trying to get something back that way.

1:44:15

We and Tyler, I'm sorry, on this map, can you show us where the old course was?

1:44:20

So the easiest way to so that the trailhead that the circle section, I think that's where the parking lot is.

1:44:30

And Nick, please correct me if I'm wrong, but the circle, I'm going to take you to this existing conditions map.

1:44:38

OK, so there's the existing school.

1:44:41

Sure.

1:44:41

So it it didn't go, it ran a little up the hill, kind of where the the less steep slope is that yellow section.

1:44:49

So it ran kind of out of the hillside, went up a little, came back down and then wrapped back towards like where that the there's a shop space at the school.

1:44:59

So it was, it was nine holes.

1:45:01

It was very it was very much designed for like community access and we're just really trying to get that back.

1:45:09

Thank you.

1:45:13

Thank you for that.

1:45:15

I would just add that and and certainly Nick or anyone from our Parks Department could can elaborate.

1:45:23

But there this is being proposed as public Parkland.

1:45:29

The this is not the decision point for what the use of that Parkland is.

1:45:34

And we've really have appreciated Tyler getting in touch with us and all of the folks that have commented on Missoula County Voice advocating for the use of this.

1:45:43

That will be decided at a later time with I'm sure your ultimate decision or feedback when that time comes.

1:45:53

But since you're in the room next, do you want to come up and do you have anything to say about the Parkland?

1:46:00

Yeah, So, yeah, it's not everyday, you know that we are accepting Parkland.

1:46:04

So this is a unique opportunity.

1:46:06

And the reason why our department was super excited about this opportunity is because we have a long standing goal in our parks master plan of connecting the Lolo Hillside Trout network into a formal trail network.

1:46:16

So when this development popped up and we had the opportunity to really create that anchor site at the bottom with a formal trail network, that's something that we were super excited about.

1:46:24

And we're definitely leaving open the possibility for Frisbee golf in some form or other.

1:46:30

But we just can't commit to that time and to know exactly what that looks like.

1:46:34

We want to wait and see what sort of use the trail system's getting, what sort of parking accommodations need to be made with the increased usage that we anticipate coming on site.

1:46:43

So we've definitely committed to working with the Frisbee golf community in the future, just can't commit to what that looks like right now.

1:46:51

Thank you.

1:46:53

Yeah, while you're standing there, Nick, So just we, we talked about this briefly this morning, but maybe just hit on again, Missoula County's capacity for maintenance because because we, we were kind of at a juncture where this, this could have been proposed as common area versus Parkland dedication that would go to the county.

1:47:15

And we, as we all know, we, we struggle county wide to make sure that we have the resources to maintain what we have, let alone taking on additional property.

1:47:26

So if you could speak to that.

1:47:28

Yeah, totally.

1:47:28

And that was definitely a major consideration in this in working with Brian and the development group.

1:47:34

And that was one of the keys to that is making sure that the trails actually constructed as part of the subdivision because that would be the largest capital improvement that we needed to really like get the part going from out of the gate.

1:47:46

And in terms of long term maintenance, since this is not a irrigated turf or have any capital improvement projects such as playgrounds or swing sets or anything like that, really, maintenance will be noxious weed management on the hillside and then maintaining a trash service and headway stations at probably the main trailhead and maybe other a few access points.

1:48:10

So it being essentially just an open space with the natural surface trail connections, it's gonna be fairly low maintenance.

1:48:17

And we've talked with the Lolo sewer and water staff who helps us maintain the the RCD parks down there.

1:48:23

And combined with their capacity and our capacity on our maintenance front, we feel confident that we'll be able to maintain.

1:48:28

Can you, can you speak a little bit more about the, the connection to the neighborhood uphill?

1:48:32

Totally.

1:48:32

And, and this is the part we get super excited about.

1:48:34

So we're gonna have multiple connections throughout, but the the key connection is that point up to the northern part on captive Ville.

1:48:43

So the county has a series of Parkland that is scattered all throughout the Lolo Hillside development.

1:48:47

And right now there's informal social trails that kind of weave throughout all that Parkland.

1:48:53

So where that top trail pops out in captive Ville was actually right across in one of our county park sites.

1:48:59

So that's going to allow us the opportunity to construct an actual trail system through that park and other parks throughout the low hillside that will eventually take you to the top of the hill.

1:49:11

So it will create a network of trails, both your county park land and then some wayfinding on county right away, but essentially will allow you to go for a hike, run, bike, or even just commute down to school or down to Lolo, just the valley.

1:49:27

All staying within a public access easement or on the public right away.

1:49:32

Thank you.

1:49:32

Yep, no no more.

1:49:37

Is there any other public comment in the room?

1:49:40

We're online.

1:49:46

Could we bring up the motion?

1:49:47

The only thing I would add and thanks Brian for for your presentation.

1:49:51

Also, I would really, really, really like to never see mini storages on the commercial lot there.

1:49:57

So anything that can be done to add commercial amenities that that will really enhance the the sense of community would be I would love that.

1:50:07

They're not, they're not storage.

1:50:11

Come on up.

1:50:12

This will be important for folks to hear.

1:50:15

Yes, people love to talk about mini storage.

1:50:17

Yeah, you know, these guys are not commercial storage guys.

1:50:21

I mean, the other thing is if it ever is, it still has to come back in front of you guys for building, for lease or rent because it's not zoned.

1:50:29

So, you know, we say commercial law, but in essence, that's just a lot in the growth policy commercial area.

1:50:36

So anything commercial renting even a restaurant like we we got to come back here because there's no zoning.

1:50:45

So that is one thing to remember.

1:50:46

I we keep saying commercial lot, but it's just a lot in the growth policy area that is designated commercials.

1:50:52

So got it.

1:50:53

Feel free to convey the the desire for limited possibility of mini storage.

1:50:59

So thank you.

1:51:00

Thank you.

1:51:01

OK, I would move the unless you have to.

1:51:04

I would move that.

1:51:04

We approve the Bell Tower PUD subdivision based on the findings of fact and conclusions of law in the staff report and subject to the recommended conditions of approval as amended.

1:51:14

Second, any further discussion or public comment?

1:51:18

All in favor.

1:51:19

Aye.

1:51:21

Thank you.

1:51:22

Thank you.

1:51:23

Thank you, Jenny.

1:51:26

OK, Katie, are you texting her?

1:51:34

I will.

1:51:35

Thanks.

1:51:41

You're good.

1:51:41

I'm just going to text Chris.

1:51:42

It will be a little late.

1:51:52

Thank you.

1:51:57

Good afternoon.

1:51:57

Good afternoon, commissioners.

1:52:05

Good afternoon, commissioners.

1:52:07

My name is Katie, reader planner with planning, Development and Sustainability.

1:52:11

This afternoon we will be discussing the Dairy subdivision, preliminary plat adjustments, condition amendment and preliminary plat extension request.

1:52:21

This subdivision is located at 4005 N Avenue West in Missoula, east of the Trout Restaurant in

Dales Dairy and we have the technical representative for the project, Ron Ewart from PCI, available with us today for technical questions.

1:52:41

The Dairy is a major subdivision approved for 14 lots under the 2017 Missoula County Zoning Regulations.

1:52:48

The subdivision was approved in July of 2022.

1:52:52

Please note the new zoning regulations were adopted and placed in effect July 1st of 2022.

1:52:59

That's why this was reviewed under the old regs.

1:53:03

The subdivision was reviewed and approved under the previous zoning district, CRR 2 which permitted 2 dwelling units per acre.

1:53:14

The dairy will have 1.41 dwelling units per acre.

1:53:19

The developers now asking for three small changes.

1:53:23

Nothing major is changing on the ground.

1:53:25

This is mainly paperwork and timing changes.

1:53:30

The first request is a couple of plat adjustments.

1:53:35

The developer is updating the irrigation line easements to match what DEQ required.

1:53:40

They need to remove these two common areas because the health department counts these areas as lots.

1:53:48

If they kept them as is, they'd have more than 14 lots, which is not what they were approved for.

1:53:53

So instead those strips of land will be designated as 25 foot irrigation ditch as the 25 irrigation ditch easement.

1:54:03

They will just not be called common areas.

1:54:06

People will still be able to walk along it as a path, however, horses will not be allowed on the path to keep it safe for pedestrians and pets.

1:54:16

Here's a graphic showing the original plan for the irrigation.

1:54:19

Irrigation easements in yellow and here is an after graphic showing the updated irrigation easements in pink.

1:54:32

The second change is a condition amendment.

1:54:35

The road Betty Jo Lane will need to cross the irrigation ditch.

1:54:39

Originally the condition of approval called for a box culvert under the new road.

1:54:44

After talking with public works in the irrigation district, it was agreed on a new plan of a 36 inch squash corrugated metal pipe CMP covert.

1:54:56

Both public works and the irrigation district agree this change is fine.

1:54:59

Functionally it works the same and I have some visual aids.

1:55:05

So the original is the box and then the new plan is the 36 inch CMP.

1:55:14

Lastly, the developers requesting more time because the DEQ approvals took a little longer than expected.

1:55:22

They are asking to extend the final plat deadline out three years to July 7th, 2028.

1:55:30

This will keep the project alive without starting all over again.

1:55:33

These changes are minor adjustments.

1:55:35

Nothing changes on the ground, the ditch, the pass, the water systems, they stay the same.

1:55:41

The subdivision still meets the regulations and conditions of approval.

1:55:45

These changes are mostly documentation updates so the project lines up with the Health Department and DE QS requirements and approvals.

1:55:53

We did receive some public comments from neighboring community members focused on water availability, agriculture impacts and neighborhood compatibility.

1:56:05

Commenters also noted the need for stronger covenant language to address trespass, livestock disturbance, traffic conflicts and lot sizes.

1:56:15

These comments focus more on the overall subdivision approval, which was granted in 2022.

1:56:20

The current request is limited to technical adjustments, clarifying the easements and updating infrastructure details.

1:56:28

It does not change the original subdivision approval.

1:56:33

And with that, staff recommends approval.

1:56:36

Commissioners, here's your language.

1:56:38

Thank you there anyone from Ron?

1:56:49

Good afternoon, everyone.

1:56:51

Ron, you were with PCI, so I know you have to leave it for, but I have a really long PowerPoint presentation.

1:56:58

I'm just kidding.

1:56:59

So just I want to say three things.

1:57:01

First of all, I'm amazed at the quality of the staff report and the thoroughness of it.

1:57:06

And secondly, we we agree with it.

1:57:09

They're all.

1:57:10

And thirdly, all of these changes, none of the changes really affect what you see on the ground.

1:57:17

Everything is the same in practice.

1:57:20

The only thing that might be different is the the type of culvert.

1:57:23

We have water lines located in different locations than before and change the covenant some and as far as common area versus public access easement.

1:57:38

So people will be able to walk along there and then hopefully one day on to the to the dairy in the through.

1:57:46

Anyway, thank you very much.

1:57:49

Thanks, Ron.

1:57:49

Is there anyone from Thai Town who'd like to speak to this?

1:57:56

OK, any further public comment or discussion?

1:58:07

Hi, Anne Repkalvis, I'm sorry, can you spell your last name?

1:58:13

Anne has an E and Repkalvis is RUPKALVIS.

1:58:21

Thank you.

1:58:24

So having formerly been on the park Board and observing the loss of common area here, I don't understand the change of wording, but not the change of the use of the ground.

1:58:46

So if that could be explained to me and I guess at this level, this amount of development, is there a requirement for Parkland and or cash in lieu?

1:59:02

And if that's the case, how is this being met?

1:59:07

Thank you, Anne, Katie.

1:59:13

So the Parkland dedication, all that was dealt with in 2022.

1:59:18

The only thing can we go back to a visual?

1:59:28

The Parkland dedication was reviewed and approved under the subdivision in 2022.

1:59:34

The only thing that we're looking at today is these technical changes and the document updates, right.

1:59:41

I think the question is a little, I mean, maybe Ron hasn't some insight.

1:59:47

Could you recap again why the elimination of the law?

1:59:51

Sure.

1:59:51

Do you want to so that those two common area pieces, before they were public pedestrian access easements all all the way up to North Avenue?

2:00:06

Can you show us where those were?

2:00:09

Sure.

2:00:12

Yeah.

2:00:12

Basically along the ditch, the green area, there was this, there was this open ditch.

2:00:16

And basically the only improvement so far on the ground has been they've concrete lined the ditch, which is more like a concrete fortification.

2:00:25

So that keeps more water in the ditch and it protects the the water resource and so on.

2:00:30

But before we had this was all all common area or these two pieces were common area.

2:00:38

And the idea is the homeowner association has to maintain them, you know, to keep the grass mowed all along on both sides.

2:00:47

And then of course, the ditch company, it's a 25 foot ditch company easement also.

2:00:54

So now with the common areas going away, it's still the same.

2:00:58

It's public access easement that still has to be maintained by the HOA just to keep everything consistent and looking good.

2:01:07

What is it called now?

2:01:09

Just a public pedestrian easement that that bisects the lots.

2:01:13

But the people that, that own the lots now they own to the middle of the ditch, but they still can't fence into that 25 foot.

2:01:23

And we're hoping that all the fences will be 4 foot chain link so that everybody has good, good visuals and so on.

2:01:31

So, so it doesn't necessarily change.

2:01:33

It's just no longer called common area, right, right.

2:01:36

It's just part of the lots.

2:01:37

But it's like the people don't really, they own the lots, but they don't really have any control.

2:01:42

It's all maintained by the HOA.

2:01:44

And, and again, the justification for that, I, I heard the health department was mentioned earlier.

2:01:50

So what was the deal why this needed to go away?

2:01:53

So in order to do this type of water and sewer system, we can only go up to 14 lots.

2:02:01

So that's kind of why we're, we're doing this as a 14 lot subdivision.

2:02:06

And the health department told us that they considered those two common areas and it looks like 1 common area, but because it's on either side of the boundary in the middle on that north side S roadway, it's actually 2 separate parcels, but they're common area.

2:02:27

But the health department calls them lots.

2:02:30

So we had to get rid of the common areas.

2:02:32

And what, what would, what would have been required if they were still considered lots?

2:02:38

You, you couldn't have we, we would have to talk 2 lots.

2:02:40

We we had to go down to to to 12 lots, but but this way everything still works the same on the ground.

2:02:49

It's still it's still a public pedestrian easement.

2:02:52

OK, so the uses nothing, nothing of that change, is it right.

2:02:57

And it's it's and I'd like to mention that we're looking at cash in lieu the entire thing.

2:03:03

So because we're whether or not we have this common area doesn't affect the the Parkland dedication requirements as far as I know.

2:03:14

Thank you.

2:03:15

That's kind of interesting twist with the health department.

2:03:20

That's what we thought.

2:03:23

We get those all the time.

2:03:24

And that's sort of why we have to ask for an extension is they went through a lot of work.

2:03:28

Our engineers went through a lot of work with DEQ, even went to to Helena to meet with them and all kinds of stuff.

2:03:35

But so we're glad to be where we are.

2:03:37

Thanks.

2:03:38

Thank you.

2:03:38

Thank you.

2:03:43

OK.

2:03:45

Does that help Anne?

2:03:48

OK, come on up.

2:03:57

I'm sorry.

2:03:59

So the cash and move money goes to who there?

2:04:04

Missoula County and they mentioned an H he mentioned an HOA.

2:04:11

I'll talk with him, I guess afterward.

2:04:14

OK, That maintains the the walkway or the green space.

2:04:17

They have an HOA out there.

2:04:19

So I'm confused.

2:04:24

OK, any further discussion or public comment, come on up.

2:04:33

Scott, David and we have the property at 3870 N Avenue, so upstream from where this development is going in.

2:04:42

I guess questions on the reason behind going from a boxed in culvert down to the corrugated metal culvert.

2:04:51

I guess one concern that I have with that is at our property it was required that it was a concreted boxed in for impact, constant traffic over.

2:05:03

I guess one question is what is going to be on top of that culvert to maintain it staying open and not squashing down and possibly disrupting the ditch water from flowing.

2:05:16

It seems like 14 houses, 28 cars.

2:05:20

That's quite a bit of traffic to go over a culvert versus a boxed in access.

2:05:28

Thank you.

2:05:28

Thank you, Scott, Katie or Ron.

2:05:31

I'll let Ron touch on that.

2:05:32

OK, so as I understand our engineers met with Shane Stack and some other folks at public works to include Brett Connor O'Connor and they were adamant that we we go to A to a squash culvert.

2:05:51

The box culvert was our proposal.

2:05:52

That's our engineer.

2:05:53

Andy thought it would be a good proposal, but the, their design to withstand the, the weight and the, you know, the subgrade and everything above it.

2:06:07

And I, I believe it's going to have catches on the upstream side where, so that things don't get caught in there and so on.

2:06:15

And they have a whole program as, as far as how these are maintained.

2:06:18

And so I don't know the exact particulars of why, just that that's what was preferred.

2:06:26

Do we have anyone from Public Works still on the line?

2:06:32

I I wondered the same thing.

2:06:33

I don't remember if they were if they commented on this or not touching stuff.

2:06:37

But I'm sorry, Scott, you're, you're oh, north of this property.

2:06:46

And how old is your box culvert?

2:06:53

OK, we, we don't have anyone on public works together.

2:06:56

We could probably have someone get in touch with you and and let you know the justification because I I don't know, other than it sounds like they felt strongly enough about it that that's what they were requiring.

2:07:11

Yeah, we would too.

2:07:12

We'll we'll get back to you.

2:07:14

Did you leave your contact information at OK John Hart?

2:07:27

Can you get a little closer to the mic?

2:07:29

Sorry, I can turn it on.

2:07:31

Following discussions with both the Missoula Irrigation Ditch Company in the Missoula County Public Works, all parties agreed that a 36 inch squash corrugated metal pipe culvert would provide equivalent functionality and is the preferred design.

2:07:49

Public Works has confirmed that the CMP that's the corrugated metal pipe meets County Road standards and will assume responsibility for maintaining the road and the culvert.

2:08:02

We can still have someone get in touch with you because that does not necessarily answer the question of of of why.

2:08:08

So thank you.

2:08:11

Thanks.

2:08:11

Thanks though.

2:08:13

Any further discussion or public comment?

2:08:18

OK.

2:08:19

I would move to approve the Dairy subdivision preliminary plat adjustments, condition amendment and preliminary plat extension based on the findings of fact and conclusions of law and the staff report, subject to recommended conditions of approval as amended.

2:08:31

Second, any further discussion or public comment?

2:08:35

All in favor.

2:08:37

Aye, thank you.

2:08:38

And then Scott, you were adjourned.

2:08:42

You your contact information is printed at the back so we can get in touch with you.