

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, APRIL 23, 2026 – 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 Josh Slotnick
Commissioner Juanita Vero
Commissioner David Strohmaier

Staff Present:

Cheryl Hartman, Commissioners' Office
Flanna McLarty, Community and Economic Development
Andrew Hagemeyer, Community and Economic Development
John Wilke, Commissioners' Office
Kathleen Arthur, Planning, Development, and Sustainability
Izzie Varley, Planning, Development, and Sustainability
Erik Dickson, Public Works
John Hart, County Attorneys' Office
Melissa Richards, Grants
Jason Mitchell, Public Works
Claire Biddick, Grants
Sindie Kennedy, Grants
Amanda Peterson, Grants
Christina Dewar, Commissioners' Office
Annie Cathey, Commissioners' Office
Melissa Fisher, Commissioners' Office
Mattie Scott, Commissioners' Office/Facilities
Patricia Spotted Wolf, Commissioners' Office
Anne Hughes, Chief Operating Officer, Missoula County
Analeshia Rodriguez, Lands and Communities
Allison Franz, Communications
Katy Reeder, Planning, Development, and Sustainability
Kevin Dantic, Planning, Development, and Sustainability

Vincent Pavlish, County Attorneys' Office
Tim Worley, Planning, Development, and Sustainability
Melissa Gordon, Grants
Kayla Talbert, Grants
Carey Powers, Communications
Erin Kautz, Community Justice Department
Chet Crowser, Lands and Communities
Heather Powers, Grants
Patrick Swart, Planning, Development and Sustainability
Jordan Hulla, Planning, Development, and Sustainability

1. **CALL TO ORDER** [Time stamp – 0:00]
2. **PLEDGE OF ALLEGIANCE** [Time stamp – 0:04]
3. **LAND ACKNOWLEDGEMENT** [Time stamp – 0:22]
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
4. **PUBLIC ANNOUNCEMENTS** [Time stamp – 0:29]
 - a. Closed Captioning
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** [Time stamp – 1:20]
6. **CURRENT CLAIMS LIST** [Time stamp – 5:32]
Claims received as of April 02, 2026 to April 15, 2026 by the Commissioners' Office total \$3,675,482.30.
7. **HEARINGS (PLANNING AND ZONING COMMISSION)**
 - a. **The Buckhouse Growth Policy and Rezoning** [Time stamp – 06:23]
Kathleen Arthur, Planning, Development, and Sustainability
Izzy Varley, Planning, Development, and Sustainability

Commissioner Strohmaier made the motion that the Planning and Zoning Commission of Missoula County hereby approve the request to remove the parcels legally described in the Quitclaim Deed recorded in Book 1116 of Micro Records Page 220 from Citizen Initiated Zoning District #39 based on the findings of fact contained in the staff report, public testimony, and commission deliberation.

Commissioner Slotnick seconded.

[Motion #1 Passed 5-0.]

[Motion #2 Passed 5-0.]

[Resolution 2026-069 Book: 1128 Page: 393]
[Resolution 2026-070 Book: 1128 Page: 394]
8. **HEARINGS**
 - a. **The Buckhouse Growth Policy and Rezoning**
Kathleen Arthur, Planning, Development, and Sustainability

Commissioner Strohmaier made the motion that the Board of County Commissioners of Missoula County hereby approve the request to remove the parcels legally described in the Quitclaim Deed recorded in Book 1116 of Micro Records Page 220 from Citizen Initiated Zoning District #39 request based on the findings of fact contained in the staff report, public testimony, and commission deliberation.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

- b. Resolution: Establishing a School Zone and School Speed Limit on Potomac Loop**
Erik Dickson, Public Works [Time stamp – 02:43.30]

[Postponed until May 28 Commissioners' Public Meeting]

- c. Missoula County 2026 Housing and Community Development Survey**
Melissa Richards, Grants [Time stamp – 02:45:12]

Commissioner Strohmaier made the motion that the Board of County Commissioners of Missoula County hereby approve the request to open the development survey as presented by staff.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Signed RCA was sent to Melissa Richards]

- d. Resolution: Wye Targeted Economic Development Plan Extension by issuing a TIF Bond** [Time stamp – 03:04:59]

Commissioner Strohmaier made the motion that the Board of County Commissioners of Missoula County hereby approve the resolution determining that fulfillment of the Wye Targeted Economic Development Plan requires pledging tax increment to the payment of bonds that will extend the termination of the tax increment financing provision beyond the 15th year.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

9. OTHER BUSINESS

[None]

10. ADJOURN

Chair Slotnick – Called the meeting to adjourn at 5:25 p.m.

BCC Public Meeting April 23, 2026 – 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.

0:04

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

0:22

Missoula County acknowledges that this event takes place in the Aboriginal territories of the Salish and Kalispell people.

0:29

Do we have any public announcements?

0:34

Hello everyone.

0:35

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

0:41

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

0:46

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

0:52

The Chair will open discussion for public comment after each staff presentation.

0:57

Please respectfully keep your comments to 3 minutes.

1:00

If you're on Microsoft Teams, we ask that you use the Raise Hand feature.

1:04

This is the small hand button at the top of your screen.

1:07

If you're calling in on the phone, you'll need to push *5 to raise your hand, then once called upon, push *6 to unmute.

1:14

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

1:16

Thank you.

1:19

Thanks Cheryl.

1:20

Do we have any public comment on items not on the agenda in the room or online?

1:24

Yes, please.

1:27

So, man, you can speak for three minutes on anything you like.

1:30

You just have to hit the green button and say your name.

1:32

And my friend Dave will start the timer.

1:34

Do you see the timer in front of me?

1:37

OK, Thanks.

1:39

Yes, ma'am.

1:40

Off you go.

1:42

Good afternoon.

1:43

I am Janet Lilly, volunteer district coordinator for the AARP Tax Aid program here in Missoula.

1:48

Our mission is vital to provide free federal and state income tax preparation for older adults and low to moderate income individuals.

1:56

For our clients, this service ensures that they keep their hard earned money rather than losing it to errors or pay tax preparers.

2:04

The past season of our team of 23 volunteers prepared around 1200 federal tax returns and of course the corresponding state tax returns.

2:13

We secured nearly \$1.2 million in federal refunds alone.

2:18

The average age of our clients is \$37,000.

2:22

Yet despite this immense value, our biggest obstacle remains finding a place to work.

2:27

For the last three years, Missoula Public Library associated us for two days a week, but that space is in high demand and they do cannot offer us any more days.

2:36

Since 2020, our main site for the other four days a week has been a moving target.

2:42

We have called 5 different places home, the Senior Center, the Southgate Mall, Western Montana Clinic, Clearwater Credit Union, and finally this year, the Lifelong Learning Center.

2:53

Every year we spend months hunting for space.

2:56

This process exhausts our team, distracts from our mission, and stresses our clients who struggle to find us every year, or sometimes they even worry that we'll be around next year.

3:06

I see a solution in front of US county owned spaces that are underutilized during the winter months, the very season that we need them the most.

3:15

We are not asking for much.

3:16

AARP provides our equipment.

3:18

We simply need a room, tables, chairs and Internet access three to four days a week for 10 weeks.

3:25

We can make almost any functional space work.

3:29

I am asking you to help us bridge the gap between these empty county rooms and the taxpayers who need us.

3:34

By opening underutilized space, you will turn idle assets into an active community support.

3:41

Please help us stop this annual scramble.

3:43

Together, let's find a permanent, stable home for this essential service so that none of your constituents are denied filing taxes due to a lack of a table.

3:53

Thank you for your time and I look forward to helping working with you to make this happen.

3:57

May I answer any questions?

4:03

Did you sign in?

4:04

Do we have your contact information say?

4:05

Fantastic, thank you.

4:07

Now, do I do anything?

4:09

Can I ask you another question?

4:10

Is there a specific unused county space you have in mind?

4:13

Well, this year the Lifelong Learning Center has been wonderful.

4:17

It's probably been our best spot yet, but we don't know if we're going to be able to get it again next year because of federal funding that's coming through.

4:25

We look and what we know of is possibly the voter registration building, but I think it's kind of, I think when they do training there, it may be a little iffy.

4:34

The county fairgrounds certainly seems to have a lot of space that might be available and those are the things we know about.

4:41

I don't know of any other spot.

4:43

Sure.

4:43

Thanks.

4:43

So the school is owned by MCPS, and though the Missoula County's in the name, it's actually its own jurisdiction.

4:49

We don't have any authority over them.

4:51

OK, Thank you.

4:52

Juan pointed out that if you wrote your name down, we can pass this on to folks who work within the county around space.

4:57

And we can certainly have this conversation and see we see what we can come up with.

5:01

I would really with no guarantees, but there was no guarantees.

5:05

Certainly a worthwhile endeavor.

5:07

OK, Thank you very much.

5:08

Thank you.

5:08

Bye.

5:08

Bye.

5:12

Any other public comment in the room or online?

5:22

Don't want to cut anybody out.

5:26

OK, I'm not seeing any more.

5:28

Going once, going twice.

5:31

OK.

5:32

Our current claims list, claims received as of April 2nd, 2020 sixth to April 15th, 2020 sixth by the Commissioner's Office.

5:41

Total \$3,675,482.30.

5:46

We have multiple hearings today.

5:48

We're doing something that only happens occasionally, and this is that we will convene, the board of county commissioners will convene as the planning and Zoning Commission, which means it's the three of us plus two other folks.

6:01

You all want to introduce yourselves, the microphone.

6:07

You're good now.

6:10

Errol Rupp.

6:12

I'm newly appointed to the this board.

6:16

Thank you, Errol.

6:18

And I'm Jason Mitchell, the chief public works officer for Missoula County.

6:23

OK.

6:23

So as the Planning and Zoning Commission, we will hear a hearing on the Buckhouse Bridge, Buckhouse growth policy, rezoning and Kathleen Arthur and Izzy Barley will present.

6:37

Thank you.

6:53

All right, my name is Kathleen Arthur and I am a planner with the Missoula County Department of Planning, Development and Sustainability.

7:02

And today I am presenting a proposal from Jason Rice of Shop Town at Buckhouse, LLC for a growth policy amendment and rezone of a property located at 4285 Highway 93 S And we just wanted to do a quick, you know layout of the procedural steps that are going to happen for this.

7:32

We are now convene as the Planning and Zoning Commission and the result of this Commission will be a

recommendation to the Board of County Commissioners on removing these properties from Part 1 or Citizen Initiated zone #39.

7:51

And so that will be like you'll have a motion and then it will be to recommend to the commissioner's approval or denial of the motion and the proposal.

8:03

And we're going to give all of our presentations during this time.

8:09

We won't be repeating them, but the end of the presentation you'll give a recommendation and then we'll move on to the commissioner's portion.

8:23

These properties total about 83 acres and they are bordered by the Better Root River to the east, Hwy.

8:32

93 S to the South and vacant private land to the north and West.

8:39

The property is currently accessed off Hwy.

8:42

93 S by a private driveway to the shop on the site.

8:50

Historical uses on these properties include gravel mining, salvage, landfill, and most recently, equipment storage.

9:00

During the 2020 COVID epidemic, property owners allowed a temporary safe outdoor space serving people experiencing houselessness.

9:09

This has since been relocated in 2023.

9:14

The property at the Buckhouse Bridge is also used by the public as an informal river access site where people typically park on the highway and access the Bitterroot River using an informal trail.

9:26

There is a Class 3 landfill on the site consisting of waste from past industrial use.

9:32

The presence of the landfill requires special approvals for any development from the Montana Department of Environmental Quality and the US Army Corps of Engineers.

9:43

The properties were incorporated into a Citizen Initiated Zoning District in 1975.

9:52

The site contains both floodplain and wetland areas.

9:56

FEMA has recently updated the floodplain maps, which should be adopted later this year.

10:01

The top map shows the current floodplain and the bottom map shows the preliminary floodplain map expected to be in effect later this year.

10:13

The pink is the 100 year floodplain and the yellow is the moderate risk or 500 year floodplain.

10:21

There's floodplain along the river and a majority of the western portion of the properties consist of 100 year floodplain.

10:28

Kathleen, can I interrupt you?

10:29

Just I just want to make sure I'm seeing the colors right.

10:31

If we're looking at the map on the bottom, the everything in pink is the 100 year floodplain.

10:38

Yes, Wow.

10:41

And then the darker green color is what?

10:45

Well that is not 100 or 500 year, that's being removed in the new update.

10:51

So it's not in the floodplain.

10:53

So the dark green is not in the floodplain.

10:55

That's correct.

10:56

And then the cross hatched yellow is the 500 year, OK.

11:02

And pink is 100 year.

11:04

OK, thank you.

11:05

Yeah, Due to the combination of high groundwater, landfill and floodplain development potential is severely limited on the property.

11:18

Public sewer and water is currently not available to the property and the nearest public sewer is across the Buck House Bridge .3 miles to the east.

11:28

The applicant has recently submitted A boundary line relocation on the property, however this has not yet been filed as this would be contingent on the approval of the growth policy amendment and rezone.

11:41

Bethane, do you have a map showing the landfill?

11:46

The yes, we do.

11:48

Do you want to see it now or as long as it's coming?

11:52

Yeah, it's coming.

11:57

The applicant is requesting a growth policy amendment and rezone of the properties.

12:06

The first portion of the Planning and Zoning Commission decision is strictly around this removal of the properties from this is the citizen initiated zoning district and that's what you will make a recommendation on.

12:27

1st, we have to remove the properties from this Part 1 zoning to zone them what the applicant is proposing.

12:36

So this is a step that has to happen first.

12:45

Next would be the growth policy amendment proposal and the current land use designations on the properties are agriculture, which is the dark green color on the West and working lands which is the lighter green color on the river.

13:04

And these designations generally follow what were the floodplain contours and this designation encourages agriculture potential and suggests that residential be at a very low density.

13:18

The working lands designation aims to achieve the protection of waterways and natural resources with also very low density residential.

13:29

The the applicants proposal would change the designations on the properties as follows.

13:38

The proposal would designate 52.3 acres as agriculture shown on the map in green.

13:47

Note this area is entirely within the 100 year floodplain.

13:52

The working lands designation will be 9.4 acres on the east side of the property shown in blue and a new designation of open space and resource and recreation will be designated along the river and Hwy.

14:07

93.

14:09

This designation is intended to be publicly owned and aims to protect natural landscapes and waterways.

14:16

The applicant has approached public entities regarding ownership and management of this area.

14:22

However, at this time no agency has expressed intention of taking ownership or management.

14:29

A new designation of commercial center is being proposed on 8.6 acres of the property in red here, and that designation calls for a mix of primarily commercial, an accessory, higher density residential development served by public water and sewer.

14:54

Can I ask a question please?

14:56

Yes, the current zoning of the area.

14:59

Could you show what those uses currently allow in the current zoning?

15:03

The current zoning, the zoning area 39, yeah, this is a map of the current zoning.

15:10

It's this burgundy color, the map on the left, and it's just strictly pretty much residential.

15:18

It also allows so single family residences, accessory Building, Schools, churches, parks and playgrounds, a library, community halls and residential planned unit developments.

15:34

And the density of the residential in the zoning district is 1 home per acre.

15:41

Kathleen, I'm not saying Van, would you do you mind talking about what kinds of uses could happen in a commercial center zoning?

15:50

Yeah, we're going to talk about that a lot.

15:52

That's OK.

15:53

We're going to be very deep into that subject in just a moment.

16:01

So just to point out though, the the residential development, any kind of development on this property is really constricted by the environmental constraints and conditions.

16:16

So in the proposed zoning, they pretty much just overlap with the growth policy designation proposals on the western portion is agriculture and that would be the hundred year floodplain and it would preserve this land pretty much as open space exclusively.

16:41

And then the blue would be agriculture working lands or AGW 40 which is 1 dwelling per 40 acres.

16:49

Also recreational development and similar uses to that of agriculture reserve and the yellow would be the resource and open lands and that's again protection of landscapes and waterways and habitat.

17:05

It aims to minimize risk to public health and safety from natural hazards and allows for recreation.

17:12

And then the red commercial center zone allows for a wide array of commercial uses and residential that we will go into in just a moment.

17:26

Chapter 8 of Missoula County's Growth policy specifies criteria that must be met by private parties seeking to amend the growth policy.

17:35

The criteria provides a basis for the governing bodies determination that the proposal is consistent with the Missoula County Growth Policy and the 2019 Missoula Land Use Element.

17:48

The following slides will show an overview of each proposed land use designation and how they comply or do not comply with the goals and objectives of the Land Use Policy.

18:02

The Agriculture and Working Lands designations are consistent with the Missoula County Growth Policy.

18:10

They were selected due to the large area of 100 year floodplain on the property and adjacency to the Bitterroot River, wildlife habitat and lack of infrastructure.

18:21

Another important component is the congruency with neighboring properties and the preservation of open space.

18:31

Public comment strongly supports the preservation of open space and protection of resources.

18:40

The open space and recreation land use designation is also aligned with the growth policy.

18:46

It will enhance protections for the river and the riparian environment.

18:51

In fact, adding 500 foot riparian buffer, which would limit additional development in perpetuity and enhance protections for wildlife.

19:01

It would preserve the area for a potential future recreational access site.

19:07

And public comment strongly supports the river protections, the riparian protections and recreation for that site.

19:19

The commercial center designation at this location is not consistent with the growth policy for several reasons.

19:27

The location on Hwy.

19:28

93 has a high speed limit of 55 mph and the designation allows for a broad range of uses, many of which would not be appropriate for the location guided by the growth policy.

19:42

There's no infrastructure for wastewater management and which is necessary to support most of the uses.

19:50

The environmental characteristics of the location remain important constraints to consider when assigning land use designations.

19:59

Commercial center is not an appropriate designation and our key findings for this are as follows.

20:12

OK, good afternoon commissioners.

20:13

My name is Izzy Varley and I'm gonna take us through this middle section here where we get into the some of these issues into into greater detail, right.

20:19

So the first issue that we noted, Izzy, can you get a little closer to the.

20:23

Oh, sure, yeah, yeah, exactly.

20:24

Let me try to get in here a little closer.

20:25

OK, so the first issue that we've noticed in terms of the the commercial center zoning and group policy was a concern about transportation and safety, right?

20:35

This is a high speed zone motors in the southbound lane, which would be the primary access on the right hand lane, right are are accelerating to 65 miles an hour in this particular location.

20:47

There've been a lot of traffic studies for this particular location, right?

20:50

And this goes all the way back to 2006.

20:51

MBT didn't access control report at the site.

20:54

Later in 2023, there was the MBT speed study from Lolo to Missoula, right, that looked and basically found that the speed limits at this location are appropriate for what is for what they're currently set out.

21:07

And then in 2025, NDT did another study from Missoula to Florence, a corridor study, right?

21:13

And I'll talk a little bit about that.

21:16

So it looks specifically at this particular location, right, and found that it is characterized by high travel speeds, right, in this transition from a suburban context into a more of a rural area, right?

21:27

And that these high speeds can cause conflicts, especially at peak travel times, right?

21:32

When people leave town at the end of the day, they're driving South to Lolo and destination S, right?

21:37

That's when you know, people, there's a lot of people on this particular section of highway.

21:42

And importantly, right, there's no funding has been identified for corridor projects at the time of this report, right there.

21:47

MBT doesn't have this necessarily sitting on a pile of war like a war chest of money, right, To make improvements to this section to make it safer, right?

21:54

So that's a, that's a sort of an issue for us is that there's really not a great plan to make this section safer right in the short term.

22:08

OK, here's your to get to your earlier question, Commissioner Slotnick, right, Commercial center allows a lot of different types of uses, right?

22:17

Animal Services, business equipment and sales, cannabis casino residential with an 8 homes per acre minimum, right?

22:22

Ink eating and drinking establishments, entertainment venues, financial services, food and beverages, gasoline and food sales, lodging, medical facilities, parks, professional offices, retail, RV parks, vehicle maintenance, repair, sales and storage.

22:35

There's lots of different uses that are encompassed by this particular use that the applicant is requesting.

22:41

So let's look at a few of these different sites and see what's what's kind of located and what kind of characteristics they have.

22:47

This first one is we'll talk at there's there's three other three, for example, right, Three locations, other locations, the county that have the same zoning designation, right?

22:56

We're looking at Hwy.

22:57

93 N of the Y, the Bonner Town Pump, which is, of course the existing one, right?

23:03

That's there at the junction of I-90 and Hwy.

23:06

200.

23:07

And then Blue Mountain Rd., just, you know, a couple 100 feet to the South of this location, So Hwy.

23:13

93, right, we have, there's a, it's a junction of, of an Interstate and a major highway, right?

23:18

There's water and sewer at that location, right, to help support that development, right?

23:21

They've got sewer, it's provided from the city.

23:23

There's a water service out there that's probably the operator, right?

23:25

But there's enough water to kind of do fire and, and other issues that they're, that you may need for that.

23:31

The Barnertown pump, right?

23:33

The junction of I-90 and Hwy.

23:34

200.

23:35

There isn't water and sewer available, but they do have a, listen, incredibly robust septic system in place and there's not any groundwater limitations in that particular location, right?

23:46

They've got those things down further down the road at Blue Mountain, right?

23:49

And at Blue Mountain Rd.

23:51

and Hwy.

23:51

93.

23:52

Again, this is not a location where high hot water and sewer are available, but there's there's an ample place for like a very robust septic system and there's no groundwater limitations in those particular locations in terms of land uses, right?

24:08

Hwy.

24:09

93 N of the night, right?

24:10

This is the classic community commercial kind of set of uses that we typically see in these locations, right?

24:15

Travel plazas for for gasoline and, and, and trucker sort of station sleeping overnight, right?

24:22

Trucker parking.

24:23

There's casinos, liquor stores, fast food, cannabis dispensary, hotels, all the kind of stuff that you would see at that kind of location, right?

24:30

The Bonner town pump, right?

24:31

Similarly, a travel Plaza, a casino, a liquor store or restaurant down South of Blue Mountain, there's this slightly different array of uses, right?

24:38

There's a huge health club out there, there's some retail, there's a group home, there's wholesale lumber storage units, right?

24:43

But these are relatively intensive uses that are that typically take place in this typical in this location or in these these type of zoning.

24:50

Excuse me.

24:53

So the applicant is going to of course speak right after us, right?

24:56

And he'll talk a little bit more about the specifics of their proposal, right, Because they are proposing a very specific loose use for this location, right?

25:03

A combination of sort of dry shop and heated our dry storage units and heated shops and a condo development.

25:11

And it's certainly supported, right, that only 8% of the proposed area will be developed under the applicants proposal, right?

25:16

The development, the reminder is largely within what remain vacant, right?

25:20

Part of that is in the floodplain, part of it's not.

25:24

They do envision this, this river access parking lot on a portion, right.

25:27

But no agency has stepped forward to, you know, take ownership or manage or develop the site as a more proper river access area.

25:35

Importantly, right, this use is not allowed by right in the commercial center and requires a special exception permit, right?

25:42

So they have to go through and do a separate approval process in order to do this combination, you know, storage unit and shop development.

25:53

So while it's tempting for us to look at this and just look at specifically what they're proposing, right, we have to evaluate the range of land uses that are possible at this site.

26:02

Not a single use, right?

26:03

Because we don't necessarily know what's going to happen, right?

26:05

Plans change plans don't always work out.

26:09

But once we change the zoning, right, they can, they can essentially do whatever is allowed by right in that location.

26:15

So I've created this funky little diagram, right, to kind of illustrate the potential scenarios, right, that could occur through this development, right?

26:23

So on the left side, you can see this is the this is where we're at today, right?

26:26

This is the growth policy amendment and the rezone decision.

26:28

This could go yes.

26:29

This could go no, right?

26:31

But then they, you know, in order to proceed, right, it has to go through another special exception, right?

26:35

That could also go yes.

26:37

That could also go, no, it's above my pay grade to sort of deduce what Mahama Club.

26:41

And that's where it would go to as a special exception, right?

26:43

It would go to the Board of adjustment.

26:45

And the board of adjustment isn't body right now, it's in the Missoula County Consolidated Land Use Board.

26:51

So if they get both of those yeses right, then the applicant could proceed with a Bucktown Shop Hound development otherwise, and any number of different scenarios could occur, right?

27:00

They could choose to develop something else in this location, right?

27:03

Or there's could be site limitations that are so intense that this site kind of continues to remain vacant.

27:08

But with this designation that nothing can really happen with.

27:12

They could also resubmit a different growth policy amendment and rezone application, right, with asking for a different designation.

27:20

They could also develop this property by right under ZD 39, right, which would largely result in some an undetermined amount of residential homes on this location, right?

27:29

So there's lots of things that could happen depending on the decisions that are made ultimately, you know, by you and also by the applicant.

27:38

Do you mind if I ask a question at this .0?

27:40

Sure, go for it.

27:40

So I've had kind of two questions relating to what you just said.

27:44

One, is there no way to kind of limit commercial uses based on a conditional approval?

27:48

No, there's not.

27:49

There's just nothing in you kind of get the the full range of uses that are allowed under the zoning, right?

27:55

We don't condition zoning in the county.

27:59

And in in the past, right, there was a mechanism, a planned unit development zoning type that allowed you to essentially a developer to kind of, you know, negotiate their way to what they're what they want to do, right?

28:10

But that negotiation comes in with give and takes.

28:13

You know, we talked a little bit with a senior planner, Jenny Dixon, right.

28:16

In the old zoning code, there was a little more flexibility to kind of come in and say, hey, we want to do this.

28:21

It's a little weird, but we could, we're willing to do a little give and take with you and we'll, we'll put a set of uses that's on the table that we'll do.

28:28

We'll take other uses off the table that we're not going to do.

28:30

And that gets written into APUD.

28:32

We don't have that mechanism anymore, right?

28:34

There's really no way to limit them to say, OK, you can only do this one thing.

28:39

Thank you.

28:40

And then considering that only that small portion of the project is in the 500 year floodplain, is that the only area they could potentially build residences in the future otherwise leaving the rest of the land unable to build homes on under the current?

28:55

Yeah, under the current zoning?

28:55

Well, you, they, they, they in theory they could, they you can build in the floodplain, right?

28:59

It becomes very expensive and very difficult, right.

29:02

But it is in theory possible, right?

29:04

The most likely outcome would be like, yeah, that they would probably focus their development of residential on the area that's outside of the floodplain, especially the 100 year floodplain, which is the regulatory one.

29:13

All right.

29:14

Thank you so much.

29:14

Absolutely.

29:16

OK.

29:17

So we talked about, we kind of hinted this a little bit there.

29:19

There are a number of environmental constraints on that one on this particular property, right.

29:23

And so that makes wastewater and stormwater management are very challenging issues in this location.

29:28

They're seasonally high groundwaters.

29:29

The test wells show groundwater between 30 and 65 inches beneath the the the land surface.

29:35

It is completely surrounded by 100 year floodplain.

29:38

And that means that that, you know, essentially in some ways this is sort of an island out in the middle of this floodplain.

29:44

And so while the 500 year floodplain is being reduced in these in the preliminary floodplain maps, portions of the commercial center do remain inside the 500 year floodplain under the the preliminary maps.

29:58

So this causes it up.

29:59

There are a number of infrastructure limitations, right?

30:01

We mentioned that commercial center generally requires or isn't, you know, like at least it strongly encourages you to have water and sewer access.

30:09

You know, we supported the staff supported the decision for the commercial center designation at Blackfoot Crossing, right at 293, right.

30:17

That just kind of came through relatively recently, right, because the applicant proposed water and sewer facilities along with their development and that kind of changed the whole thing.

30:25

And ultimately you, the Commission decided not to, you know, essentially to not take the the commercial center do neighborhood center instead, right?

30:34

That was a decision that that that the Commission made.

30:37

May I ask a question?

30:38

Yes, of course.

30:39

Errol, do we have any documentation at the last time there was any flooding in the 100 year floodplain in that area, Not that I have like immediately available.

30:52

That's something that would probably take time to kind of dig through and I have to work with our floodplain administrator to find like, OK, like the last time we kind of experienced this was in such a year and here's the documentation for that.

31:04

I'm sorry, I don't have that here.

31:06

Thank you.

31:08

OK, so the growth policy and Landy Selman indicate that water is required again to to support most commercial center uses.

31:15

A big limitation here is that the extending the sewer from the city of Missoula is not really an option, right?

31:20

It's would be extraordinary difficult to convince the city to move their sewer across Buckhouse Bridge.

31:27

However, right alternative septic systems may be feasible, right?

31:31

There are, there are septic systems that are designed for specifically these locations.

31:37

As my old boss in the private sector used to say, money can make a lot of problems go away, right?

31:41

And that's certainly true with this site, right?

31:43

You could do an evaporative pond system or a raised mound septic system.

31:47

Like if you're willing to truck on, you know, half \$1,000,000 worth of dirt and build a raised mound system at this location because that's what make economic sense.

31:54

You could maybe pull off a much, much more robust development this location with the zoning designation.

32:01

So in some, right, like a large investment in the right septic system could overcome the site's limitations, right?

32:06

Which leaves us, you know, a position of, of a certain amount of or a large amount of uncertainty, right?

32:11

We really don't know what a developer could pull off here, right?

32:14

To be honest, right, Because we're, we're not really sure.

32:18

The limitations are great, but they could be overcome, right?

32:20

It's a, it's a place of, and that in itself is sort of a red flag.

32:23

We're not really sure what could happen in their presentation, the applicant's presentation at Mcclub, right, they talked about the suitability for the site and then a lot of the uses that that are allowed in the commercial center zoning, right, aren't suitable for the location.

32:38

And they're certainly correct about that, right?

32:40

There's it's really isn't a suitable location for high density residential or you know, a large gas station, you know, 20,000 square foot gas station, right?

32:48

But however, suitability and economic viability, right, are completely different questions, right?

32:53

If you have a person or an entity, right, if you get, they sell this to Dino's or to Town Pump or to Olie's or whatever else, and they can make a nickel off of this place, right?

33:02

Because they have a pocketbook to do that.

33:04

They can make it happen even if the suitability for that particular use is relatively low, right?

33:08

It's difficult, but if you can make money, you can do it.

33:12

So again, to, to to our earlier point, right, my last look on and I'll have this, this point right, is that we can't really, there's not a really good way to kind of work our way out of this particular situation, right, where they're proposing one specific use.

33:22

But a range of uses is allowed, right?

33:24

Because we can't condition zoning, right?

33:26

The range of uses allowed is what it is, right?

33:29

If they want to do something different or they want to do something by right, they need to ask to, for that designation to do that.

33:36

OK.

33:37

With that, I'll give you a break from me and I'm going to hand this back over to Kathleen.

33:47

All right.

33:48

Another component of the growth policy is the land use element, which lays out actionable plans and strategies to implement.

33:57

The goals of the growth policy and this proposal both support some aspects of the land use element and not.

34:08

The proposed agriculture, working lands and open space designations fulfill the values to protect open space, habitat and recreation and the commercial center designation fails to support the values of accommodating growth where there is existing infrastructure, protecting public health and safety and the site specific characteristics needed to support commercial center designation, which were discussed by Izzy.

34:43

Next on to the zoning criteria for the rezone.

34:46

The proposal includes rezoning the properties.

34:51

The review criteria for a zoning amendment focus on alignment with the growth policy, public safety impacts on resources and impacts on the surrounding region, and congruence with the surrounding zoning districts.

35:07

A comprehensive review of these criteria can be found in the staff report.

35:17

Staff findings concluded that the Agricultural Reserve and Working Lands zones met the criteria.

35:29

The proposed commercial center land use designation is not consistent.

35:37

Because of the concerns that we brought up, we went out for agency comment on the proposal and the county received agency comments from Missoula County Water Quality District, Missoula Parks and Recreation, Missoula County Floodplain, Missoula County Public Health and the Rural Fire District and the Confederated Salish and Kootenai Tribes.

36:15

Missoula County Water Quality and Public Health both shared concerns about the shallow water table throughout the property as well as the landfill.

36:25

Health code requires toilet facilities and structures designed to be occupied by people.

36:31

The infeasibility of wastewater management poses a very challenging hindrance to any development on the site.

36:43

The City of Missoula Parks and Open Space had concerns about commercial development of the property and maintained a preference for development with the least amount of impact.

36:54

There is strong support for the 500 foot riparian buffer that would be in place if the proposed zoning would be applied.

37:02

There was also support for the recreation Access parking lot.

37:06

However, questioning whether the lot would provide adequate spaces for the demand and during the summer time, the applicant published a survey made available to the public on the Missoula County Voice page and on site at the property.

37:24

They hosted 2 community engagement forums and presented at the Lolo Community Council meeting on September 9th.

37:31

February 4th and July 14th of 22,025 legal advertisement announcing public meetings for the proposal were published in the Missoula in on February 28th.

37:44

The March 7th legal notices were posted in five public locations and adjacent property owners within 1000 feet of the parcels were notified by mail.

37:59

The public comment received can be broken down as follows.

38:06

There was a lot of support for the open lands and resource protection, the recreation component and the riparian protections.

38:16

And there was opposition to the specific development of storage units, any kind of development in the floodplain and the loss of habitat and open space.

38:28

We did have two public comments come in yesterday evening after business hours, so I just wanted to put them up here just so they could be counted on the record.

38:40

They both sort of just say they're in support of the open space and, you know, the agriculture and working lands components and they oppose the the storage units because of the infrastructure limitations and loss of open space.

39:02

And I also printed these out if you wanted to see them.

39:06

They're kind of long.

39:08

This one also just echoes that sentiment.

39:11

And they're saying at the bottom, do not remove the properties from the citizen zoning district and do not amend, amend the growth policy and zoning.

39:28

So we took the proposal to the Missoula County Consolidated Land Use Board on April 1st, and with six members present, they voted to deny the land use amendment and rezone request.

39:45

Planning Board members ask clarifying questions about why the applicant chose commercial center zoning specifically given the constraints on the property and also the need for a special exception for the project.

40:01

And the applicant explained they did sort of work backwards from the project they want to accomplish.

40:09

And the applicant also stated that the county had given them guidance to select that zone In a pre scoping discussion.

40:17

County staff has clarified that the staff members present at those meetings would not have given any indication that the proposal would be approved.

40:26

Members of the board were supportive of the open space component, but ultimately felt that the mismatch between what is allowed in commercial center and what is feasible is too great of a divide to consider approval.

40:42

The supporters of the proposal noted that MDT would likely respond adequately with safety measures to the property use proposals once they were submitted, so now is the time for discussion.

41:03

Oh, oh, yeah.

41:06

Sorry.

41:08

Public comment, public presentation.

41:11

Oh, oh, it's Jason's turn.

41:12

Jason's turn.

41:14

Sorry.

41:14

You want?

41:19

Yeah, if you can get Joe queued up, Joe's actually going to do most of the presentation because I'm actually here more as the the applicant today.

41:27

So while he's getting queued up, we kind of thought we'd give you kind of an intro to a little bit about why we're doing what we're doing and kind of the beginning history.

41:36

So I'm Jason Rice, I'm an engineer, land use planner.

41:39

I've been on planning board with Josh back in the day.

41:42

So some of my references to that, that's maybe where that came from.

41:45

Sorry for calling you just first name.

41:46

That's fine, Commissioner, but we do appreciate being here today.

41:51

With me is Nate Richmond.

41:52

He represents Spencer Properties, who is actually a family organization, their long term family family who's done a lot of stuff in housing in Missoula and a lot of different pieces, including helping with the TSO and plus his work in affordable housing is, is huge.

42:11

They didn't acquire this property as an investment.

42:13

They acquired this property through a prior person who defaulted on a loan of all things.

42:18

And so it's not like we're here trying to like turn a, a rotten lemon into something that, you know, went bad on them.

42:26

But that little lemon came with a \$200,000, you know, expense for capping material for an unclosed landfill permit that was there.

42:36

It came with testing a wetland creation and then testing to make sure.

42:41

I think this was the most important part for them, that they did not acquire something that had a liability to the environment.

42:46

So there's a lot of testing that went into the soil because there had been a reclamation for vehicles on the property.

42:52

And so we wanted to make sure there was no oils and transmission fluids and stuff leaching down.

42:56

So we're, we're, my involvement was I started training dogs on the property because the West side is very natural and very nice.

43:03

And it's like the tale of two cities here.

43:06

So there's about 50 acres over there.

43:07

I'm like I stated, an engineer planner, retiring early and, you know, trying to make this kind of a place where I can be and get out of my wife's hair.

43:15

On many occasions when I approached the Spencer organization about, you know, this idea, the concern was sacrificing that underlying zoning with the density, you know, so if we were to split off that extra acreage, you know, what would that do?

43:31

Because they were stuck with this piece of land trying to figure out what to do and they're busy with their other stuff in life.

43:36

So I offered to evaluate that and come up with a plan that maybe would allow me to buy the property.

43:42

So the goal was to monetize the land with his, you know, to help bring back a recoupment with his low impact to the community as possible.

43:51

I studied the land with my background and my engineering background and my planning background, my years on the planning board, my years on the Missoula economic development, you know, group, Chamber of Commerce, all those things and wanted to do the right thing.

44:04

And so I came up with a plan that was based on a project our client was doing in Billings and it's very well suited for the property.

44:12

It's a condominium of of basically a workspaces and storage spaces.

44:18

So not like a really a mini warehouse like you think about, unfortunately, that's the only thing that our zoning code can call this right now.

44:24

So when you hear mini warehouse, it's kind of a not quite accurate.

44:30

So we met with the county because neither of us being, you know, community members wanted to swim upstream and actually be in this position today at all to be having to have our planner present as long as he's going to give to you.

44:39

We apologize for that ahead.

44:42

We listened to concerns and we took advice.

44:44

We did not hear that anybody said that we were going to get approved, but we said we are here as long standing partners with the community planning and we wanted to hear when there was hard nose.

44:54

If you reviewed the minutes from the planning board you may sense my frustration.

44:58

That's exactly what I looked for before.

45:00

We spent \$12,000 on review fees and actually went into public hearings.

45:03

We are willing to go to public meetings and get beat up there beforehand, but we didn't want to go to this level if we were going to be told this was like just makes no sense at all based on the what I was hearing from the staff report.

45:15

So we listen to concerns and we made it very, very clear that we were, you know, not wanting to waste our time or anybody else's time or review fees.

45:24

If, you know, if there was a hard no, we met with MDT and Fish, Wildlife and Parks before we submitted for that reason, because I knew they were strong reasons why we needed to, you know, who we needed to get approvals from.

45:34

You'll hear more about that.

45:36

Staff did steer us, which we appreciate it because that's what we're asking for is hard nosed directly away from industrial early on.

45:42

There's actually an ILC district now that I've looked into it and actually I was queued into it by Kathleen.

45:47

I wish I had dug deeper.

45:50

If I had been working for a paying client, I probably would have because as you guys know and have heard me at different places, I don't take no for an answer usually.

45:56

But because of our not wanting to swim upstream, we said OK, we'll go for commercial and how do we get to that?

46:03

The staff at that time was not Kathleen and, and I think Izzy was there a little bit, but the concerns were still there about these uses.

46:11

With CC.

46:11

However, we discussed quite a bit and you're going to hear more of it from Joe about how the physical constraints of this property do not allow those scary uses that you heard about despite being able to haul \$1,000,000 of soil in or whatever else.

46:24

But we won't be able to do that.

46:27

Cut to the chase.

46:29

So when we we heard those things like for example, 8.6 acres, you know, one of the big ones was a commercial center.

46:35

It doesn't support that.

46:36

It doesn't even support like a town pump, it's too small.

46:39

So that was the idea is how do we iron this down?

46:42

We heard things like, oh, I wish we had A and you'll hear from Joe on this, the setbacks that conditionally approved.

46:48

We designed the project to meet the what we think our concerns and we put that resource open space we extended along the highway to create what will essentially be 100 foot offset from the highway right away.

46:58

So these are just things that we did in response to those concerns.

47:01

We made it so it was not easy to do anything else that was scary.

47:07

You know, one of the comments that we heard through that public process was from Fort Missoula and they highly supported the continuation of commercial along the that corridor because they're feeling an encroachment and pressure on their historical grounds.

47:20

And so they want to see this consider continue on corridors like this.

47:25

I do want to speak at the end of this for kind of a couple closing marks, but I think hopefully Joe's ready to present and he'll give you the full picture of everything.

47:32

And I'll come in with a couple closing remarks when we're done.

47:35

So I appreciate your time and patience on this.

47:37

And if anybody needs a bathroom break like the planning board did, this would be a great time to take it because we unfortunately have a few things to talk about.

47:43

Thanks, Jason.

47:45

Joe, I'm all teed up.

47:47

Can you guys hear me?

47:49

Yes, Sir.

47:51

I've been given the keys to the Kingdom, so you'll have to let me know when you can see my screen.

47:56

We got it.

47:57

OK, well, I'll jump right in.

48:02

Jason already kind of soft introduced me, but my name is Joe Dennert.

48:07

I am a Senior land use planner for IMEG and I am here assisting and or assisting and representing really the requested growth policy amendment and rezone for today's hearing.

48:19

Jason is one of the land owners and applicants for the requested amendment and rezone.

48:23

And you know, my MO for these kind of presentations is to do my absolute best to highlight the information, you know, that's most important for the body.

48:33

Get straight to the point, keeping it to a tight 5 or 10.

48:36

But just giving you a heads up.

48:38

You know, this presentation today will be a little bit longer than we'd like, but the sentiment behind it remains the same.

48:45

You know, we put in a lot of work on this project and it's important not only for our office, but I think to the land owners, the applicants, and even the members of the public that have been engaged to date and, and county staff that we do our best to highlight, you know, what we believe our proposal is and, and why it can be approved here today.

49:02

So I do have 4 main goals with the presentation.

49:05

The first will be detailing some very important site history.

49:10

Kathleen gave an overview and I appreciate that.

49:13

But you know, having the, the full understanding of the site history out here will be important for any sort of discussions that evolve.

49:21

The second goal is to detail, you know, how the unique constraints, why that site history is really important and how it impacted and influenced our growth policy designations that we're requesting and the requested rezoned.

49:33

My third goal with this presentation is to detail really that public engagement effort.

49:39

It was a pretty substantial public engagement effort to be honest.

49:42

And I just want to make sure that all the comments from state agencies in the public get reflected on the record here today.

49:48

And then finally, my fourth goal is to detail why the requested designations, why what we're asking for is not only fitting but complies with the growth policy.

49:57

So let me take a sip of water here before I keep going.

50:05

So I'm going to be calling this probably the Buckhouse site today.

50:08

Most folks who drive in and out of Missoula, especially if you're coming from Lolo, know what This site is.

50:14

They know it for wildlife, they know it for recreation.

50:17

They know, you know, for its connection to the Bitterroot.

50:20

And at the same time, this is private property with a long industrial history and, and significant, I would call them significant environmental constraints which impact the development options on the property.

50:33

What this proposal attempts to do is reconcile those facts in a way that reduces risk, really protects resources and creates public benefit.

50:41

Rather than spreading development across all of the sensitive lands, this proposal consolidated it into a small previously disturbed portion of the site, about 10% actually of the overall acreage so that the remaining 90% can be preserved as agricultural working lands and open and resource.

50:58

That approach is directly aligned with the growth policies emphasis on clustering development to protect open space, waterways and wildlife habitat.

51:07

This amendment is not about expanding growth.

51:10

The requested rezones are not about expanding growth.

51:12

It's really about placing the right land use designations in the right locations based on the site specific constraints, public feedback and growth policy goals that we're going to get into.

51:21

In terms of site history, this property has not functioned as either agricultural or really even residential land.

51:28

Kathleen covered this, but there were gravel, mining, salvage equipment, storage.

51:32

There was the temporary safe outdoor space during COVID for the houseless population that's since been removed.

51:40

But all of these uses permanently changed the site conditions.

51:44

You have areas of concentrated fill.

51:46

You have areas with shallow groundwater.

51:48

You got 100 year and 500 year flood plain and you have areas that have regulatory oversight from DEQ and areas that have regulatory oversight from the Army Corps.

51:57

The following slides, I'm just going to kind of go over the site history per decade for sake of time here, but it's going to be about every 10 years.

52:04

And I just want to showcase how the property has changed.

52:07

So this is dating back all the way to the 50s and really this is the first good aerial imagery where you can see the onset of some of the gravel mining operations that have occurred here.

52:17

I do want to point out that there was actually a house and and some shops put in here in the 50s.

52:22

I think that house was actually burned down by somebody visiting the property.

52:25

Don't think they lived there.

52:26

It was just kind of an accident.

52:28

But the gravel continues to expand into the 1960s and here you can actually see kind of the beginnings of some of the landfill operation.

52:37

It's not as well worn as you'll see here moving into 1980.

52:40

So between 64 and 1980, you see that a lot has occurred in terms of expansion of that landfill.

52:46

And that's because in 1977 that Class 3 landfill was formally established for the non household wastes.

52:54

It's still predominantly uses that eastern most access onto 93 though.

52:58

And the reason I bring that up here is you can exceed not only here in 1997, the expansion of that Class 3 landfill into some more areas on the property, but now you also see that westernmost approach on the 93 was expanded.

53:12

The landowner actually just recently learned that that was a like an RV Sales and repair facility for just a short period of time.

53:19

That's why that western approach got expanded.

53:21

They learned that while digging into some well history on the site, but between 1997 and 2005.

53:28

So we're, we're skipping ahead here.

53:30

You can see that they actually had the formal closure of the norm close landfill and that was in 2003.

53:35

So really from 2003, almost 2005 and moving into these subsequent aerial images, you see the property remains largely unchanged.

53:44

And there was that inclusion of the temporary safe outdoor space for the unhoused folks through COVID that closed in 2023.

53:54

This is from 2024.

53:55

You see those temporary shelters removed and once again from 2005 to now it's been largely unchanged.

54:03

The last bit of sort of site context or site specific history that I want to get into is this slide here.

54:10

This image on the left shows actually the subsurface profiling that was done by the landowner to try and identify the nature of the subsurface fill on the property.

54:20

There's a lot to unpack here and, and in looking at it on, especially depending on where you're sitting there, it might be hard to read some of this.

54:27

But the real take away if you can see it is the the image on the left, that purplish area, that's the least ideal, it's the least desirable area based off of what's in the subsurface.

54:38

And that brown and tannish area is the most desirable in terms of what's in the subsurface.

54:44

We can come back to the slide if you want to kind of have more detail on the nature of what was discovered.

54:48

We can go over the cross section.

54:49

But you know, for time's sake and really for the purposes here, I just want to use this slide to showcase the intentionality behind this request.

54:59

You know, knowing what the land has been used for historically and the deed restrictions and the potential hurdles that any development would have to jump through made the landowner take a very scientific and, and really, for lack of a better way to put it, a critical eyed approach to this proposal.

55:16

The reason for this is they wanted to make sure that in light of all the constraints, there was not only the potential for what they wanted to do, which is that many stores that Jason talked about, but also make sure that the requested designations were fitting on the property.

55:30

OK, so given some of the site history, before I dive into our our specific requested designations, I just want to briefly go over the existing growth policy designations and existing zoning.

55:43

Here are the existing designations.

55:45

Kathleen covered this.

55:46

I just want to draw attention to the fact that we do have that commercial center designation less than a half a mile down the road to the West over by Blue Mountain.

55:54

And then we have the mixed-use designation in the city just across the river.

55:59

And you know on the property itself, you can see that split between like the working lands and the AG lands.

56:06

That's the light green to dark green.

56:08

It looks like kind of an arbitrary line that has some history associated with it.

56:13

The placement of these designations were actually more result of a comment made back in 2019 and and Jason has more information on that front.

56:20

So I won't unpack it too much, but let's move on to zoning here.

56:25

So this shows the existing county zoning on the property.

56:30

Development on this property is controlled by three things.

56:33

Realistically, it's the Army Corps of Engineer, the Department of Environmental Quality and county zoning.

56:39

The Army Corps of Engineer controls what can happen on the banks of the river.

56:44

DEQ actually controls what can happen in wetland and riparian areas and on the properties fill.

56:50

And that's because of a deed restriction that was placed on the property back when the Norm close landfill was closed.

56:57

And then in county zoning, you know, Kathleen unpacked this, but it's one dwelling unit per acre.

57:02

The most important thing that I want to bring back up here is that zoning designation does not have the 500 foot set back requirement from the river that new zoning would have.

57:12

So there is not the substantial protection from the Bitterroot River that the current zoning allows with zoning that was passed back in the 70s.

57:21

Before I dive into our requested designations, I just want to summarize why all the context in the history that I just went over matters.

57:28

And it's really that the existing designations and the zoning on this property don't actually reflect on the ground conditions.

57:35

They don't reflect what the land has historically supported nor what it can reasonably support today.

57:40

This mismatch, from my perspective, creates a very real planning issue and I think it leaves the county with fewer, not more good options.

57:49

And that's really the true driver behind the proposal.

57:52

It's to provide this site, the residents, members of the public with land use designations that reflect that one community approach that's talked about in the growth policy cluster developable land to the least detrimental location as possible and, and preserve and solidify open lands, wildlife protections and recreation into the future.

58:10

So let's dive in here to our requested designations.

58:17

Pardon me.

58:17

Thanks for letting me grab a sip of water here.

58:20

So we brought a specific project proposal.

58:22

Jason alluded it to the county for this site that we believe was suitable given all this history we just discussed.

58:29

When we approached the county with the Envision Storage Unit Shop complex proposal, we knew the designation options that we were going to be limited to were industrial or commercial.

58:37

So we asked the county to help us steer us in the direction that could be feasible.

58:42

Izzy and Kathleen did a great job and made it very clear during planning Board meeting and then again today, and I want to stress it here, this in no way and in no way did they state that commercial would be approved.

58:53

Staff simply did their best to guide us on some of the considerations to keep in mind when choosing between commercial and industrial and honestly stated that the commercial would likely be the most fitting given the site constraints and adjacent uses.

59:07

The County also recommended that we engage in public outreach efforts to get a real sense of the disposition that the public had towards this project before we formally submitted anything.

59:19

Ultimately, we listened.

59:20

Like Jason alluded to, this was not about pushing back or, or swimming upstream as he said it.

59:25

You know, we listened to the County's guidance.

59:26

We went forward with commercial and a robust public outreach plan.

59:30

The reasoning behind the proposed designations and acreages are tied to the project history with the vast majority of this site remaining unchanged in AG or working lands.

59:38

We don't disagree with these designations being appropriate on the site, we just think they aren't appropriate everywhere given the zoning and giving what portions of the property can support.

59:48

The reasoning behind the open resource and wreck is really twofold.

59:52

We wanted to prohibit any development from occurring within 100 foot of the highway and we wanted to adequately protect the riparian areas along the river and appropriately plan for a public parking area into the future.

1:00:03

The reasoning behind the commercial center was really rooted in those subsurface investigations which outline the area that was most suitable for development, the fact that the updated floodplain mapping effectively removed the 100 year and almost all of the 500 year designations from this area and because of agency and public coordination.

1:00:22

This site has historically been slotted for residential but used as industrial with minimal commercial applications throughout.

1:00:28

And we're here today with two new requested designations, resource and Open lands and Commercial center.

1:00:34

The county feedback that we received and the public concerns and support, which we'll get to here very shortly, played a major role in what you see here today for these requested designations.

1:00:43

For example, the resource and Open Lane Lands designation originally did not extend.

1:00:48

If you're looking at this slide, it didn't extend along the highway corridor.

1:00:52

It was the initial conversations with different county staff.

1:00:57

They mentioned that they wish they still had some of the protections, the previous design standards or some sort of Hwy.

1:01:02

corridor set back because of the potential views, viewshed concerns for folks driving into town from here.

1:01:08

So we made that change immediately.

1:01:10

It was a no brainer.

1:01:11

We tried to offset any undesirable impacts associated with the proposed commercial center and we spelled this situation out to FWP with the site history, how it's residential now, how it's historically been used for industrial and that we were requesting commercial in a clustered area and they were aligned with our proposal.

1:01:29

This is just how we went about factoring in agency feedback throughout before we formally submitted.

1:01:35

Now I want to transition to what current access onto the property looks like here.

1:01:44

So this is the current access onto the property.

1:01:48

Hopefully my side slides are still transitioning, which fortunately has not been prohibited by the current landowner because this is not within an easement for the public nor within a right of way.

1:01:57

And you can see it actually go straight through the wetland and riparian areas down to the river.

1:02:02

A key aspect of this proposal is to monument that resource and open land designation and ultimately dedicate a parking area for the use and benefit of the public.

1:02:11

Kathleen is right that although there hasn't been an entity that has stepped up to manage this yet, the efforts

and feedback that we have received to date all point to this parking area not only being highly supported, but the management of it being an inevitability.

1:02:24

You know, by clustering development and designated resource and open lands into the most appropriate places, it provides these private land owners the incentive to provide the significant public good.

1:02:35

In short, this proposal clusters the only development potential on the entire 83 acres on the most appropriate location and into the smallest possible footprint, so everything else can stay open, agricultural and protected.

1:02:50

OK.

1:02:51

We've gone through the first two goals of the presentation and now I want to transition here on to the third goal, which is to spotlight the robust public engagement that we did, mainly because I, I don't think the staff report quite did it justice containing the full scope of the comments we received.

1:03:12

The public efforts that we engaged in for this included multiple neighborhood meetings.

1:03:16

There was an in person and a virtual meeting.

1:03:18

The in person was at the Gerald Mark Center.

1:03:20

The virtual was hosted in the evening.

1:03:22

It was online to ensure folks could attend.

1:03:25

We did on site surveys along the Bitterroot Trail notifying folks of the meeting.

1:03:28

We took out our own Adam in the Mazzoolian notifying folks of these meetings.

1:03:32

We went to the to the Lolo Community Council meeting and made our presentation there and Missoula County obviously issued their own noticing and legal ads and it was hosted on Missoula County Boys.

1:03:45

I do want to summarize that over all of those meetings, we had a total of two members of the public come to the neighborhood meetings both in person and online combined.

1:03:54

Both of the members that attended were actually in adamant support of the project.

1:03:58

But for something that is getting recommended for denial here and honestly is characterized in the staff report as having like strong opposition.

1:04:06

We were expecting kind of folks to be at these meetings with pitchforks and and honestly, if we would have had that, we almost would have welcomed it because like Jason said, we were looking for the hard nose.

1:04:18

We were looking for the real reason why this was just an impossibility and we shouldn't pursue it.

1:04:25

We were looking for writing on the wall to give this project a no go, but prior to submittal and based on agency and public feedback and coordination with the county, we didn't see a reason not to proceed.

1:04:35

The biggest public turn out was actually at the Lolo Community Council meeting, which probably had most folks there for different reasons.

1:04:41

But once our discussion topic came up, there was overarching support there because the project actually finally had a plan being put forth on this property for something that we actually had public health and and safety benefits, getting folks off the highway, getting a parking area.

1:04:57

The primary point of concern being brought up was that there was floodplain for the developable area.

1:05:02

And when we showcase the updated floodplain maps, that concern flipped into support.

1:05:07

The rest of the comments received from the Missoula County Voice, which were 22, I think 24 in total.

1:05:12

If the last two that Kathleen shared from last night are factored in, that was over 30 days, maybe even a little bit longer.

1:05:19

And we're clearly biased.

1:05:22

You know, we, we want this to move forward.

1:05:24

But in an effort to try to see how these were summarized, I was hesitant to do this.

1:05:28

But basically I, I put this into AI and said, you know, summarize the comments that we've received.

1:05:34

And it did largely align with what staff reports said, but there were some key differences.

1:05:39

You know, in general what this slide showcases is there was concerned about an environmental protections, floodplain integrity, wildlife habitat as well as you know storage unit development being questionable namely its necessity, its aesthetics and its location support predominantly focused on public river access.

1:05:58

Any potential public health and safety with the highway safety improvements and then if carefully managed and limited development could be a benefit here or could be a benefit here or supported here, especially if you had public benefits.

1:06:11

I would argue, you know, that one thing AI missed and, and maybe the staff report missed here is that, you know, there were folks talking about, you know, the fact that development was regulated to the smallest footprint that could be supportable.

1:06:23

And then also economic growth was, was brought up.

1:06:26

But you know, after having read through all the comments, I, I truthfully think that, you know, this, this captured it in a nutshell.

1:06:33

But what I want to go into here is really a direct pull from the staff report and get into how we went about incorporating and see, and whether or not our proposal really addressed or significantly mitigated, mitigated a lot of what the public brought up during the engagement process.

1:06:53

So I've highlighted each of these examples above and we're going to be going through on each of these slides concerns that were brought up, whether they were mitigated or whether they weren't really applicable.

1:07:02

So we're going to start with the strong opposition to the storage unit development plan.

1:07:08

In an effort to see what this look like, we actually mocked up what commercial development would look like along this corridor to give an idea of how far back these buildings really would be.

1:07:18

When you include 80 foot of the resource and open lens designation plus the additional 20 foot of required set back, making that 100 feet.

1:07:25

And what you'll see on the next three slides is a shot basically from a direction combined with a visualization showing some of the screening we anticipate to to be required with a buffer along the highway and some of the placeholder shop units.

1:07:39

And I just want to reiterate here that the RO designation wasn't originally running along the highway.

1:07:43

It was after our initial coordination with the county and the feedback we received that it was slapped on here.

1:07:50

Here's a shot from middle of the property.

1:07:52

Take a sip of water here.

1:08:01

And in the foreground, you see the berm and the set back, just to be clear, and then the shop units in the back.

1:08:05

And then here's a view once again of the property looking S you see what kind of where the road would be.

1:08:10

You see where the berm and the trees would line and then the shops.

1:08:14

You know, it's worth noting that most of the types of uses in commercial center would actually require some sort of landscape buffers, which is what we tried to depict here.

1:08:22

I'll be referencing this slide as we kind of go through and cross through these and I'll try to get through a bunch within the next suite of slides to show how we've mitigated it or whether or not they were concerns that could be addressed in our proposal.

1:08:31

So moving right into floodplain, here's a snippet from the preliminary maps with the new BF ES showing that the commercial center designation isn't entirely within that 500 year floodplain.

1:08:41

And this is actually a much more helpful exhibit.

1:08:44

This is the one that Kathleen had in her slideshow, which shows our preliminary or requested designations with the preliminary maps that will be adopted later this year.

1:08:55

Like I said, that floodplain comment was one that came up in Missoula County, Boise and actually played out real time at the Lowell Community Council meeting.

1:09:02

And once we showcase that, hey, these properties are largely out actually of the 100 year and the 500 year with only a small portion, they're, you know, concerns slip, slip flip to being in favor of the request, not just for the ability to get something built out here and that could be used for folks, but also for the immense good of getting folks off the highway.

1:09:23

Another aspect, which was brought up mainly in Missoula County voice comments, was that of the loss of open space.

1:09:28

And I'm not going to spend too much time on this, but I just want to reiterate that this land, especially the area that we have slaughtered for CC, has functioned predominantly as industrial since 1950.

1:09:39

Similarly, there were concerns over the presence of CC next to like the AG designations with, you know, I have a similar contextual response, which is there's, there's actually been no sign of AG use on the property dating back to the 50s.

1:09:51

So these comments are extremely valid and really the only way for us to attempt to address them or respond to them is with the reality that this is private land.

1:10:02

You know, the land owners are pursuing a responsible development plan and associated designation and zoning that would allow and provide for further protections along the Bitterroot and along Hwy.

1:10:10

93.

1:10:11

These protections would prevent the loss of real recreationally oriented open spaces, enabling private landowner to provide significant public benefit while ensuring that impacts to water quality, valuable open spaces, are actually mitigated.

1:10:26

Before moving on to traffic, I want to transition into wildlife habitat loss.

1:10:29

That was another one of the primary comments that was brought up.

1:10:33

Just to jump right to it, Jason met with FWP staff on site, He met with Mr.

1:10:38

Jonkel and Miss Liz Bradley Bradley and this slide basically summarizes the takeaways from the site visit that they concurred with.

1:10:48

The fact that this site has historically been largely industrial in nature combined with the fact that it is zoned residential currently meant that the proposed shift to commercial on close to really only 10% of the property was a benefit that Fish Wildlife and and Parks was on board with.

1:11:03

The reality is, is that most of the wildlife traffic here is actually closer to the river or in the floodplain area to the West of the commercial zone, and wildlife get to those areas by walking along the highway or north along the pond.

1:11:17

The inclusion of the resource and open land designation along the highway and river not only provides more protections for wildlife, but also would create a safer option for wildlife to move laterally if they cross from the South.

1:11:29

And this last point where wildlife would have a safer corridor to cross along the highway directly ties into Hwy.

1:11:36

93 and safety concerns.

1:11:37

So now I want to transition directly into traffic.

1:11:45

So this image on the left just shows the property looking to the South as you head down the Bitterroot Trail.

1:11:50

And this second image on the right is actually taken from the corridor study that the county requested for the stretch of Hwy.

1:11:56

down to Florence.

1:11:58

Izzy referenced this in in their presentation.

1:12:01

This study was kicked off at the behest of the county and there are a few key points that I want to bring up that were showcased in the study.

1:12:07

The 1st is that the study explicitly references the fact that Missoula County at least has considered the potential frontage Rd.

1:12:14

in the future that might connect Blue Mountain to U Haas Ranch via Buckhouse Lane, which could spur on some additional development.

1:12:20

They also directly note that they have fielded proposals for commercial development along 93, including plans for public river access, which would significantly improve public health and safety.

1:12:30

And in the speed study, they directly state that the entire corridor is expected to experience some moderate traffic growth due to planned and anticipated future development, excuse me and stated that the development could be accommodated and considerations to wildlife should play in.

1:12:45

Now, MDT specifically calls out the plans to enhance the existing Buckhouse Bridge with adequate dry passage under US 93, which aligns with the request for RO designation, creating that bigger buffer in our proposal.

1:12:57

As mentioned in my last slide on wildlife, the nod to the bridge enhancements by MDT in this recently completed corridor study combined with FWP supporting the requested RO in the clustered CC designations shows how this proposal inherently, inherently mitigates many of the concerns brought up about wildlife impact and habitat.

1:13:16

And on the note of traffic, I, I just have to stress one very important point, which is that we brought this specific proposal and amendment to MDT, spoke with them about it and they stated verbatim that they would be in support of the requested designations.

1:13:30

They also stated directly that any Traffic Safety considerations or study update requirements would come after a specific development proposal is in place, not at this stage when we're just requesting A designation and zoning.

1:13:42

MDT did perform their did perform that speed limit study here and establishing that 55 to 65 speed limit.

1:13:49

Not digressing too much into it, but you know, I want to note for the record and for the Board that that nationally accepted kind of approach for setting the speed limits, the methodology that goes into it is to designate speed limits based on documented existing conditions, not on hypotheticals that may or may not materialize.

1:14:06

MDT has stated directly that they would support these designations and that any future development and associated approaches would be evaluated and reviewed for specific traffic and speed concerns at time of the development plan submittal.

1:14:18

While we fundamentally agree with county staff and members of the public that this area needs to be evaluated, this project represents the means by which areas get RE evaluated, which is why we found the recommendation for denial a bit surprising on this tenant.

1:14:33

Having a commercial note in this spot doesn't just allow for future planning efforts and associated funding.

1:14:38

Any development plan would be another reason to trigger a RE evaluation and study of the established speed limits and traffic in this area.

1:14:46

We agree that there is a safety issue here and feel honestly a bit confused why the safety issue is being brought up from a perspective of opposition.

1:14:56

What we are requesting is exactly the type of long range planning that is beneficial to have in place to allow for specific developments to be proposed, which are the impetus for the RE evaluation of studied areas and reintroduction of slower speeds.

1:15:10

One potential benefit in the future would be if the county were to apply for grant funding for infrastructure or improvements or extension given the demand or the need to serve this community, having the policy to back the request would be essential.

1:15:22

So essentially, if MDT doesn't support any project here moving forward, it's not going to happen.

1:15:27

And that project would be instrumental on re evaluating the speeds in this area.

1:15:32

I've, I've almost beat this to death here.

1:15:36

I I do want to note that yes, we do have disagreements with various findings in the staff report and that is OK.

1:15:43

That happens.

1:15:44

You know, this is a nuanced project that came to light with a 42 vote and planning board, which honestly was 5050 and they had to make a call.

1:15:52

Disagreements are fine, but this one in particular is important to highlight as we believe it's a bit of a mischaracterization based on the feedback that we received and how speed and traffic interplay with the development proposals.

1:16:04

So this slide above here is just copying over the lists, how we address them and then specifically notes this finding from the staff report, Just showing that, you know, what we heard from MDT is actually, hey, we support this and in the future we'll evaluate speed and traffic concerns and all the above whenever you have a specific development proposal in mind.

1:16:27

Honestly, these next few slides are actually an outline of a lot of the alternate findings that we just prepared.

1:16:32

But I have talked a lot here.

1:16:34

So for the sake of time and, and I don't know where today's discussions going to go, I'm actually just going to flip through these and I'm going to move on to the final goal of our presentation here.

1:16:42

So bear with me.

1:16:46

OK, Take one last sip of water.

1:16:50

Bear with me here, folks.

1:16:56

Excuse me.

1:16:57

OK, so in terms of compliance with the growth policy, we took a look at everything I just covered prior site history, county staff, agency comment, public comments.

1:17:09

And we waited against the provisions not just in the land use element, but in the growth policy as a whole document, which is what's responsible for guiding growth into the future.

1:17:19

One of the key findings in the staff report is that commercial center is inappropriate because infrastructure, water, sewer, transportation is not available to support the commercial uses.

1:17:28

But to then say that another reason why CC is inappropriate is because of the potential undesirable uses that could go out here given future infrastructure.

1:17:35

It was a bit confusing.

1:17:38

So the purpose of these next three slides is just to showcase how actually the initial county staff that were involved in the recommendations on this project recommended that we approach tackling the question of community commercials or a commercial centers applicability out here.

1:17:53

This is because that concept of buy right, you know, is is challenging.

1:17:57

So you have to start by outlining the real constraints.

1:18:00

That's why I went over all the history and what they are for the property.

1:18:04

So for us, we identified 4 big ones.

1:18:06

Sewer.

1:18:07

That's huge considering it doesn't currently extend across the river.

1:18:09

Then there's parcel size 8.6 acres of the requested commercial center designation.

1:18:14

Next is compatibility with the previous landfill uses, buried wastes and finally access to the highway.

1:18:20

This legend that you're seeing on the screen is the color basis for the next three slides, because the next three slides just showcase the commercial uses and where we rated their feasibility based off these.

1:18:31

So if you see green, it means it requires little to no sewer.

1:18:34

It means it can be done essentially today as one of the approved uses in commercial center as you move into that lighter green color, likely feasible.

1:18:42

There might be a more expensive system, but it's probably feasible as you move into yellow.

1:18:48

It may be feasible in terms of sewer, but there's probably some extraordinary efforts that would require a larger system.

1:18:54

It may not result in any feasible, you know, conclusion and then red is largely barred.

1:18:59

It's probably not going to happen.

1:19:01

But if you have questions as we move through this, I can come back to the legend on kind of how we made some of these ratings.

1:19:07

But you can see here we started with all the uses in commercial center and basically went through and went through sewer concerns, parcel size, suitability, landfill compatibility, access to the highway.

1:19:18

And there's stuff that can happen out here, happened out here today.

1:19:22

You know, the the county alluded to in their report the fact that, you know, there's the site specific very particular development proposal that is true.

1:19:32

You know, that's stated in the growth policy amendment.

1:19:34

Private developers come into these requests with a specific development plan in mind.

1:19:39

But these slides showcase that even if that development plan isn't realized, what can functionally happen out here, what can realistically happen out here means that commercial center is appropriate.

1:19:49

It can, it can, you know, fit in a lot of uses that are appropriate out here.

1:19:53

And it showcases that a lot of the very terrifying uses are the ones like travel plazas.

1:19:57

Whether or not you want to throw money at it are infeasible until there is infrastructure out there to support it.

1:20:03

And I'll be, I'll be alluding to this fact about the feasibility of uses here in a bit.

1:20:09

This is just another slide.

1:20:11

It's hard.

1:20:12

You couldn't really tell if I were to paste it all on one slide, so I had to break them up.

1:20:16

You know, on this one, I want to point out you're not going to get entertainment venues large, you're not going to get a college and university out here, not going to get a hospital that's barred red all the way across the site.

1:20:28

You know, you're you're not likely to get a travel Plaza.

1:20:31

Not just not likely, it's red across the board.

1:20:34

You know, another one that's listed up here is, you know, casinos you can see from sewer concerns, landfill compatibility and access to the highway, almost impossible parcel size.

1:20:44

It could work.

1:20:45

So that's essentially how we went about this.

1:20:48

OK, Like I said, the the growth policy never requires that every permissible use be desirable or even allowed in a designation.

1:20:58

If you apply this logic consistently across the county, it would invalidate almost all of the existing commercial center zones county wide.

1:21:07

Chapter 6 of the growth policy makes it clear that infrastructure investment is planned in response.

1:21:13

Excuse me, is planned in response to land use designations, not a prerequisite to them.

1:21:19

The Commercial Center designation explicitly allows constrained implementation where floodplain, groundwater, or other site conditions limit density.

1:21:27

This proposal uses the smallest feasible commercial footprint to enable protections of the remaining land, an approach repeatedly encouraged by both the growth policy and the land use element.

1:21:39

Absent this designation, we believe the growth policy objectives for infrastructure, public health and safety and recreation can't actually be implemented on this site.

1:21:48

The Commercial Center designation is not inconsistent with the growth policy when applied thoughtfully and at the right scale.

1:21:55

This commercial center designation is auto oriented, it's arterial based, it's transitional and commercial center designations often do have a low intensity initially.

1:22:06

This proposal does not rely on residential, it does not require sewer extensions as just.

1:22:10

We just went over with all of those tables of uses and it's consistent with early stage community commercial or commercial center development that we see county wide treating the 8 units per acre as a requirement to approve.

1:22:22

Whether or not this designation is appropriate is is not a mandate in the growth policy.

1:22:27

The land use element explicitly states, and I have a snippet here on the screen, that the ability to achieve higher densities may be limited by on site considerations.

1:22:36

This site is defined by the constraints that limit development and the previous tables we looked at showcases that commercial uses still work even without the special exception, even without what we want to do.

1:22:48

We understand that this amendment request is coming on the tails of the conversations that happened surrounding Blackfoot Crossing, but truthfully, truthfully believe that each request like this is two different really to compare, you know it.

1:22:59

It was probably, and Jason alluded to this, a bit naive to be honest, but we were hopeful that we'd be stepping into this hearing with support from both staff and planning board.

1:23:08

And that is solely because of the legwork that we put in in garnering feedback from the county agencies and the public from very early on.

1:23:16

All that being said, we are here today and our disposition remains the same.

1:23:21

This growth policy amendment, we believe corrects a long standing mismatch between MAP and reality.

1:23:28

It's clear that we disagree with the recommendations presented and what we feel the growth policy requires.

1:23:34

And there's clearly some subjectivity when trying to weigh the intent of the growth policy and that is OK.

1:23:38

But from our perspective, we believe this proposal limits development, protects resources, responds to the public and agency input we received and plans responsibly for the future.

1:23:50

We respectfully ask you to approve our request.

1:23:54

And with that, I will leave this last side up for Jason to come and close this out.

1:23:57

Thank you so much for bearing with me during that proposal for that during that presentation.

1:24:03

Thanks a lot, Joe.

1:24:03

That was super.

1:24:04

I ask you a question.

1:24:07

Hold on.

1:24:08

Let's.

1:24:08

Oh, I'm sorry.

1:24:09

Let's get Jason and then we'll and then we'll do questions.

1:24:12

We're all.

1:24:12

You're almost there.

1:24:12

I was going to have.

1:24:13

Yeah, we'll do, we'll, we'll do a whole bunch of questions when we're all done.

1:24:16

So I just wanted to get my thanks into Joe for very thorough and thoughtful presentation.

1:24:21

And I hope you take a well deserved breath.

1:24:24

Jason, please bring us home.

1:24:26

Yeah.

1:24:26

Thank you.

1:24:26

Context matters.

1:24:28

As I mentioned earlier, I was serving on the planning Board when this growth policy was adopted.

1:24:33

I had to actually step off the planning board in order to represent this little red dot that's shown just to the West of us.

1:24:38

While it's not a little dot, it's about 10 acres.

1:24:41

I advocated for CC on that parcel in the growth policy and it was actually rejected by my cohorts on planning Board due to the letter that was submitted by Fish, Wildlife and Parks.

1:24:52

We didn't have the context of distance.

1:24:54

I was able to get clarity of that and bring that to the board of county commissioners and the and the growth policy was adopted with that as commercial.

1:25:02

However, that was in that same kind of citizen initiated zoning, the legacy zoning.

1:25:06

And so therefore it didn't get automatically zoned and it was brought forward by our firm for a rezoning resulting in the little bubble of red there.

1:25:14

Now those parcels, there's four parcels to the West, they had actually been zoned as commercial.

1:25:19

So that was done as a as a kind of a developer initiated.

1:25:27

So and that mimics very similar to the project we're doing.

1:25:30

Those boundaries tie to the floodplain boundaries.

1:25:32

It was actually 100% in the 500 year floodplain, but we had survey data to show that it was actually above.

1:25:38

So it was, you know, determined by the floodplain administrator that we were above the 500 year, which was actually the a little point of clarity.

1:25:45

That yellow that was showing on the other screen was 500 year floodplain in the old floodplain maps.

1:25:51

We have survey data actually provided by the county that shows that it was above the 500 year in many places out there.

1:25:58

So it never really was in the 500 year either.

1:26:01

If you submit a letter to the floodplain administrator, that determination would have occurred.

1:26:06

So that parcel was rezoned to CC with full awareness of lack of connectivity, you know, due to physical.

1:26:13

It was just we talked about it a lot during the rezone, you know, there was no legal connectivity to the West.

1:26:18

Eventually it was sold.

1:26:19

And the reason I'm bringing this up is because special exceptions are made it sound like they're variants or like a, you know, like something bad.

1:26:25

In my mind, special exceptions were put in as a use that can be used in this particular zoning if you meet certain conditions, if it turns out you can meet the set back requirements, if you can get the landscaping, if you can get safe access.

1:26:41

So last summer that project was brought forward for a special exception from any warehouse.

1:26:45

I don't know if it went to your border for just to the planning and zoning Commission because I know things got shifted up.

1:26:50

11.6 point D point 1A through M A requires special attention to access and traffic concerns.

1:26:58

B the capacity of the highway to handle it.

1:27:01

That's nine point, I think 9.6 acres bigger than our site, 65 mph midstream between the the the Indy 500 of Blue Mountain Rd.

1:27:10

and Miller Creek.

1:27:12

How was that approved?

1:27:14

And I don't mean to be saying, oh, poor us, you know, where's the fairness, but more of where this was processed by the same staff, you know, department, not the same people, but same department.

1:27:24

We do need consistency and we all know that.

1:27:27

And so the safety concerns should have been the same for that project and they apparently weren't.

1:27:34

Plus, Joe has already laid out that we have a lot of other mitigating circumstances, knowing the history of CCI.

1:27:40

Also, you know, what happened when I was representing that I met with fish, wildlife and parks early, like Joe mentioned, laid out the true history, what's going on here.

1:27:49

The fact that there was already zoning underneath there.

1:27:51

They didn't understand that when they wrote their first letter.

1:27:53

And that made a played a big role in why, you know, in the history of the industrial usage.

1:27:58

The fact of the matter is the wildlife travels along the river and in the western part where we're keeping everything open.

1:28:05

They were actually really pleased with things.

1:28:07

First time I've ever had that as a developer's agent 20 something years.

1:28:11

So now Blue Mountain was mentioned and I'm only bringing this up.

1:28:16

You know what they talked about this.

1:28:17

Oh, they have plenty of depth of groundwater.

1:28:19

Well, that may be true, but they have a compromise.

1:28:21

I have intimate knowledge of that.

1:28:22

I'm the one that helped develop the sewer system there.

1:28:24

They had nitrogen levels and 19 parts per million.

1:28:27

I would argue that their groundwater was more compromised than what's underneath this site.

1:28:31

We developed a very fancy sewer system, actually helped lower the nitrogen levels to below 10 parts per million now in the, in the, you know, aquifer, but it cost a lot of money.

1:28:41

So point being is we do what's appropriate on plans where with the appropriate technology.

1:28:47

Now that being said, we can move forward and leave it the way it is.

1:28:50

You know, when I talk to, you know, this is Plan B for, for Spencer properties.

1:28:54

You know, my, my involvement on this, we can go to plan C.

1:28:56

You know, plan C might be that we consider the residential.

1:29:00

I think somebody brought that up in that question.

1:29:02

And then we talked about bringing in lots of fill for sewer systems.

1:29:06

I actually met with DEQ and actually got them to sign off on the proposed project that we have because that's a requirement before I could even move forward knowing what their recommendations are going to be.

1:29:17

This is going to be a very expensive venture to go to anything that's occupied.

1:29:20

We're talking about digging out the the soil underneath building an evapotranspiration system, probably not a sand mound here because we've got fill and we can't put anything that's going to infiltrate.

1:29:31

So it gets to be a large footprint.

1:29:33

Normally in western Montana we don't do that because we do that in Billings because land is huge commodity and you know, cost doesn't matter.

1:29:41

They they can just do it.

1:29:42

In Montana.

1:29:42

We try to not use the evapo western Montana evapotranspiration.

1:29:47

So most likely we're talking about somebody who might be able to tear down to houses and build one in Missoula, right?

1:29:52

We're talking lots of money.

1:29:54

We're not talking about somebody who's going to voluntarily build their house 500 feet away from the river.

1:29:59

They're going to build their house right on the edge of the, the, the core of engineer restriction as close as they can and build an ET system.

1:30:05

And we might get two or three houses along the river is my best guess for how this might evolve.

1:30:09

And they're going to, and what's nice is it will be patrolled then, you know, and there'll be people there keeping, I mean, you're aware of my issues with people living down there.

1:30:18

So those aren't bad.

1:30:21

And I would also want to clarify, I did study the groundwater.

1:30:23

You guys know, I'm an engineer.

1:30:24

I wouldn't do this project if it wasn't feasible.

1:30:26

Those 30 inch depths where, you know, pipes are in the floodplain, of course, it was 30 inches.

1:30:30

The pipes that are out of the floodplain were 65 inches.

1:30:33

It's not like it just varies randomly.

1:30:35

We actually know the areas where it was high and where it was shallow as far as the parking goes.

1:30:41

If we'd known that was going to be such a contention that no one has stepped up to it.

1:30:44

The reason that we actually started the conversations early is we tried to get the access move to the midpoint of the property.

1:30:50

So the reason I did, one of the reasons I did so much means with MDT is they want to follow their access control plan, which in my opinion is not ideal for the parking area.

1:30:58

They want us to access at the corner where we're now showing it.

1:31:00

We finally caved in on that and the reason I was working with Fish Oil Life from parks early was because if they could commit to it, we could have gotten probably the midstream direction and had the parking area closer or the access point closer as it you went to the historical part midpoint.

1:31:18

Fred Thomas actually approached us about that and it's really only the five acre little block in the corner, not the whole RO area that we're offering.

1:31:26

But I think I saw kind of a reaction from from Izzy, the a governor's office and the director actually we're putting pressure on the region too.

1:31:35

But when I when I caved in on the access point, we just put that on hold for now.

1:31:39

So money will be made available for this.

1:31:41

It's just a matter of time.

1:31:43

We're here for a long range planning project.

1:31:46

We're not here to say it can happen tomorrow.

1:31:48

We're willing to put a deed restriction on that parcel.

1:31:50

We know somebody's going to want this river.

1:31:52

In fact, we only offer three acres at 1st.

1:31:53

And because no one would play ball, we said fine, we'll do 5 acres because even though we can't do a boat access tomorrow or even five years or 10 years from now, because there's got to be a downstream, we heard, we heard them loud and clear.

1:32:03

It's going to have to be a hand access only for a while.

1:32:06

But when we get that downstream, there better be a way to get a boats in here because this is Missoula and people believe in, you know, working, being in the outdoors.

1:32:13

What kind of message does it say, let's compare the entry to Missoula of people lining up with 80 cars in their bathing suits and their tubes around their head walking down the edge of the highway.

1:32:23

What message does that send to people who are coming here?

1:32:25

That's where they went through McCall ID.

1:32:27

I'm going to build my house in McCall ID because they they value outdoor space.

1:32:31

So versus the commercial space that's set set off the highway.

1:32:36

Sorry, a little passionate about these things.

1:32:38

I don't understand how people don't see these things as far as long range planning.

1:32:42

So we're not here to try to maximize profit.

1:32:45

You know, we really just want to recoup.

1:32:48

You know, there's things that happen on this property.

1:32:50

We want to do it even better.

1:32:51

We want to have more riparian.

1:32:52

I talked to Jamie and Liz about how we could revegetate that 500 foot area even more if we had the money.

1:32:58

We don't have the money.

1:32:59

If we can't sell a product, we're it's going to, we can't clean up.

1:33:03

We have a \$5000 bill coming for cleaning up refuse from houseless people on the river bottom in the next week.

1:33:09

Luckily, Republic service is up and on record.

1:33:11

Great people.

1:33:12

They're donating their refuse disposal.

1:33:14

So we can't do these things.

1:33:17

We can't improve this property.

1:33:19

We can't do great things.

1:33:20

The county can't do great things currently, and I'm sorry, but the tax bill on this property is \$2000 a year, 2800.

1:33:27

The property across the road, 8.5 acres with many warehouses on it across the river.

1:33:31

I'm sorry, 157,000 56 times more than we pay in taxes right now.

1:33:41

So we're all and we get it.

1:33:43

We got to do the best for the environment, public safety and health, but we also need to do economic development here.

1:33:48

We got it, this property sitting as weeds and we need to be able to do something with it.

1:33:53

And we're trying to figure that out.

1:33:55

We're just trying to get get it taken care of.

1:33:58

So in conclusion, one of the things that was brought up was, you know, yes, commercials not in in in alignment with the, you know, with the growth policy.

1:34:12

Well, again, like Joe said, I would argue that the zoning that's existing is not in compliance with the growth policy.

1:34:18

1010% of the property being set aside for commercial, I would argue is doesn't result in only 90% in compliance.

1:34:25

I'd argue it's about 95 because we've offered the RO setbacks in the river, you know, pieces, maybe even 99%.

1:34:34

I just believe that the strengths that this proposal brings forward far outweigh the the weaknesses and the threats.

1:34:39

I do understand now that we've looked at ILCA little closer, that many of those things in the table that Izzy presented are not included in ILC and very few other scary items are included in ILC.

1:34:50

No one dug into it that deep when we started this.

1:34:52

That's a mistake on all of our parts in my opinion.

1:34:55

I do think we might have heard more public comment when they saw Industrial, but we could have then educated them that it's not as scary as it looks.

1:35:02

That's the unfortunate story of where we're at today.

1:35:05

If it just turns out we can't get over that hump.

1:35:07

We do hope that there's room for some maybe discussion on how we continue forward if there's an aptitude for this project.

1:35:13

With that, we're here to answer lots and lots of questions that you all have, and we appreciate your time and we do apologize for the long presentations.

1:35:20

Thank you.

1:35:22

Thanks a lot, Jason.

1:35:25

Want to do public comment.

1:35:29

Let's do bio break.

1:35:31

No, I guess it's a really good idea.

1:35:33

Let's let's come back at quarter 2.

1:35:36

Thanks.

1:35:51

2 questions.

1:36:01

Green button, black button turn screen black button turn screen.

1:36:09

Thank you.

1:36:09

My name is Neva Hassanin NEVA, last name Hassanin HASSANEINI wasn't actually here to originally to testify on this.

1:36:22

But listening to it, I thought I would offer a couple of ideas or thoughts and, and one of them really is to _what Jason Left you with which, is that you could you, might say oh, this, proposed zoning and growth policy amendment is not the best a person could argue that but, it's better than what's actually on there these.

1:36:50

Some of these citizen initiated zones they, go back to the 50s and 60s and it was 1950s and 1960s thinking with respect to how we approached land use and zoning so.

1:37:03

Like to imagine that area with, you know, one per acre is just of, of housing would be a crime.

1:37:15

Actually, I think in some ways I think the developers are proposing a, you know, something that works for them that they've thought through.

1:37:25

I was just saying to them, I, I don't love storage units, but they've got some good ideas about how to do this in a way that's going to be condo eyes.

1:37:35

So a person can own one of these units as a equity or whatever if they don't have enough space on their own property.

1:37:44

And lots of times it's small businesses that are using these kinds of units where they will put in like a landscape business or whatever.

1:37:53

My clock never started, so I'm going to.

1:37:57

We forgot.

1:37:57

We forgot.

1:37:58

That's OK.

1:37:59

I got all the time in the world.

1:38:02

No, I'm just kidding.

1:38:03

No, I but I just wanted to say, I think that the zoning for agricultural and open and resource, you know, is it asset for the community and in exchange for the work they've already done to clean up this landfill that they inherited, right.

1:38:21

And then had the CAP, you know, and they also had to do some wetland mitigation.

1:38:28

It seems kind of Fair to provide this opportunity.

1:38:33

The only the one concern I would just at echo the planners on is on the transportation.

1:38:39

I just get nervous when people are coming on that road and coming out fast on, you know, with the people are on the highway fast and if you come out onto it, it could cause problems, especially certain times a day.

1:38:53

But you know, to me the the zoning that's on there is no good and and we need to address the citizen initiated zones because they are outdated thinking.

1:39:06

Appreciate your time.

1:39:07

Thank you.

1:39:08

Thanks Neva.

1:39:11

Any other public comment in the room or online?

1:39:21

OK, thanks.

1:39:22

We will jump right to questions.

1:39:26

So from anyone on board Arrow, please go ahead and say who you would like to ask the question of.

1:39:31

It can be staff or it can be Joe or Nate or Jason.

1:39:35

I'm not sure who the questions you'd be directed at, so I'll throw it out there.

1:39:39

And if it lands in your lap, please, OK.

1:39:47

There's a lot of good ideas that I've heard and some have read a couple red flags, and the main red flag is the safety with traffic is anybody who drives that corridor knows Dang well there is no 55 mph, 65 if you're lucky, and it's tons of a lot of traffic.

1:40:21

A lot of reckless driving which is been well documented.

1:40:25

I'm sure a law enforcement can document that.

1:40:34

The big red flag I see is accessing or the property and or exiting the property, getting back on to 93 in a safe manner.

1:40:49

There needs to be some type of OK, some traffic control of some sort.

1:40:57

I think we got it.

1:40:59

Thank you, Jason.

1:41:02

Joe.

1:41:02

I'll, I'll take this one since I was in all the meetings, you know, the way that this works with MDT And this is what, because I actually gave them a very hard time about the way the speed study turned out because it was a broader speed study and it was all the way to I think the Florence, I mean, it was a multi county request.

1:41:21

And I said, well, why did you go from 45 to 55 to 65 to have a stoplight at Blue Mountain?

1:41:27

And they said because the books said that's how far apart they go.

1:41:32

So they took the signs off the existing posts and just moved them down.

1:41:36

He's laughing because he knows that's what they say.

1:41:38

Well, the question was, is that they don't this the request wasn't specific enough, which is we want 45 all the way to Blue Mountain.

1:41:46

So right now it's very hard to enforce that when everybody's trying to get into position.

1:41:50

It's like a pole position.

1:41:52

And so to what?

1:41:53

And and with good, I mean, it's a national standard.

1:41:55

You know, I wish our traffic engineer who kind of gave Joe some of the talking points could be here, but they if you have a posted speed limit that's slower than what people feel safe doing, then you have people driving the speed limit.

1:42:07

I saw some today and some that don't.

1:42:11

And you get those rear end accidents which happen a lot at Miller Creek.

1:42:14

So we're very close to that.

1:42:15

When you look at the accident cluster and the number of accidents to where it really probably was right on the fence is my guess.

1:42:21

I'm not a traffic engineer.

1:42:22

But what Joe was trying to explain is that when you bring in additional development like we, I mean the parking area and things like that, that they actually like, they don't count the parking on the highway in their studies unless they do their study on the day that the people are parking there.

1:42:37

If we have an access, then they have to count that.

1:42:40

And so there's things like that that would, that's what we were saying is an argument is that it, it really sucks.

1:42:45

There's a chicken and an egg situation in traffic studying and, and once you get the applications in though, they can start to count it.

1:42:52

But when we're just nothing, I mean, we're just a bare piece of land.

1:42:55

They can't say someday they're going to do this on the land and therefore we're going to go 45.

1:42:59

It really should have been 45 all the way between the two in my opinion.

1:43:01

But I think a lot of people would agree with that.

1:43:05

And so getting back to the point of answering your question, when, when we start getting, if we got to the point where we're going through a subdivision, if we got approval of this, then there's going to be traffic studies and reconsideration.

1:43:16

And we as the developers may actually have to change the postings there.

1:43:20

If we, we show that the speed limit needs to be lowered, there's deceleration lanes that may need to be installed, which is another good reason for kind of that extra bit of of 80 foot buffer just in case we had to do that.

1:43:33

They might control it to write in write out only, which is another reason why we kind of went with this Tye of a development because the traffic generation is very low.

1:43:41

I mean, it's, yeah, they come and go, maybe if they're lucky once a week, uh, unit.

1:43:46

So those are the kinds of things that we would work through with the, with the traffic study.

1:43:50

As you look at the.

1:43:51

And meanwhile, if we proposed a travel Plaza, you would have to show many more trips per day and you may have to put a light in.

1:43:57

So that's what we're saying is at this level when you're at the 30,000 feet, they can't say what do you need to do to make this safe for the zoning district?

1:44:04

There's too many uses.

1:44:06

But what you can say is that there's going to have to be an approach permit and especially if you go through a subdivision is going to have to be a study that that brings that safety back into play.

1:44:15

So that's the best answer I can give you.

1:44:17

Hopefully it answers your question.

1:44:21

Thanks, Jason.

1:44:24

Oh, maybe Jason or come back up Jason or maybe yeah, explain the, the, the water and septic needs or how, how you're going to address those with the the workshops.

1:44:39

So if they were occupied, which this is another thing that I didn't you know, with DEQ, they they, they would prefer actually on this part.

1:44:47

When I met with him, he said, I don't even know why we had this in the class three.

1:44:50

Well, regardless, it's part of the fill.

1:44:52

It had soil and, you know, concrete and things that were filled there about four to five feet of it maybe on average.

1:44:58

And so they're they're they're deed restrictions there.

1:45:01

We didn't want these to be occupied structures as part of that review when we were talking at the cost of making the the buildings, you know, excavation wise and everything to a different level would be higher.

1:45:14

And so in this case they're going to be heated.

1:45:17

The what we're proposing or going to propose are heated basically storage personal workshop areas.

1:45:25

And so they're not going to be there all the time working.

1:45:27

They're going to pop in and drop off an RV or they're going to have their sprinkler trucked in there.

1:45:33

Like I have an electrician that wants a place.

1:45:35

I told him about it and they're on my list of people that, you know, I've got a list of five or six people.

1:45:39

So most people are coming and going and there and there is no septic needs for this project.

1:45:44

If we were to do a different project, which is kind of getting to the questions of where we showed the green and the light green about the only system that and I haven't really vetted out.

1:45:53

Actually, I had one little bubble on the property that meant the 100 foot separation from floodplain and was not in the Class 3 landfill.

1:46:00

I think when we dig there, you're going to find it still was in the fill area.

1:46:03

It it just wasn't in the permit area.

1:46:05

So we're going to have to most likely do evapotranspiration systems.

1:46:09

And what you do with those is you design them because we don't want water going down into the landfill because they're worried about what that might do to things.

1:46:17

We would have to put a liner in and we do this up in Lake County all the time in the clays because the water won't go down.

1:46:24

So we do a liner.

1:46:25

We don't have to do a liner because it's already clay and we make the system big enough and it's full of gravel at about a 30% voids.

1:46:32

And so the water, we do a mass balance and through the winter it stores up and then through the summer, we know the evapotranspiration rates of the region.

1:46:40

It slowly goes back down and you put alarms in there, of course.

1:46:43

But so if we have lots of houses that are on these and Billings and Lake County that we've designed and they work fine because they're very, very conservative.

1:46:50

I mean they make us use very high flows.

1:46:52

And so they barely ever, I've never heard one failing.

1:46:56

And so the idea is that it would fit well for the situation because you don't want water going down and you know, but everything will evaporate.

1:47:04

And but they're expensive.

1:47:06

And normally they're expensive because you add the land cost in this, in this case, if we have a with the 500 foot set back, we're allowed to put sewer systems as long as they're 100 feet away from the, the floodplain.

1:47:15

So we have all this land that we're right.

1:47:17

Well, we're ready to set aside.

1:47:19

We could put them in there if we needed to.

1:47:21

The issue with doing it for our project is it's very hard to predict.

1:47:24

If we decided to say half the units could have a little, you know, office, predicting the wastewater flow would be very difficult.

1:47:31

We're going to, I mean, we'll evaluate that, whether there's some options for that long term.

1:47:34

But right now we, we're kind of saying this is the product that we want to put out there because we know it'll work.

1:47:39

And if we find some other things, you know, options, we would do that as well.

1:47:43

But that's how.

1:47:44

So the evapotranspiration system is about the only one short of the other one is I studied the parcel that I spotlighted to the West.

1:47:52

They had a very large strain field area that would have been allowable for, you know, approvable.

1:47:56

We don't know if it would be approved without going to DEQ and the new floodplain maps may invalidate that prior study because I think that floodplain came up a little bit in that area.

1:48:07

But that would have been an option as to pump there.

1:48:08

And I had been talking to that landowner about that, but then they sold it.

1:48:12

So that's kind of off the table right now.

1:48:14

So there and then the previous landowner who was the issue had been talking to us actually about pumping all the way up to our sewer system at the peak.

1:48:23

So there are I mean, there's alternatives around there.

1:48:26

It's just we're not looking at that right now.

1:48:29

The other thing is is yes, the city, we haven't approached our new mayor.

1:48:32

Prior mayor was an absolute no on sewer for right now.

1:48:35

But the thing I didn't say in my speech that I said the planning board is like, what are the land prices doing in Missoula?

1:48:40

And at some point here it's going to be viable to do.

1:48:43

And you know, we run out of land and somebody's going to change their mind and say, let's go ahead and run the sewer across the bridge now.

1:48:49

So wait and see was one of the other alternatives I didn't put on the table for you, which was what Nate originally told me.

1:48:55

We'll just wait.

1:48:56

You know, we can wait.

1:48:57

We're playing on the grounds.

1:48:58

We can still use it the way it is.

1:48:59

And I kind of wanted to see it start to change and morph and become nicer sooner.

1:49:05

So we that's why we brought this forward.

1:49:07

So Yep, I do have a question.

1:49:10

22.

1:49:12

So two of them, I guess it sounds like the shop town.

1:49:16

I was jumping on to the shop like, wow, OK, I could rent a space and have a shop in there and go in there and work.

1:49:23

And then what I'd need a bathroom as opposed to a storage unit where you frequency of use is quite low the way you described.

1:49:31

So is it, are these rental shop spaces or are they storage units?

1:49:38

The way they're used in the project in Billings is the people that come are so short lived.

1:49:43

Like they come in there, drop their something off and they might clean it up and then they leave for that's the storage part.

1:49:50

So I because when I asked the developer of that, he and then a lot of other people are the the tradespeople.

1:49:56

And then there's, you have to have a loop that, you know, a bigger truck can drop stuff off because many times it's, you know, they, they might store a lot of stuff there and then slowly use it up.

1:50:06

And so, you know, access for that stuff, bigger stuff is important that we kind of plan that out when we do our approach permit.

1:50:12

So it's a, it's a mix of a lot of different things that all fit within the CC for, for those.

1:50:17

So it's not many storage, but they are heated because it's conditioned space.

1:50:21

But you know, you can put a boat in there and plug it in, you can put your art.

1:50:25

And that's the the truth of the matter is a lot of the ones that are buying these are people who have a place in Arizona and they come up here and they have their house here, but they don't have room to park their RV and they put the RV in there because they don't want it to get pooped on by birds or whatever.

1:50:38

And then they pull it back out.

1:50:40

So it is kind of like a storage too.

1:50:41

So that I mean, that's not All mischaracterized that earlier.

1:50:44

There is a compelling component of mini storage, but there's also a component of, you know, true shop space where people can come and work on their motorcycles for a little bit and then go home.

1:50:54

Just OK, so second question, this is around the zoning and I may have missed this in all the presentation.

1:51:00

So if you guys already said it, I apologize, we'll repeat ourselves.

1:51:04

No, no problem.

1:51:05

So it sounds like the, the, the pathway is to change the zoning to commercial center and they get a special exception.

1:51:14

That's one option.

1:51:15

That's one option.

1:51:16

What would be the direct zoning option rather than do commercial center and then ask for a special exception, what would be the direct option whereby right, you could do storage units?

1:51:26

Yeah.

1:51:26

And if you don't mind, I'm going to give you a little bit of a longer no worries.

1:51:29

So that if it's consistent with the afternoon, Jason, I apologize if we went CC, there's a special exception.

1:51:37

There was a component of that that we didn't hit on that we kind of liked when we were talking about the physical inability and we were talking about this with the public.

1:51:44

It gives you another cut when we bring our proposal in in more in a more finite location.

1:51:49

Oh, you mean that that you'd have to go before a board and ask for the special exception People, you know, say more again.

1:51:54

And so there's more oversight, but that that you'd think that would be disadvantageous to the developer who would rather have fewer steps and just get get to be done.

1:52:02

So that's the part you didn't hear earlier.

1:52:03

We're we're willing to do things right and listen to people and work with the public.

1:52:07

So what what would what is the most direct path as opposed to commercial center ask for a special exception?

1:52:13

Well, ICL would have been the industrial light.

1:52:16

Yeah.

1:52:16

So, so why not do that?

1:52:18

So what I was trying to allude to earlier is I, I've been working for a client who was paying me.

1:52:25

I would have dug deep on that.

1:52:27

I asked for what are the absolute nodes.

1:52:28

A prior staff member said we're not doing industrial here.

1:52:33

So I said OK, we're not doing industrial here.

1:52:36

Once we looked at a little closer, we, I actually have a chart that's the red and green 1 and I went through and deducted all the ones that are included in commercial and added the ones that would then be added in.

1:52:46

There's a couple ones that are scary there, but they're in special exception.

1:52:50

It is a lot less scary when you look at that chart, I think.

1:52:53

I think that's that's what grabs people with this that these guys are well-intentioned.

1:52:59

They got a good plan, great reputations between the both of you and you sell a property, something happens

and somebody's going to make as big a travel Plaza as you possibly can make on 8 acres or and then spend the real money to do the high tech septic system that you're talking about.

1:53:16

And I think that is what may be grabbing some of the some of the opposition.

1:53:21

Whereas if it was IL, that scary stuff would require another level of special exception, which could certainly not be granted and would provide people a little bit more assurances that it's just going to be storage units and that's all it's going to be.

1:53:36

Yeah, let me clarify.

1:53:37

If it was CC, there's a special exception.

1:53:39

If it's IL, it's automatically allowed in theory, correct.

1:53:43

But we're going to have a subdivision in order to do the condos.

1:53:45

But again, we could sell the whole, sell the whole thing to your point and somebody else.

1:53:48

Yeah, Yeah.

1:53:49

So I'm just going to look, why not just go right to IL?

1:53:52

And it sounds like you were given bad advice by a prior staff member.

1:53:55

Yeah.

1:53:56

And I and they're in all fairness, I think that they weren't digging in either to the tables and doing the comparison.

1:54:01

And that's where, again, I, I dropped the ball because I should have went and did the table comparing the two and said, why?

1:54:07

Like that's what I do when I'm sure.

1:54:09

Yeah, yeah, you're thorough.

1:54:11

And so I didn't do that because we didn't want to swim upstream.

1:54:14

And I don't want to name names who told us things.

1:54:17

It's all in the past.

1:54:17

But it, it was just unfortunate.

1:54:20

And, and like I said in my beginning, though, there's not, it's not necessarily unwronged though where we went with this either, because there's so many other physical constraints that don't allow it.

1:54:30

And you know, the growth policy that Joe spotlighted says that that's going to, that's acknowledged.

1:54:34

You're not always going to make all the needs of every zoning district in every area.

1:54:39

So I actually, you know, I've actually processed, you know, several special exceptions and I always have to, again, just get rid of that myth about, oh, well, this is something bad.

1:54:49

It's not, it's, it's allowed.

1:54:52

It's just allowed with a little bit more look.

1:54:54

So the fact that the one down the road was approved didn't give us pause.

1:54:58

If that one was approved with a 65 mile an hour limit, we weren't scared of it.

1:55:02

But we also didn't even hear about this concept of industrial was less scary until a month ago or something.

1:55:07

I'm not personally spooked by the safety stuff because MDT would have to give you an approach permit and you'd end up building whatever they said would be safe.

1:55:14

I don't have any problems with that.

1:55:15

It's a hurdle yet to be crossed.

1:55:18

Yeah.

1:55:18

And that's where if we can't get over that, you know, if we don't, you know, can't come up with a finding of fact that the special constraints on the property make the CC OK in your minds, then that's where I would say we want to talk about whether there's a path forward that's not denial today.

1:55:32

More of how do we keep our fee that we paid active and we we look at because I saw the one in Bonner did change as well.

1:55:39

And I don't know how that path looked, you know, moving forward.

1:55:42

Yeah.

1:55:42

I mean, I, I wish it was coming today with industrial light.

1:55:46

That's all I can say.

1:55:47

Yeah.

1:55:48

So I'm talking too much other.

1:55:52

Other.

1:55:52

You just said 10.

1:55:53

Sorry, Dave.

1:55:55

Were you saying?

1:55:56

Yeah, I'm particularly interested in the open resource and recreation space.

1:56:01

Of course, we all live in Montana because I think we do a really good job of protecting our natural resources.

1:56:06

What is your vision for that space?

1:56:07

And is this parking for floaters or recreationalists?

1:56:13

Yeah.

1:56:13

So the buffer along the highway was going to stay in the ownership of the project and that was going to be developed with landscaping and roads and storm drainage.

1:56:25

OK.

1:56:26

The area that's the kind of squares looking area down along the bridge was about, it's about 5 acres.

1:56:33

It might be a little less now that we've actually surveyed the high watermark.

1:56:37

That was the piece we're going to set aside for parking.

1:56:40

And right now, you know, we hear fish, wildlife and parks loud and clear.

1:56:45

We think we mitigated everything that Region 2 was worried about like, hey, no boat ramp right away.

1:56:51

Only a big enough parking area to accommodate the current parking needs.

1:56:54

The county would you didn't hear this part would have to pass a resolution of no parking there even though it's a highway system.

1:56:59

Then they could actually sign it.

1:57:01

No parking.

1:57:02

They could enforce it.

1:57:03

Then we would only still have a maximum of 80 to 100 or whatever vehicles that currently can go there and it would be foot only down to the river and you know whether they would want and you know, a bathroom or whatever like that, you know, that's a maintenance issue.

1:57:19

So the downstream catcher's Mitt was the big concern.

1:57:23

Like there's no other boat launches downstream that's close enough.

1:57:26

So that's like right today we don't want that.

1:57:29

But that's when I made it bigger because I said well, it's fine.

1:57:31

You can still restrict the site until you have that, but you should have the site big enough to accommodate that in the future.

1:57:37

And so the so it would be parking and just the same river access they have, but safer and then available for people to use.

1:57:46

The other nice thing about that is one of the theories out there is the houseless people are a little less likely to come into an area where there's more official traffic and there's actually an ability to patrol it easier, safer because you can get off the highway.

1:57:59

So that's one of the, you know, the the considerations that we also looked at the piece that goes along the river that was mainly to mimic what was already in the Corps of Engineers restriction is that we wanted to make sure we concreted that that's not just a deed restriction file that the clerk can record or we wanted that zoning on there to mimic that so that it was just concreted in and there's.

1:58:18

Yeah, we can't go back to DEQ and Corps of Engineers and renegotiate it.

1:58:21

It's a done deal.

1:58:23

Currently, there's no dedicated access to that if this is private property.

1:58:27

So if you want to shut that off, there's no easement there to allow people to access that.

1:58:31

OK, thank you.

1:58:35

Actually mind if I jump in here too?

1:58:37

I just want to reiterate, right, that like, you know, kind of creating a river access, right, that doesn't have, you know, what necessarily a dedicated agency that's going to do the maintenance and the, you know, the law enforcement and stuff like that.

1:58:51

That's a, that's a, it's a huge risk, right?

1:58:53

Like you, you're, I mean, this I, I certainly will recognize the situation as it is, exists now when people parking along Hwy.

1:58:58

983 and then walking through the right away down to the river, right isn't great, right?

1:59:02

That's not great.

1:59:03

It's not ideal, however, right?

1:59:06

Sort of you also don't want to make the situation worse by creating a site that's essentially the Wild West, right?

1:59:12

And doesn't have an agency like AFWP or something like that, that's in their patrolling and making sure that people are getting it out safe, right?

1:59:19

That's a critically important part to establishing a safe river access that's going to be used potentially by a lot of floaters on the Bitterroot River there.

1:59:28

Oh, go ahead, Dave.

1:59:33

I just, I just wanted to make sure I understood on this and I was feeling compelled by what you were saying about FWB can't do it right now, but maybe 10 years from now they can do it.

1:59:43

And if we put the land aside, it can be made possible.

1:59:46

But I just wanted to make sure as a Izzy's point that in between now and then when FWP could take it, you guys aren't going to just let a RIP open it up.

1:59:53

People can go there.

1:59:54

It would be private property.

1:59:56

You're not supposed to go here.

1:59:57

Yeah, we've been very clear on this.

1:59:59

A deed restriction keeping it for the future.

2:00:02

The responsible long range planning, which is what growth policies are meant to do endeavour.

2:00:09

To say that because we don't have somebody today that's not long range planning.

2:00:13

So we're willing to do this to set aside for the community and do the best for the community.

2:00:16

Yeah and and it's not going to be and and by the way we have we will find a way within the next year to have the funding.

2:00:25

It's just that we didn't have time to wait for the state agencies to work with their region.

2:00:28

Two people that I I just want to hear answer that is he's got a great concern there that before the money comes before FWP says yes, this is not open to the public by y'all.

2:00:39

No.

2:00:39

OK, thank you.

2:00:40

In fact, it'll be less open soon because of our current exposure.

2:00:44

Good after cost good.

2:00:45

Thanks Dave.

2:00:48

Kathleen or Izzy, would you mind pulling up the maps of the current and proposed land use designations and current and proposed zoning?

2:01:08

Yes, the Blizzard of snow outside matches the Blizzard of details in my mind that I'm trying to sort out right now.

2:01:15

So, OK, current land use designation.

2:01:25

So one thing we've heard again and again is that, yeah, hold it for that just a second, that the land use element in the current land use designation designations for the property do not align with existing zoning.

2:01:44

Could you, could you go over that again?

2:01:46

How much out of alignment are they?

2:01:49

Because if if and I think a subtext of what we're hearing is that perhaps the proposed zoning, which admittedly will require a change to the land use designations and growth policy, but the proposed zoning is in better alignment with the growth policy than than the current zoning is.

2:02:15

That's certainly an element, right?

2:02:16

Like the so currently it's this zoning citizen zoning different 39 that was created 1975, right.

2:02:22

And then the plan is a lot of the zoning there along with the land use designation in this location were were done during the 2019 Missoula land use element.

2:02:31

And so certainly by changing the growth policy and changing the the zoning right to align themselves, this does bring that into alignment.

2:02:40

Yes.

2:02:41

So I guess my question is, is more along the lines of would the proposed zoning be even, even without the the change to the growth policy would be with the proposed zoning be in closer alignment with the land use designations in the growth policy than the current zoning in terms of the like the map itself, right?

2:03:06

Yeah, exactly.

2:03:06

This brings us into alignment.

2:03:09

What we do though, when we look at this, we look at kind of broadly what does the comprehensive plan say when you're looking to change designations, right?

2:03:16

And that's how we come to our determination, right, That we didn't want to recommend this, right?

2:03:19

There was just too many concerns about this location and that use in this location, right, That it does, right.

2:03:24

So currently, of course, the land use map say that they should be, they should stay and remain working lands and agriculture, right?

2:03:31

That's the current designations for this location.

2:03:34

So that plus number above the other kind of objectives that we have, right LED us to believe that this wasn't supportable.

2:03:42

Could you go to the current zoning and just describe that in a little more detail because that's just one big huge block of the same allowable use as well.

2:03:52

Exactly.

2:03:52

So that's what we're seeing in the in the left hand picture is the ZD 39, right.

2:03:56

And that does allow a series of like kind of residential agriculture civic uses on that location.

2:04:05

OK, Second question, working lands, could you describe what is allowable there?

2:04:13

Let's see, we should have that list here.

2:04:14

Hold on.

2:04:48

OK, let me do.

2:04:51

I'm just going to look at the the, the comprehensive plan here, right the growth policy.

2:04:54

The land uses include allowed in these areas include residential agricultural activities incidental to agriculture, grazing, timber production, natural resource based industries and recreation.

2:05:05

Secondary uses may include home based manufacturing, fabrication, commercial kitchens and artist studios.

2:05:14

That's working lands.

2:05:17

Let's see here.

2:05:17

It's I'm looking at working lands.

2:05:19

Yes, this is what it says in the comprehensive plan.

2:05:23

OK, Kathleen, were you wanting to add something there or no?

2:05:27

I mean, I was just looking at like the use chart for zoning and it does allow residential, you know, low, very low density in the existing zoning.

2:05:40

Oh, and the existing zoning?

2:05:42

No, what what are you describing?

2:05:43

Yeah, and working lands and working lands, Yeah.

2:05:46

And, and just a handful of like small business type things like as he was pointing out, home occupation and stuff.

2:05:56

Is there a density requirement in working lands?

2:05:59

Well, the zoning that they they have for working lands would be the 41 per 40 and it's not even 40 acres.

2:06:07

I don't believe so.

2:06:10

OK.

2:06:10

So you're not going to see dense residential development in the working lands that's proposed.

2:06:18

OK, Thanks.

2:06:24

Juan, did you have one?

2:06:27

OK.

2:06:27

So I, I thought I wrote this down incorrectly then I thought one to one residential was allowed in 39 or zoning 39.

2:06:36

Is that not, that's not correct.

2:06:40

Citizen zoning #39 one per per acre acre.

2:06:48

That's that's the citizens.

2:06:49

That's the, that's the existing zoning.

2:06:52

Yes, that is.

2:06:53

And it's 83 acres the part.

2:06:55

But I thought and then I guess Strohmeier then threw me off then when you were talking about working lands, you're saying it's well in the proposed zoning, zoning we've got agriculture and working lands, which is way lower density than what is the current allowable residential density in the zoning that exists right now, is my understanding.

2:07:16

OK, can I answer that a little bit?

2:07:19

Yeah, Thank you.

2:07:21

You know, if in theory you could meet the design standards for the the current zoning, you know, we could get 83 units, right.

2:07:27

So one per, if you could get past all of those physical constraints.

2:07:31

Well, like sewer gets stubbed over, right.

2:07:35

This is what was interesting is because one of the concerns has been that if we go to commercial, it allows, you know, 8 per acre in that 8.6 acres, that's 68.8 units.

2:07:45

So it's actually a lower residential intensity than the current zoning is.

2:07:51

So you have the $68.8 + 1$ in theory, I think you get one for each of the two other colors.

2:07:56

So you might end up at 70 total if you could get everything to work and it was perfect.

2:08:01

So it's actually a lower residential intensity than the current zone.

2:08:06

Thank you.

2:08:07

Do you have anything?

2:08:11

Well, I'd love to, I mean industrial.

2:08:13

So we were talking about industrial light or yeah, say more about what were you thinking while you were hearing that?

2:08:21

What I can tell you what I was thinking if you want to answer questions.

2:08:24

I mean, it's certainly like, you know, this the applicant could they could try to develop this out, you know, with the existing zoning.

2:08:32

That's certainly true.

2:08:33

But there are there are a ton of site limitations, right?

2:08:35

There's a floodplain, right?

2:08:36

There's high groundwater.

2:08:37

They, you know, like it's not entirely clear.

2:08:39

I don't think they could realize the 83 units that that is in like, you know, sort of entitled quote, UN quote by the zoning on this property.

2:08:47

You know, there's just too many, too many problems there.

2:08:49

Yeah.

2:08:50

And and Jason pointed out if the sewer was there, I just feel like that's a really long ways off given the expense of sewer.

2:08:55

Yeah, I've never Yeah, we we can't get the and the constraints the city's currently under.

2:09:00

It's not not that it's a it's a good idea.

2:09:01

I just don't feel like it's going to happen anytime soon.

2:09:06

Could you talk about what would it take to zone this that the area's that's proposed commercial center?

2:09:11

What would it take to have that zoned Industrial light?

2:09:14

Well, the applicant would have to reapply with our application, right.

2:09:17

So with Blackfoot Crossing staff and you know, we kind of can, we sort of built the process to have some alternatives.

2:09:25

And so we, when we went to advertise this as the, you know, the, the growth policy change and the rezoning, right?

2:09:30

We advertise it, it's like this could, you know, it could be this designation or it could be these other two designations, right?

2:09:36

That's we did a Blackfoot crossing.

2:09:37

You know, it's, it's currently the proposing community or commercial center, right?

2:09:40

But it could be neighborhood commercial or ICL.

2:09:43

That's we did a Blackfoot crossing.

2:09:45

In this case, we didn't do that, right?

2:09:46

Like there we, you know, like they came in with a proposal.

2:09:48

They knew what they wanted.

2:09:50

So we, you know, we evaluated the proposal in front of us, right?

2:09:53

We didn't build any sort of off ramps or choose your own adventure in this one, right?

2:09:57

Like we, you know, what they have is so if they if they wanted resubmit this as ICL, they would have to start the process over again.

2:10:04

Thank you.

2:10:06

What does that mean?

2:10:07

How long does that take?

2:10:07

How long?

2:10:08

How expensive is that?

2:10:09

Like how onerous is starting the process over?

2:10:12

Well, they have to kind of resubmit, you know, a proposal, right?

2:10:16

And resubmit.

2:10:17

I mean, the, the documentation that they provided, they'd have to pay the fee, right?

2:10:22

It would be starting over with a process and we had, they'd essentially be resubmitting all the same stuff that's already been submitted.

2:10:29

We're just trying to figure out a different, I'm seeing a shaking head in the back that says no.

2:10:34

So disappointment, yeah, I mean, yeah, that, that's the best that that's how this this process is set up, right?

2:10:44

We can't change this on the fly to this or nor can we like we're not, you know, you don't have to pay the the fee in this case, right?

2:10:51

There's I don't think we can cut him a deal, right?

2:10:53

I don't think that our our own zone, our own like procedures or anything like that in the planning department.

2:10:57

Let us do that, right?

2:10:58

And if, if we can't, it's above my pay grade to do that, right?

2:11:02

So well, what what we didn't do in this instance, which hindsight is 2020 with Blackfoot Crossing, we

advertised a menu of zoning options that we could choose from one being the applicants and then there being another another option out there that did not happen now.

2:11:26

So I dope, go right ahead.

2:11:33

Hey, thanks for seeing my hand, Commissioner Slotnick.

2:11:37

And can you guys hear me OK?

2:11:38

Absolutely sure this wasn't in response to a direct question, so feel free to cut me off.

2:11:45

I I, I just want to provide maybe some helpful context from the applicants perspective.

2:11:49

I know Jason's there in the room, but it was alluded to in our longer presentation about sort of the directive recommendation, whatever you want to call it from the county staff.

2:12:01

And you know, there really is sort of a fork in the road, a bifurcation when we're talking about the envisioned use, you know, like Jason alluded to, it's you get commercial, commercial center or industrial, right.

2:12:15

That's where these these mini storage mini warehouse units fall into.

2:12:19

And so the menu, you know, from our perspective, wasn't really on the radar because it was hey, county staff, what would you recommend based off of these uses?

2:12:27

And it it's impossible to tell what the future will hold.

2:12:31

Obviously, I'll have to speak with Jason whatever comes with today.

2:12:34

But I, I do want to sort of bring up a lot of those initial conversations and at least spotlight here today that in the event this doesn't move forward with what we believe is the appropriate designation, this commercial center designation, there would be the reconciliation of the scary uses in industrial, right.

2:12:56

And this all spurs and stems from this initial private developers have a reason for bringing these amendments and rezonings to the board.

2:13:05

They have to have a plan in place.

2:13:07

This is real dollars and cents and it is your job and planning's job during the critical look to weigh what are the undesirable uses.

2:13:15

And the only thing that I think with all that context that I just want to bring back to the forefront here is the constraints and the site history.

2:13:23

Because with industrial, I think one of the things that was discussed early on with separate staff was why would you go back to that designation with waste facilities and landfill being permitted outright when you're trying to clean this property up?

2:13:37

You know, why, why would that be the entrance from Lolo into Missoula whenever you have the capability to beautify it with something, you know, down the road that might look different than what we're proposing.

2:13:48

And that's really one of the initial sort of turning points where we stopped taking that hard look at ICL that Jason, Jason alluded to.

2:13:55

And we stopped, you know, wanting to swim upstream or what have you.

2:13:58

But it's, yeah, we took it to look, we took a look at it ourselves and said, OK, I, I see it here.

2:14:02

Because a lot of the things that really would be non design fireable here in commercial center are prohibited right now.

2:14:11

There's commercial nodes both in city jurisdiction right over the river and in county jurisdiction.

2:14:16

So how does industrial fit in with that?

2:14:18

And yes, it was easy having the pillow of well, the county recommends commercial, but we really only had two choices.

2:14:24

There was a far fewer suite of menu options here and it was a bit of a roll of the dice based off what we learned.

2:14:30

Hopefully that that context is helpful because I hear this conversation, you know, navigating into a what about industrial And regardless of what happens here today, I know if we do end up pursuing that, we're going to find ourselves in the same boat through a re application, if that's what the applicant wants to do, which is how do we reconcile these scary uses?

2:14:46

How does this happen?

2:14:48

How does the buy right conversation translate?

2:14:50

And why didn't we see the writing on the wall for the potential that that commercial center really offered here into the future?

2:14:58

Thanks, Joe.

2:15:00

So I just want to offer us my own opinion.

2:15:03

I would looking up what's I just I wasn't texting.

2:15:06

I was looking up what's usable what what's allowed in industrial center light and in the highly technical rating of what's scarier less scary.

2:15:15

I feel like the commercial center is scarier and not convinced that storage units are more welcoming to someone driving up from the South or less welcoming than an assembly, a building that has small scale assembly going on in it.

2:15:37

And I totally get the physical constraints of the area that would require a lot of money to do something that requires sewer.

2:15:44

But someday, maybe somebody, the last Jason pointed out some point, maybe the land values are worth it.

2:15:51

So just landed with that Blizzard going on behind you.

2:15:57

It's pretty impressive.

2:16:11

John, do you have any thoughts?

2:16:22

Could we get a reminder on procedure?

2:16:24

We're making a recommendation to the Board of county.

2:16:26

We're making a recommendation to ourselves.

2:16:28

Yeah, we'll make the exactly.

2:16:29

Ladies and gentlemen, let's bring up the the recommended motion and let me just expand on what Kathleen explained about this planning and zoning Commission.

2:16:44

So we're, we're operating within Part 1 of the zoning statutes.

2:16:52

These are the original statutes from 1953.

2:16:56

This was the first way that the Montana Legislature said local governments you can zone.

2:17:05

And it was we, you know, if we were smaller state, we didn't have professional planning staff, there wasn't a robust private sector planning and and development community.

2:17:19

So it was citizen initiated and it was it was this planning and zoning Commission that then would take all of the information and come up with development patterns and zoning regulations and decide if and where we would zone it.

2:17:40

This is an old process.

2:17:42

We rarely use Part 1 anymore because we have Part 2, which is a more modern and appropriate way to zone.

2:17:53

But our planning and zoning Commission by law is made-up of the three county commissioners plus the county surveyor or the county clerk and recorder.

2:18:08

Tyler Gernand is both of those two elected officials.

2:18:12

Tyler couldn't make it to this meeting today.

2:18:15

And then by law, there's also up to two citizen representatives on the Commission.

2:18:24

And we are thrilled to have Errol here today for his first planning and zoning Commission meeting.

2:18:32

We have not had a citizen on, on this Commission for a number of years and it has to be a citizen who lives in a zoning district.

2:18:43

And so I say that because we're still short one.

2:18:47

If anybody's out there lives in a citizen zoning initiated district, we'd love to have you on board.

2:18:55

And then the final, the 7th member on the board is a county employee that's appointed by the board of county Commissioners, and that's how the chief public works officer lands on this particular board.

2:19:11

So again, you as a Commission, there's five of you today, That's perfectly appropriate.

2:19:18

You're going to have the majority rules, but you have a quorum and you will be making a motion on a recommendation to the three of you who after the vote on that motion will then reconvene as a board of county commissioners and make a decision.

2:19:38

And as Kathleen also said, they're not, they're not going to repeat everything again.

2:19:43

We're that's, that's, that's the, that's the good news.

2:19:47

And that's all I have to say.

2:19:51

Sure.

2:19:51

So this is for Kathleen.

2:19:53

Or is he whoever would like to take this, I want to go back to you.

2:19:56

Your reasoning for the recommendation of denial?

2:20:00

Would, would you mind just hitting those key points again, please?

2:20:03

Of course.

2:20:04

Yeah, I'm happy to.

2:20:05

It really came down to a looking at the transport like the, the kind of the public safety and access elements right of the transportation off of Hwy.

2:20:12

93.

2:20:14

Then there was those the range of uses, right, where we can't just consider what you know, what the applicant is proposing, we have to consider all the possibilities, right?

2:20:24

And certainly there's a little bit of nuance in there, right?

2:20:26

But when we looked at the range of uses, we're like, no, there's a lot of stuff that we don't, we don't think is appropriate to occur in this location.

2:20:33

And that was really important to our decision.

2:20:38

So there was that there was the kind of the range of land uses, right?

2:20:42

So, you know, again, it's like it's my job as a land planner to sort of consider what happens when things go wrong, right?

2:20:48

Otherwise, you know, like if there's a Dino's out here, right, in a year or two years because you know, this was approved, right?

2:20:55

How do we let this happen?

2:20:56

Well, that, you know, that's me, right?

2:20:58

So I have to consider all of the possibilities of what can happen out here or our staff, right?

2:21:04

And so it's not like a personal mission.

2:21:05

It's a what we do with staff.

2:21:08

Then of course, there was the site limitations and the infrastructure constraints at the site.

2:21:14

Thanks a lot.

2:21:16

So I'm just speaking for myself on this took the public safety issues very real Hwy.

2:21:22

93's going by it's super serious, high speeds and MDT would ask the developers to do a traffic impact study and very well they would have to spend a whole bunch of money dealing with that approach to make it more safe.

2:21:36

So I feel confident that MDT would ask them to do what would indeed make it safe.

2:21:42

And I appreciate you highlighting this because it is a big deal.

2:21:45

I also personally am not concerned about the high groundwater etcetera, septic issues because we have our health department and DEQ which far better than us, our actual professionals in this area and will demand these guys do the right thing.

2:21:58

And I know they want to do the right thing.

2:21:59

I don't want to characterize them in any other way.

2:22:01

I don't have those concerns.

2:22:03

For me personally, the concerns are in the range of land uses and that's why I would wish that this was the industrial center light given highly technical language, less scary stuff on the list.

2:22:17

So there you go.

2:22:22

OK, I'm going to take a run at a motion here and it's going to be different than the motion on the screen.

2:22:27

So I would move that we recommend approval of the request to remove the parcels legally described in the quitclaim deed recorded in Book 1116 of Micro Records page 220 from Citizen Initiated Zoning District 39 based on the findings of fact contained in the staff report, public testimony and Commission deliberation.

2:22:49

I second that motion, please, John.

2:22:55

So Commission, given the motion that's on the table, what I would recommend you do is if, if, if you're going to be in favor of that, it would be helpful to have your opinions as to on the record as to why they should be approved.

2:23:18

And I say that because the the staff has put together findings and conclusions in support of denial.

2:23:30

And so it would be, it'd be they they will have to modify those findings.

2:23:37

And it's important for the record that you each all, all 5 of you, if that's your inclination, articulate what is compelling to you and what you've heard today.

2:23:53

It does that make sense?

2:23:55

Yes, thank you.

2:23:56

OK.

2:23:57

Do you mind if I start?

2:23:58

I have a few thoughts here.

2:23:59

Yeah, I was just, I was just going to add though, in, in terms of the motion itself, another value and making it a positive motion is that it's sometimes a little cleaner when you're voting against that as opposed to voting against a double.

2:24:15

Yeah, you end up with a double negative.

2:24:16

But I mean, it would work either way.

2:24:20

But I did, I did I not hear your motion?

2:24:23

No, it is.

2:24:23

I changed it to recommending approval.

2:24:25

OK, which still leaves the door open.

2:24:27

Folks could vote against that.

2:24:29

Exactly.

2:24:30

No, I, no, I, I don't want to presume the outcome of that.

2:24:33

I, I and I don't either.

2:24:35

And what I'm saying is not presuming the outcome.

2:24:37

And of course I'm not making any recommendation at all.

2:24:40

I'm always grateful I don't have to, that I don't have a vote.

2:24:44

I'm just saying that it, it's important for the record for you to be able to articulate the the the findings that you have made after this hearing today in support of however you vote.

2:24:58

Thanks, Jason.

2:25:01

So, yeah, again, I've, I've studied this case for a while now.

2:25:04

I, I take my vote very seriously and I've looked at all the insurance and outs of this.

2:25:07

And I do agree with the statement Josh made that MDT has the ultimate jurisdiction over this right away and will ultimately be up to be responsible for mitigating as any hazards as related to this development plan.

2:25:24

I really like the fact that this type of zoning would require a 500 foot buffer.

2:25:31

Also, I agree with the the applicant that this zoning does meet the intended growth policy.

2:25:38

You know it.

2:25:39

Conversely, this could all be houses and private property and have no public component to it.

2:25:43

And I really enjoy the public component to it.

2:25:46

And I hope that I'm not saying there's any reason to believe otherwise, but the developer keeps their word and puts this into public usage in perpetuity.

2:25:55

And we can figure out a way to manage that effectively.

2:25:57

And I just want to say finally, I I think this is a great balance of free market and public benefit.

2:26:03

The developer still gets to do what they want to with their land, but they also have the public benefit in mind.

2:26:08

So therefore, I would suggest approval or vote approval for this one.

2:26:14

Great.

2:26:15

Thanks.

2:26:15

And Dave?

2:26:16

Well, and yeah, I, I concur with that.

2:26:19

And, and I do take very seriously the land use concerns and, and what is appropriate for a given area.

2:26:27

And I don't want to minimize the the effort and thought that staff has put into it.

2:26:31

But when I look at the existing zoning and the existing land use designations, they are not in alignment by a long shot.

2:26:41

And so it could be built out today and in a way that clearly is not going to be realizing the goals of of the growth policy or or land use element.

2:26:54

And the proposed zoning I see as being maybe not perfect, but at least more in alignment with the intent of the growth policy than what can be done on the ground now through zoning.

2:27:12

So we have a motion and a second.

2:27:13

Do we do any public comment before we call for a vote?

2:27:20

I'm going to do my own little comment as you can probably guess.

2:27:23

I would love to see this industrial center light.

2:27:26

I think you what you said was awesome, Jason, really well said.

2:27:29

I so appreciate the public private nature of this and I really appreciate the long term, long term planning.

2:27:35

Thinking FWP might not have the money now, but they'll have it later.

2:27:38

And I, I really appreciate your commitment with the deed restriction and the two of you guys have towering, excuse me, reputations in the world of development.

2:27:46

And I personally believe you.

2:27:48

My concern is that you guys sell something happens and then we see something on this land that is consistent with zoning, but inconsistent with what we would actually like to see on the landscape.

2:27:58

So I'm, I'm going to vote no and hopefully you come back with industrial center light or maybe it'll go your way.

2:28:05

We'll see.

2:28:07

So, OK, All in favor?

2:28:10

Aye.

2:28:12

All against?

2:28:13

No, no.

2:28:18

OK.

2:28:18

Motion passes and that recommendation goes on to the Board of County Commissioners.

2:28:22

So we will adjourn as the Zoning Board of Adjustments and reconvene as the Board of County Commissioners.

2:28:29

Did I say that right, John?

2:28:32

I'm sorry, It's 435.

2:28:35

Yeah, Yeah.

2:28:37

Do I need to say it again?

2:28:39

OK, all right, we'll reconvene and thank you guys.

2:28:41

Please welcome to say if you like and thank you so much for all your hard work and thought on this.

2:28:46

Welcome, Meryl.

2:28:49

OK, now we're us.

2:28:55

Please, Dave.

2:28:56

So talk to us about the the scary parts of oh, it would it would be the travel Plaza.

2:29:03

And when I was looking up the list of things on industrial Center light, none of them I felt like hit that level of scariness.

2:29:10

And in terms of what would be more welcoming coming up from McCall, ID, if somebody decided to build a light assembly facility, be a big building, I don't feel like any less welcoming than storage units.

2:29:25

So I appreciate that, but it it didn't, it didn't compel me.

2:29:30

I would would not like to see a travel Plaza on this landscape.

2:29:35

And I know they would that would require a whole bunch of intense septic work and very expensive work on the approach.

2:29:42

But when the time is right and when the dollars are right, it could certainly happen under commercial center.

2:29:49

OK, I'm still sorry, I'm still trying to understand this because the the physical constraints there.

2:29:56

How can you put a scary travel Plaza on 4 acres or 888 acres?

2:30:04

You would just have to add money to address the constraints surrounding the land.

2:30:10

Yeah.

2:30:11

Jason, would you like to address this?

2:30:12

Because I this this is the herein lies the rub.

2:30:17

Tell us that a big scary travel Plaza is not going to happen there.

2:30:21

Well, I, I was curious about about that.

2:30:23

So I went around and looked at all of those around town and I didn't find one barely under 12.

2:30:28

I mean, more rural.

2:30:30

The ones that we were referred to in the staff report, all of them are in the 12 to 20 acres in size.

2:30:36

And so when you look at traffic circulation, if you're going to be able to put a fuel tank in this fill, doing ADEQ to sign off on people being inside this building on top of this, it was read all across the board.

2:30:50

Sewer, there's absolutely travel plazas have the highest strength waste that I've ever dealt with.

2:30:55

This one out here in Bonner has failed about three times as far as I know.

2:30:58

It's just not like the volume that you're talking about, you're going to it would be in the mid multi millions to do something we're talking other than bringing the sewer across the bridge.

2:31:08

So that to Joe's point earlier growth policy spurs infrastructure investment.

2:31:14

That's the whole point of like we sometimes put zonings in place.

2:31:18

Well, that infrastructure would have to come in order to do it.

2:31:20

There's just no way you're going to do the spend a lot of money on this property to get that.

2:31:25

But everyone I looked at and yes, you have some of the ones in town, but they're not travel plazas on a gas station, a travel Plaza on everyone I looked at was well over 12 acres of developed space between, you know, you have trucks that can have a place to park and get around the place.

2:31:38

Everyone I've ever worked on is much bigger than that.

2:31:41

So that was why I said that, you know, by land area.

2:31:44

And the same with like a the other one that was talked about early on with the staff when they were giving this, this idea to talk about it this way and how to crunch it down.

2:31:51

So it wasn't possible.

2:31:52

If you actually look at the shape of that 8 1/2 acres with the floodplain, that also takes away some of that.

2:31:57

But the other piece was like a Cabela's travel center, like if we were trying to mimic what's just down the road, that's even bigger.

2:32:03

So none of those are even going to be physically allowed in, in the in the amount of zoned area that we're talking about.

2:32:09

So that's we just discounted those right away.

2:32:12

And even a lot of the industrial uses wouldn't fit on 8 1/2 acres to be honest with you.

2:32:15

So that they were going to have the same problems if we brought that forward.

2:32:18

So industrial takes a lot of acreage as well.

2:32:21

So could you use some of the existing land there for parking lot for a travel Plaza, not for the buildings.

2:32:29

I don't think you could for parking, you can for access.

2:32:31

So like I know in the RO we looked at that you can have the, the road through it, an easement because we, we double checked that when MDT kind of pushed us to the corner, but we couldn't put parking.

2:32:41

You know, we can put infrastructure.

2:32:44

I mean the AGR that's not a use that's allowed.

2:32:47

I don't believe so the I mean the working lands, it's not allowed.

2:32:52

So so you couldn't put parking in working lands.

2:32:56

I'm not like an an official way, right?

2:32:58

Like I don't think you could do a parking lot, right?

2:33:00

Like, but we have you know, you look around the county with lots of areas that are zoned like this that have vehicles parked on them.

2:33:06

It's just a matter of but you could you couldn't do a paved parking lot for a travel.

2:33:10

You could do that as like the primary use of the property is parking.

2:33:14

But again, this is all still one property, right?

2:33:15

It's a property that has different zoning in it.

2:33:19

So again, like I you know what I think I just said like that it's not entirely clear what you could pull off your and therein lies the rub for us.

2:33:31

Hell, excuse me, just a thought cropped up.

2:33:37

Would that land allow for say overnight camping like especially come tourist season where you have your campers or RV's or something just for overnigheters?

2:33:53

The the working lands, since all the uses weren't mentioned earlier, does include a campground and RV park by special exception on the working lands.

2:34:02

So it does allow campgrounds I think by right and then RV park by special exception.

2:34:08

So thanks.

2:34:17

Kathleen or Izzy, do you have at your fingertips what what are the uses that would require special exceptions in commercial center or maybe the the list is voluminous.

2:34:30

What what what?

2:34:32

OK, how about the dreaded travel Plaza?

2:34:36

No, actually you couldn't pull off a travel Plaza here.

2:34:39

Travel Plaza is a used has a very specific language about where they can go, right?

2:34:44

So I think they have to be within a certain distance of a Interstate exit or entrance, right?

2:34:50

You couldn't do, and I don't think we've ever pointed this out, but like we've never said that you could, you could do a, a travel Plaza here.

2:34:57

What you could do with a very large gas station, right?

2:35:00

Like if there's a, you could pull off a, you know, a 20,000 square foot gas station, you just couldn't do truck parking there, right?

2:35:07

That's really the, the difference between a gas station and a travel Plaza in our zoning, right?

2:35:11

Is truck parking like overnight truck parking, right?

2:35:14

And that was a, you know, a huge concern in the Blackfoot Crossing, right, was that these idling trucks overnight and stuff like that.

2:35:19

And that's what happened.

2:35:20

So you couldn't do a travel Plaza, but you could do a very large gas station here with the casino and the liquor store and the whole thing.

2:35:26

Thank you.

2:35:32

Does any of that bring you comfort or not?

2:35:40

Not really, you know, but I, you guys do what do what you do and I'm, you know, your arguments about consistency with land use and zoning and all that were were our good arguments too.

2:35:58

I guess the other question is there, of course the applicant, applicants never like to hear this, but would more time bring more clarity on anything or do we have all the facts?

2:36:18

Oh, go ahead, I'd say.

2:36:19

I was to say, I feel like we don't need more time.

2:36:21

I don't want to ask these guys to come back just waiting for the snow to accumulate.

2:36:26

But more, more public comment, any other public comment.

2:36:30

I mean, I'm, I'm, I'm, I'm feeling your concern, but I really believe the physical constraints, the financial constraints are in a way protecting and something has to happen with this area.

2:36:54

And if anyone's going to make it happen, it's going to be these guys who are going to do it correctly.

2:36:59

Is this the time, I mean, to make this happen?

2:37:05

Should we go forward with this?

2:37:06

But then I absolutely appreciate Izzy and Kathleen, your concerns in the box that you have to work within, You have to protect us against all the unknowns.

2:37:15

And so I so appreciate that.

2:37:20

And so I don't like going against staff recommendation.

2:37:23

It doesn't make me feel very good.

2:37:24

But I believe this is such a unique project that I feel like and small enough that it it can happen.

2:37:35

There is a way that this can be done correctly?

2:37:42

Is that a motion?

2:37:46

So I moved to approve the request to amend the Missoula County Land Use Map to assign the Commercial Center, Neighborhood Center, Open Resource and Recreation, Working Lands and Industrial Center Land use designations to the subject property as shown in Map A and legally described in the quitclaim deed recorded in Book 1116 of Micro Records, page 220.

2:38:07

Based on the findings of the fact of the staff report, public testimony and deliberation by the Missoula County Board of County Board of County Commissioners, I'll second that.

2:38:18

Mind if I say a few words to the motion?

2:38:20

So I, I will say and I've I've, I've put my cards on the table before regarding this.

2:38:26

A couple of my least favorite land uses and are mini storages and gas stations.

2:38:33

So I would love to not see a gas station at this location and then see something that truly is creative, that makes a great gateway to the Missoula community.

2:38:45

And I will be sorely disappointed if that ends up being the case ultimately with yet another large gas station.

2:38:53

But I, I do think that the proposal before us today is in better alignment with the growth policy and land use designations than what we have today and that what could be built out today.

2:39:09

One last question, is he, you mentioned large gas station, does that in industrial center light, could that large gas station also have a casino and a liquor store?

2:39:26

Or is it just like the gas station on 4th St.

2:39:39

Kathleen says it can have a casino.

2:39:47

Yeah, the gas station and ICL is a is a special exception, right, That you could do.

2:39:53

And then there's let's see here and then.

2:39:56

Yeah, casino.

2:40:00

No, casino and gaming establishments is not allowed in ICL.

2:40:04

You can't do ICL.

2:40:05

Yes, Yeah, Sorry.

2:40:06

Yeah, sorry.

2:40:07

Yeah.

2:40:07

You can do a gas station by special, special exception.

2:40:09

You couldn't do a casino.

2:40:11

That's not OK.

2:40:11

Then I'm gonna stick with my my desire to see ICL and be the loyal opposition.

2:40:19

I'd like to ask a question concerning your gas station.

2:40:24

Based on the groundwater that's already been established in this site, I cannot visually ever see any approval for a gas station to be there.

2:40:37

There is no place to bury their fuel tanks.

2:40:40

Well, yeah, we we look at that too.

2:40:41

But honestly, this, this site has a lot of characteristics that are very similar to the site that Town Pump wants to build in Frenchtown, right?

2:40:48

And they're, they're there, they're proposing a, a full travel Plaza.

2:40:51

And you know that, that all that site also has high groundwater, right?

2:40:55

But they're also they can, they're also, I don't know how they're gonna do it right, But they've got they'll have a septic system that'll handle that waste.

2:41:00

There's no super, there's no, you know, water sewer system there.

2:41:05

So they'll be able to do in Frenchtown, right?

2:41:08

A septic system and a water system that location, right, despite the high groundwater, because I recognize the groundwater because that's exactly the same as my property.

2:41:20

You know, from three feet in the summer to I'm in the winter to, I mean, 3 feet from my end of the summer and six feet in the winter.

2:41:34

But even at that, I can't dig in my property without hitting water at 3 feet.

2:41:39

And therefore I could no longer, I couldn't bury a tank anywhere.

2:41:43

I can't bury a horse.

2:41:50

Did you make a motion?

2:41:58

I did.

2:41:59

We have a second.

2:42:01

Second.

2:42:02

Any public comment?

2:42:04

All in favor?

2:42:06

Aye, I'm going.

2:42:08

No.

2:42:08

So motion passes.

2:42:12

There you go.

2:42:13

Sorry for everybody.

2:42:14

Had to wait.

2:42:14

We have one more, one more motion.

2:42:17

Oh, sorry.

2:42:17

There's a third motion here.

2:42:20

This is this is the So what you just did.

2:42:21

That was the growth policy.

2:42:22

The next one is the zoning.

2:42:26

OK.

2:42:27

I would move to approve the request to amend the Missoula County Zoning map to assign the Agricultural Reserve, Commercial Center, Agriculture, Working Lands and Resource and open lands to the subject property as shown in Map A and legally described in the quitclaim deed recorded in Book 1116 of Micro Records, page 220.

2:42:48

Based on the findings of fact in the staff report, public testimony and deliberation by the Missoula County Board of County Commissioners.

2:42:54

Second, any public comment.

2:42:59

OK, All in favor.

2:43:00

Aye, I'm gonna go no, because I wish it was an industrial center light, but we're moving on.

2:43:12

Thanks, Joe.

2:43:13

Thanks, Jason.

2:43:15

Thank you very much.

2:43:15

I appreciate all the deliberation.

2:43:18

Be safe out there, Eric.

2:43:28

Let's do it.

2:43:29

Well, I was going to ask before we move on.

2:43:30

I'm not on a time sensitive schedule, So if either of the other two hearings would like to open today, you know I'm OK.

2:43:37

Thank you.

2:43:37

That's generous of you.

2:43:38

Yeah.

2:43:39

If you need more time, then I'm definitely OK.

2:43:41

Let's do it.

2:43:42

Let's jump to Melissa.

2:43:43

That was great.

2:43:49

Yeah.

2:43:50

Good.

2:43:51

It's good work.

2:43:52

It's good work.

2:43:54

No good.

2:43:54

It's so hard.

2:44:48

Thanks a lot, Arrow, for coming today.

2:44:49

Yeah.

2:44:51

You got a nice chewy one.

2:44:52

Yeah.

2:44:53

Way to way to start.

2:44:54

Yeah.

2:45:09

Melissa, please kick us off.

2:45:10

Yes, Thank you.

2:45:12

So my name is Melissa Richards, and this is my colleague Amanda Peterson.

2:45:16

And we are grants administrators with Missoula County and the Grants and Community Resources Department.

2:45:22

So today I'll be going over the results of our Housing and Community Development survey, which close on March 31st.

2:45:28

So today we're going to cover the purpose and intent of the survey, two federal grant opportunities that we use the survey results for to make our application stronger.

2:45:40

Then we'll take a look at the survey results.

2:45:42

And finally, we will give an opportunity for additional comment about the survey and project ideas that may benefit from the two federal funding opportunities.

2:45:54

So the purpose and intent of the survey is to assess the needs and the gaps in the community related to public infrastructure and facilities, economic development needs, and housing.

2:46:04

This ensures applications for community development projects reflect what the community wants and needs.

2:46:10

This is also an opportunity for community partners to express their needs and projects that can be supported with grant funds.

2:46:18

So next we're going to talk specifically about two federal funding opportunities, Home Investment Partnership Program or Home and Community Development Block Grant or CDBG.

2:46:28

So we designed the survey around the eligible activities these two funding opportunities can support and This is why the survey questions and options are limited in scope.

2:46:39

I am going to provide a brief overview, but if you're also, if you're interested in learning more about these funding opportunities, you can find a recording of our grant workshop on Missoula County Voice.

2:46:52

So HOME is a federal block grant program with Housing and Urban Development.

2:46:57

Its purpose is to expand the supply of affordable housing to low and very low income persons.

2:47:02

Some examples of the projects are tenant base rental assistance, housing rehab, homebuyer assistance, and new construction of housing.

2:47:11

Missoula County and other eligible entities can apply directly to HUD for funding.

2:47:18

CDBG is another federal block grant program directed by HUD and it is used for the development of viable communities by providing decent housing, a suitable living environment, and expanding economic opportunities for low and moderate income individuals.

2:47:34

There are 4 funding categories and they are housing, economic development, public and communities, facilities and planning.

2:47:43

Missoula County applies to Montana Department of Commerce for CDBG funding.

2:47:50

OK, so the rest of the presentation will be focused on the survey results and the full report will be available on Missoula County Voice on May 29th.

2:48:00

We received 529 responses The survey and the survey was open for four weeks and various outreach was conducted to encourage participation.

2:48:10

We reached out through e-mail and social media and posters were distributed to various communities including Frenchtown, Lolo, and Seeley Lake.

2:48:19

And I also presented at the All Community Council meeting in March.

2:48:24

Please note that this survey has a very specific purpose and the methodology was not scientific.

2:48:34

So first I'll shout out.

2:48:35

Sorry.

2:48:36

1st, I'll start out sharing information on the responses.

2:48:40

So of the 529 respondents, 46% said they lived outside of city limits and 54% lived within city limits.

2:48:50

So the communities outside of city limits that had the highest response rates were Seeley Lake, Lolo, Target Range, Orchard Gardens, and Bonner Milltown.

2:49:01

So the next three slides I'll be talking, I'll be going over community priorities.

2:49:08

So the top three combined city county priorities are #1 was neighborhood renewal activities, 2 was wastewater expansion or improvements, and #3 is finance or subsidized housing development.

2:49:25

The top three community, the top three city community priorities were #1 finance or subsidized housing development, 2 neighborhood renewal activities, and three was new construction or rehab of community facilities and the top three county community priorities.

2:49:45

So these are responses from outside city limits where #1 wastewater, water system expansion or improvements #2A neighborhood renewal activities and #3 was improved home conditions to resolve critical health and safety issues.

2:50:07

For the remainder of the presentation, I would be focusing on responses from outside Missoula city limits.

2:50:14

So the top three infrastructure needs identified were wastewater, water system expansion or improvements #2 improvements of sidewalks, curbs and gutters, and #3 parks and playgrounds.

2:50:29

The top three initiatives that would most likely increase economic development opportunities in Missoula County, but outside of city limits are #1 expand opportunities for low and moderate income residents through job creation, retention and training.

2:50:43

Number 2 was environmental assessment, assessments of properties to promote redevelopment or reuse of sites.

2:50:50

And three was business start up loans and financing.

2:50:56

So the top three community facility, facility needs outside of Missoula city limits.

2:51:01

Our number one Community Center, number 2 was a Senior Center.

2:51:07

Kind of strange we had the top three was none of the above.

2:51:11

So we I know.

2:51:13

So we did include on this slide that #4 which was a food bank.

2:51:19

So I guess what I can deduce from that number 3 is that people outside of the city limits didn't identify with the responses that we had available for that question.

2:51:31

So yeah, just kind of interesting.

2:51:38

So we worked with John Wilkie, the county's housing specialist, on the housing questions for the survey.

2:51:43

But for today's presentation, I'm focusing on the top three housing development needs outside of city limits.

2:51:51

So they were funding for infrastructure including water, sewer, roads and lighting #2 is construction of single family homes.

2:51:59

And three was incentives for developers to include affordable units and new developments.

2:52:07

So I just wanted to talk about some general comments and go over some general themes that we found.

2:52:14

So we had over 500 additional comments.

2:52:17

So in the category of community development, comments were around bridge and road repair, sewer and septic projects and protection of open spaces.

2:52:28

Under economic development.

2:52:30

We there were comments around reducing construction barriers and they need to develop a grocery store at the Y we had a lot of comments on housing.

2:52:39

I think we see this almost every year was requests for lower property taxes in more diverse types of affordable housing.

2:52:48

It was interesting because there is definitely a lot multiple comments around single family starter homes instead of having, you know, a large apartment complexes being built.

2:53:01

And then there was people were commenting about having senior and transitional housing.

2:53:08

And then there was also numerous comments around reducing regulations on permits.

2:53:14

So we will have a full list of public comments available on Missoula County Voice.

2:53:23

So now that our department has wrapped up the survey this year, I just wanted to talk about next steps.

2:53:28

So Missoula County is eligible to apply for CDBCDBG funding and in anticipation of a fall 2026 application deadline, pre applications will be accepted from June 1st through June 22nd, which will help us identify a partnering entity and or potential sub recipient of CDBG funding.

2:53:49

We will be accepting pre applications for the following categories.

2:53:54

So for affordable housing, development and rehab, economic development planning and public and community facilities.

2:54:02

So we also be hosting a pre application workshop in June and we will be posting additional information as it comes as it becomes available about this process on Missoula County Voice as well.

2:54:16

Well, thank you.

2:54:18

And I just also wanted to share with everybody that you can share additional public comment on Missoula County on the Missoula County Voice page until April 30th.

2:54:29

But I did, yes, you all have questions about the survey, but I also wanted to open it up for public comment, whether it's commenting about the survey or I know that we have some folks in the room and I think online hopefully still I would like to provide some public comment on projects.

2:54:48

I have a Linda online.

2:55:04

I think you might still be muted, Linda.

2:55:10

OK, can you hear me now?

2:55:12

Yes.

2:55:13

OK, good.

2:55:14

I am Linda Heartless.

2:55:15

I am the treasurer of Old Hellgate Village and we would like to formally request that Missoula County apply for the CDBG funding on behalf of Old Hellgate Village to help support our wastewater system improvement project.

2:55:33

Thank you.

2:55:35

You're welcome.

2:55:37

Thanks for joining us.

2:55:39

Anybody in the room?

2:55:42

Oh, I'm sorry.

2:55:44

Yeah.

2:55:46

I don't want to sound negative, but I want to question the validity of a survey of 500 responses from a population of exceeding 80,000 because that, in my opinion, doesn't show a true picture of what the needs truly are.

2:56:17

Listen, you want to speak to statistics?

2:56:21

What it what counts as a representative sample?

2:56:26

Well, I would say that maybe this year was a little bit lower than we've seen in previous years.

2:56:32

Last year we did have 702 responses, which definitely was our highest within five years, but I think we're hovering around between 5 and 600.

2:56:43

And then I just also want to note that we do this survey because this is part of our application to for applying for CDBG funding to the Montana Department of Commerce.

2:56:55

So it's really limited in scope and intended for us to seek public comment and for people to propose projects that they would like CDBG funding for.

2:57:06

So while I understand that it's limited in scope, but it does fulfill a purpose for our department Please.

2:57:26

Yes, I should turn the mic on.

2:57:28

Good afternoon.

2:57:29

Thanks so much for the opportunity to provide public comment.

2:57:32

I'm Jen Newell.

2:57:33

I'm the Executive Director of YWCA Missoula.

2:57:37

YWCA Missoula and Homeward are pleased to be partnering to build a multi phase mixed-use development on the property just West of YWCA Missoula's Meadowlark facility at 1800 S 3rd West.

2:57:48

With the support of the Missoula community and in partnership with powerful community organizations, key amongst them Missoula Interfaith Collaborative's Family Promise Program.

2:57:58

White of UC Missoula currently provides emergency shelter to hundreds of houseless families and survivors of domestic and sexual violence in our community each year.

2:58:07

Our Meadowlark facility opened five years ago.

2:58:10

Thanks so much Missoula, and almost immediately filled the capacity.

2:58:14

As many of you know, today there are 10 houseless families on the wait list and that has been as high as 22 families this last year.

2:58:22

So while shelter services are certainly vital and often life saving in the short term, what the families that we serve need most is affordable housing and supportive services.

2:58:34

With the rising cost of rent in Missoula, the families we serve are currently struggling to take that next step accessing housing.

2:58:41

And once housed, they often fail to maintain their housing.

2:58:45

In fact, of the 24 families that are currently staying in the Meadowlarks Family Housing Center, 14 of them have stayed with us before and haven't yet succeeded in sustaining permanent housing.

2:58:57

So to move from surviving to thriving, our most vulnerable neighbors need more.

2:59:02

They need access to a community of support that includes connections and relationships and increased behavioral health services, skill building and training to build their income.

2:59:13

YWCA Missoula and Homeward propose A2 phase project starting with a mixed-use building featuring 21 affordable housing units owned and managed by Homeward.

2:59:22

YWCA Missoula will own and manage a new support hub designed to provide what our neighbors need most to overcome housing barriers.

2:59:30

In addition, the ground floor will serve as the new home for YWCA Missoula's Secret Seconds Thrift Store that provides sustainable funding for our services.

2:59:39

Phase one is scheduled to break ground in 2028.

2:59:42

YWCA Missoula has provided life changing services in the Missoula community for more than 115 years and Homeward is a long time, well respected developer and provider of affordable housing in Missoula and across the state.

2:59:56

So together we request that the Missoula County apply for CDBG funds in support of this innovative new project.

3:00:03

With the investment and support of the Missoula community, we'll provide not just short term shelter.

3:00:08

But truly support Missoula's most vulnerable families as they make their way home for good.

3:00:14

Thanks so much.

3:00:15

Thank you.

3:00:18

Anyone else like to speak to this, please, Dave, Melissa.

3:00:25

So have we ever?

3:00:28

Well, First off, are the, are the questions consistent from year to year?

3:00:35

And and if so, where I'm going with this, have we ever done any sort of an assessment of our analysis of, of how the the responses to those questions have changed over time?

3:00:50

I might need to get back to you on that.

3:00:51

I mean, I've only been personally with our department for just about two years now.

3:00:56

So I think I would probably have to look at previous survey questions.

3:01:00

I know this is my second year participating in the survey since joining the department and I think the questions we did talk about having consistency from year to year just so that we could right address that like our what are we seeing and what are some trends that we're seeing?

3:01:18

But I can definitely get back to you with more information on that, Dave.

3:01:21

I did just see Melissa Gordon raise her hand.

3:01:23

She may be able to speak to that.

3:01:25

There we go.

3:01:27

Listen, this Melissa's been with the county for a long time and I can tell you that there is consistency.

3:01:34

We add some new questions every year, but really for what we need to do in order to be eligible to apply for this funding, we have to ask very, very similar questions year over year.

3:01:49

So the bulk of the survey is a repeat from previous years because what we need to establish are the top community priorities and needs in the different CDBG project categories.

3:02:03

I love the suggestion to do kind of a comparative analysis of survey results over a year over the years.

3:02:10

We could absolutely do that with the questions that are consistent from year to year and would be happy to do that and come back to you with some results.

3:02:21

Thanks.

3:02:21

I have this certainly not making work for anyone.

3:02:27

I do wonder though, to the extent that this is a requirement that we need to do and the results are not at all surprising.

3:02:35

These are sorts of things that we hear all the time from the community.

3:02:40

Is there do we ever get any interesting results that, that we say, aha, we, we need to change direction?

3:02:47

I I don't know that we've seen that maybe some comparative analysis over time would be useful, but don't take my question as directing you to do it necessarily, but just curious about it.

3:02:59

I have one thing for the 2 Melissa's thinking about Errol's question.

3:03:04

So if we had 384 to 400 respondents out of 80,000 people, that leaves us at with 95% confidence, 5% plus or minus margin.

3:03:17

So we did pretty good at least within the population of people who live in the city and applied the same numbers, folks in the county, I think we're pretty good.

3:03:26

Yeah.

3:03:27

And last year, I think it was kind of an anomaly kind of looking at the survey results.

3:03:31

And last year, I think was one of the first years that we had a more folks outside of city limits responding to the survey than we did inside city limits.

3:03:41

So yeah, just I thought that was kind of kind of interesting.

3:03:47

Thanks.

3:03:47

Thank you.

3:03:52

Flanna still here?

3:03:56

No, not at all.

3:03:58

Not at all.

3:04:01

Yes.

3:04:02

OK, no problem.

3:04:06

I hope that'll be OK for those folks.

3:04:07

But such as it is OK, The little children are waving flags.

3:04:18

That's OK.

3:04:20

All a joke, folks.

3:04:55

OK.

3:04:56

Good afternoon.

3:04:58

Thanks for sticking with me.

3:04:59

Yes, I'm Flanna McLarty with the Community and Economic Development Department.

3:05:07

And I have before you a resolution that is required by state law in order for us to issue TIF bonds that would extend the lifetime of a district.

3:05:23

And so I'll kind of walk through what all of this means.

3:05:36

So this is for the Y1 Ted.

3:05:39

And in relation to purchasing the Y water system and just to make it pretty, there's a photo of the water system.

3:05:56

OK, so this change in state law happened last year.

3:06:00

They revised Montana Code Annotated 715-4289.

3:06:06

And so the new language is that to use tax increment to pledge towards bond payments that will extend the district beyond the 15th year requires having a public hearing.

3:06:20

And this is the important part to determine whether fulfillment of the comprehensive development plan requires issuing bonds.

3:06:30

Along with this change in law, we are required to provide notice to the county and the school districts where the Ted is located for the targeted economic Development District.

3:06:42

We did provide notice to all of the taxing jurisdictions that are affected by this district, not just the county and the school districts.

3:06:55

OK, So just a little background.

3:06:58

Last February, you approved spending around \$5.3 million in tax increment financing from the Y1 Targeted Economic Development District to purchase the Y Water system.

3:07:13

Per that approval, we intended to issue tax increment financing bonds to finance the purchase of that system.

3:07:23

And I will go through the financials towards the end of the presentation for you.

3:07:30

But the Y1 Targeted Economic Development District, it was established in November of 2020.

3:07:40

Districts are initially established for 15 years unless bonds are issued that could extend the district and depending on when it was created depends on how long we can issue bonds for.

3:07:55

In this case, we could issue bonds for 25 years.

3:08:00

We are planning on issuing bonds for 20 years and it is 2026, so that would extend the district for approximately 11 years so that the new termination date of the district would be July of 2046 instead of the current, which is November of 2035.

3:08:28

OK.

3:08:28

So just a little bit about the process that we're doing today for this resolution per statute, we mailed notification to all the affected taxing jurisdictions and published notice in the Mizzouillian in April that we were holding this public hearing.

3:08:45

You will open a public hearing, the point of which is to determine whether fulfillment of the Comprehensive Development Plan requires issuing tax increment financing bonds.

3:08:57

close the public hearing and then consider the resolution that I have for you.

3:09:04

I will note that that we this is not issuing the bonds.

3:09:11

So next Thursday at the public hearing, we will have two items before you.

3:09:17

1 is a purchase agreement for the Y water system and the second finance will present on issuing the tax increment financing bonds and we'll have more information about those bonds at that time.

3:09:34

So a comprehensive development plan is required by statute when creating a targeted economic development district.

3:09:42

And there's three primary purposes of this plan.

3:09:45

1 is to identify the infrastructure deficiencies within the district.

3:09:51

The second is to determine high level goals of the district, what it wants to accomplish.

3:09:56

And then the third is guiding the use of tax increment financing, what we can use these funds towards.

3:10:06

So the comprehensive development plan for the Y1 under the infrastructure deficiencies clearly identifies water being a primary deficiency in the area.

3:10:20

It does say that a key strategy to development in the area is to develop a centralized water system and to provide water supply for firefighting and domestic purposes, as well As for enhancing fire services in the area.

3:10:36

the Y Water system, It will be a public water supply system, initially serving 20 lots with the possibility of expansion.

3:10:45

It has a 500,000 gallon pressurized tank for fire suppression needs, as well as 5 fire hydrants that have been installed in the area to support fire services.

3:10:59

Initially it will supply domestic water to 19 lots, but there's also the possibility of expanding that so it does meet the infrastructure deficiency needs of the plan.

3:11:15

The goals of the comprehensive Development Plan, again, one of the primary goals is a community water system.

3:11:22

This is a key strategy to support growth in the area and the system does meet this need as it will be owned and operated by Missoula County and will supply water to initially 19 lots with the possibility of the greater area.

3:11:42

A second goal is to invest in public infrastructure projects supporting secondary value adding commerce.

3:11:48

All of the lots that are being supplied are zoned industrial, so they all are all considered secondary value adding.

3:11:57

A third goal is to leverage public and private funds for public infrastructure.

3:12:01

This project has been a public private endeavour where we are using tax increment financing to purchase the system, but the private sector has invested in other aspects of the water system including extending water mains outside of the district.

3:12:22

So it is a mix of private and public partnership and then last goal is to employ economies of scale and sustainability to enhance efficiency and reduce individual cost of installing and extending public infrastructure.

3:12:39

Without this water system, the area would likely develop with small privately owned water systems that would only serve their property, which would further fragment the potential to develop a community water

system and would limit development in the area as it likely wouldn't supply the fire suppression needs to have larger industrial buildings.

3:13:08

As to the use of tax increment financing in the comprehensive development plan, it says that a project must be located inside the targeted economic development district, that it must support secondary value adding industries, that it must be a specifically approved targeted economic development district, that it aligns with the goals of the district and that it is authorized by the Commission.

3:13:33

And so this whitewater system is located within Y one.

3:13:38

It will again serve all industrial zoned properties.

3:13:43

This project was recommended by the Missoula Development Authority and approved by the Board of County Commissioners last February.

3:13:51

It does fulfill goal #3 of investing in a efficient delivery of public infrastructure.

3:13:57

And the tax increment financing provision was approved last February again.

3:14:07

So the approved amount for the Y water system was \$5.3 million.

3:14:13

This is the current budget for next fiscal year for Y 1.

3:14:19

The annual revenues in that district are around \$800,000.

3:14:24

Our administrative expenses are around \$76,000.

3:14:28

We do have we've budgeted for some planning or legal services for \$35,000.

3:14:36

After purchasing this water system, we would like to do a preliminary engineering report that would help with figuring out how to expand the system in the future.

3:14:47

And we also have plans to spend money from Y1 toward a FIRE needs study to help them in a planning process as growth happens in this area.

3:15:01

What needs do they have and how can we help support that?

3:15:05

We estimate that debt service for the bond that would be issued to purchase the system would be around \$447,000 annually.

3:15:14

So this does leave us with a fiscal, fiscal year balance in the positive of about \$140,000.

3:15:21

We do have a cash balance estimated around \$2,000,000 right now and we would like to hold this money for other projects that might arise.

3:15:34

Like I said, we're working on a preliminary engineering report about expanding the system.

3:15:39

There's possibilities of needing to purchase additional water rights to expand the system, to do additional drilling or development of a well to expand the system.

3:15:52

And so there could be other projects in the area paving roads, that sort of thing that we could use money towards.

3:15:59

So we do think that bonding for this project is prudent and the price does exceed what we do have available in cash currently.

3:16:15

We did bring this before the Missoula Jurisdictional Advisory Committee, which is a advisory committee to the board made-up of the affecting affected taxing jurisdictions.

3:16:27

So the school districts, the fire districts and the urban transportation district, they did make a recommendation to move forward with this.

3:16:37

There were two votes against the project due to the bond extending the duration of the district.

3:16:44

We also brought this before the Missoula Development Authority, which is made-up of citizens that advise on economic development, and that recommendation passed unanimously.

3:16:55

And then over the past day, I did receive some public comment via e-mail, all from residents or staff from Dismount School District.

3:17:10

And the summarizing what they had to say is that they are requesting that their certain permissive mills for Dismount School District be removed from collection for Y1 and Y2.

3:17:31

Thanks, Lana.

3:17:33

Do you guys have any questions for Flanna?

3:17:37

OK, we'll go to public comment.

3:17:43

Matt, I don't know if you've been here since we've adopted the scoreboard, the shot clock.

3:17:47

It looks like we should be the first one.

3:17:49

You could have turned that timer on.

3:17:50

So I don't know.

3:17:51

I don't know.

3:17:52

You're gonna be it today, brother.

3:17:54

All right, 3 minutes is what you got.

3:17:55

All right, let me then let me be very.

3:17:57

I'll go real quick.

3:17:58

The school board has approved that we will go to legal actions to make sure that our district is taxed the same way as other school districts within the county in reference to TIF funds.

3:18:17

That being said, there is an issue that needs to be discussed and it's a serious issue.

3:18:23

Is that within the SEC rules?

3:18:26

17 A OF10B.

3:18:31

It says that employees, officers, advisors and other legal counsel, and since this is part of an Advisory Board that would be recommending the bonds and I being on that board, I have to make notice right now that we would be doing legal action if we don't have this permissive levies taken care of properly.

3:18:56

And I would highly recommend, highly recommend that you table the purchase of the bonds.

3:19:03

You table that piece of it until the Missoula Jurisdictional Advisory Committee, which you are a member of but have not met with us yet, that we can sit down and talk about how this is going to affect us.

3:19:17

Because what's going to happen is you're going to you're going to freeze their revenues that the school district, the fire department and transportation is going to get based on the funding that you do with this bond for the next, you know, 25 years.

3:19:32

And that is going to have a detrimental impact on every one of those municipalities, I guess if you want to look at it that way.

3:19:42

Jurisdictions.

3:19:42

Thank you.

3:19:43

And so that's, that's what I'm going to ask you guys to do.

3:19:46

And I'm giving notice that there's going to be legal action so that we're not going to find ourselves saying anything wrong during the bonding process that you're not facing anything like that.

3:19:56

Just need to make sure that all those things are laid out on the floor in front of us.

3:20:00

Ask you to table the purchase of the bonds because the money's there to pay for it without it.

3:20:07

Table that until the until the Jurisdictional Advisory Committee can meet with you and everyone else, and we can talk about that.

3:20:19

Thanks.

3:20:20

Yep, any other public comment.

3:20:41

Good evening My my name is Les Meyer LESMEYER with Frenchtown School District Echo a little bit of what Matt said and I appreciate the, the consideration and infrastructure building in for the fire district because that's something that we've, we've talked about like I think it's been I don't know if passed over is the right word, but when we've when we're looking at the TIFF or the the Ted districts, those are those are a little closer to the high.

3:21:21

I'm really trying to be quiet because I get amped up and I get loud.

3:21:25

So anyway, I'm trying to try to reduce things here.

3:21:27

So anyway, in terms of the, we appreciate the the thought process there towards the for the fire department and bringing in infrastructure for the fire during all of this.

3:21:39

Like not going to come at at this from a standpoint we don't want to stop growth or we don't want to stop advancement at the Y or anything along those lines.

3:21:47

I just basically want to ask the question and this is just something to consider is when we go down this this road and we're going to extend, extend the timeline.

3:21:58

Is there or has there been discussion or consideration of what this does to the local taxpayer when we go to extend these the, the the TIF out?

3:22:09

And I, I realize it's bonds and I'm not going to be up here and going to be an expert on, on what that means.

3:22:17

I just know that if we continue to extend this, it does it.

3:22:23

I just want to know if there's any, any consideration of what this does for the local taxpayer.

3:22:28

Matt did discuss permissive levies and.

3:22:33

And so if we could be considered and put into that domain, I know there was another school district that had that was removed out of the TIF.

3:22:40

I think that would be a good smart move for school districts regarding this.

3:22:44

So thank you less.

3:22:46

Yeah.

3:22:47

How was that?

3:22:47

Was that better?

3:22:48

Perfect.

3:22:49

All right.

3:22:49

Perfect.

3:22:58

You guys have anything I don't, I don't, I think this is the prudent thing to do.

3:23:07

So I move to adopt A resolution determining the fulfillment of the Y targeted economic development district requires pledging tax increment to the payment of bonds that will extend the termination of the tax increment provision beyond the 15th year.

3:23:21

Second, any public comment, I'm gonna add my own little comment and that we're.

3:23:28

Oh, do you want something to say something again, Les?

3:23:34

Again, I just want to make sure that there's consideration regarding the permissive levies in the effect on not on that does affect schools.

3:23:42

But we're talking about people not being selfish for us.

3:23:45

But we're talking about.

3:23:48

Got it, people.

3:23:49

Yeah.

3:23:50

So my comment was going to be that the conversation is open on exactly that and we can move forward on this bond and have conversations about what levies to include, what levies to exclude and be really thoughtful and mathematical about that considering both taxpayers needs and what schools needs and what we need to pay off these debts.

3:24:10

So this debts that facilitate development, it's not debt for debt sake Matt.

3:24:14

This is this facilitates development, which is absolutely our responsibility.

3:24:18

So conversations are ongoing.

3:24:21

All right, with that all in favor.

3:24:23

Aye, aye.

3:24:23

Thanks, guys.

3:24:29

We're done.

3:24:30

No, we're not.

3:24:32

Oh, did OK.

3:24:33

Sorry.

3:24:34

Postponed 28.

3:24:36

Missed that.

3:24:36

OK, possibly.

3:24:38

I thought he just waited until later.

3:24:40

OK, people are speeding.

3:25:22

Well, thanks for staying.