

Missoula City Council Land Use and Planning Committee Minutes

September 2, 2020

8:30 am

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Members present: Mirtha Becerra, John P. Contos, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Jesse Ramos, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg

Members absent: Stacie Anderson, Heidi West

1. ADMINISTRATIVE BUSINESS

The meeting started 8:32 AM.

1.1 Roll Call

1.2 Approval of the Minutes

2. PUBLIC COMMENT

3. COMMITTEE BUSINESS

A brief recess will take place from 10:18 -11:30.

3.1 Annexation of Tracts 1 and 2 of COS No. 5963 – Heron’s Landing Subdivision

Dave DeGrandpre, presented on the Annexation of Tract 1 and 2 of COS No. 5963 Heron's Landing Subdivision. For more information please find the attached presentation online.

The subject property is located in the Mullan Area Master Plan. The property is intersected by George Elmer Drive and Chuck Wagon Drive. Both George Elmer and Chuck Wagon Drive are in the city limits. They are considered collectors. The project has several elements:

- annexation and initial zoning,
- adding the Heron’s Landing Neighborhood Character Overlay District to Title 20, and
- applying the NC-HL to the property and Heron’s Landing Phased Subdivision.

Nick Kaufman, Land Use Planner at WGM, presented on “Documented Representations Made Over the Course of 44 Ranch”. Mr. Kaufman talked about some of the concerns and comments of the neighborhood. To address agriculture concerns, he talked about the plan to make a community garden.

To address wildlife concerns he mentioned wildlife is taken into consideration, and the density in certain areas is designed to allow wildlife and people to coexist. He addressed the irrigation ditch. Parts of the current ditch is wasted into Grant Creek and part of it

disappears downstream.

Mr. Kaufman went over an email from the year 2005 that was sent by the neighbors to the Planning Board and the city. The email was presented as an evidence to show that WGM misrepresented that they would do half acre lots on parts of the ranch. Mr. Kaufman mentioned in 2005 the email was sent to the property owners in addition to the city to show they are listening to the neighborhood' concerns. Mr. Kaufman talked about the phased development that started in the year 2005. The higher density housing is adjacent to the 44 Ranch. The demand for housing is not the same as 2005. Also, the "Our Missoula Growth Policy" is different.

Ryan Salisbury, Principal Engineer at WGM Group, mentioned that there is some coordination to be done to determine BUILD grant timing and the design intersect with the project. So far the BUILD grant is unknown.

A committee member needed clarification as to why ninety feet of right-of-way is not being secured for a collector street? The extra 10 feet can be used in the future if needed.

Mr. DeGrandpre, Development Services, answered the right of way was dedicated as 80 feet. He added that from his perspective the decision was probably made based on consistency.

Ryan Salisbury provided clarification that a current example of a collector street that George Elmer would be like is Higgins Street and 39th Street. He also added that people would drive faster with ninety feet right-of-way.

Dave DeGrandpre gave clarification that there is going to be a traffic signal at the intersection of George Elmer and Mullan Street.

Citizen Kim Birck called to comment on the lower Grant Creek development. She said she liked Heron's Landing project and hoped that the same process was done with Grant Creek.

Mr. DeGrandpre clarified in 2017 Montana legislature modified the law to address phased development. If throughout the phasing development, the regulations change, the issue is covered under the current state law.

Discussion only

3.2 Rezone - 2920 Expo Parkway - Grant Creek Village

Dave DeGrandpre with Development Services presented on Rezone - 2920 Expo Parkway - Grant Creek Village. For more information please find attached presentation. Mr. DeGrandpre reviewed some changes since his last presentation on August 19th, 2020. The developer has submitted documented compliance with review criteria zone changes. There has been a traffic impact study submitted and reviewed. The documents and related public comments are available for the public online.

Mr. DeGrandpre mentioned that the city reached out but have not heard back yet from the Department of Natural Resources and Conservation (DNRC). The committee added that even if the DNRC makes no comment, that is helpful.

Mr. DeGrandpre explained that he is not aware of any pending development projects. However, there are three separate parcels zoned for commercial development to the south of the project.

The committee asked for clear understanding of the number of units allowed per the

current zoning and the number requested with the rezone.

Mr. DeGrandpre explained that to the south and below are three parcels, to the east are other businesses, and to northeast of the development are some residential properties. Along the west side of the property is a steep hill. The developing area of the property is only the east and central portion of the property. There are several zones that apply to the property. The most restrictive zoning is R5.4. Under the R5.4, a total 155 single dwelling units are allowed. However, under Our Missoula Growth Policy, high density is recommended for the zone R5.4.

Kody Swartz, Woith Engineering, stated that if the boundary line was removed and situated at RMI-35, the actual density would be around eleven hundred. He pointed out that just changing the boundaries would allow additional density.

A committee member suggested to the city planner to have a slide from current zoning and the effective zoning in the presentation for the public hearing. Also, the committee member requested to hear from the City planner what did the city do in other areas in similar cases to the hillside?

It was clarified that the parcels existed before the zoning.

A representative from Woith Engineering provided clarification that the core reason they are applying for the rezone is to clean up zoning, and that there is no current set plan for evacuation.

Mr. DeGrandpre stated that a rezone application is required even if the zoning error is created by the city.

Bob Abelin, Abelin Traffic, provided information that the raw numbers of traffic through the morning peak is almost 20 percent and that this traffic is turning right. The extra right turn lane will help. The distance between the signal and Expo Parkway is 900 feet and the right turn lane is 250 feet long.

Dave DeGrandpre provided information that rezoning was presented to the Montana Department of Transportation (MDT) and there are two comments from MDT. At this time Grant Creek Road is not under MDT's jurisdiction.

A committee member pointed out that the reason some people have a hard time understanding the importance of the extra lane is because only twenty percent are making right turns.

Bob Abelin agreed and added that there would be two through lanes. By adding the extra turning lane, the capacity for traffic would be more than doubled. Kody Swartz, Woith Engineering, added that they planned a lot of one bedroom and two bedroom units, which usually generate less cars and less traffic.

Kody Swartz, Woith Engineering, provided clarification that the plan is not to build nine hundred and fifty projects right away. The project is the vision, it has multiple phases and would take several years. The traffic infrastructure might be put in place before completion.

Citizen Barry Hartman called to comment. He stated that people who need to walk at the intersection of the Grant Creek and Expo Parkway are not considered in the study. The traffic does not flow. The traffic surge is in the morning and the evening. He raised concern that there is no infrastructure in the area and that therefore people would have to rely on driving.

Melissa Bruns called to make a comment. She said that the traffic study severely underestimates the reality of the current and potential traffic volume under the proposed rezone.

The first reason, the data was collected for only one day. She is also not sure if the study was done during the peak hours. The data ignores the summer travels and the Snow Bowl travels. It shows no westbound traffic. She asked the committee to not rely on the study results when making the decision and to reject the rezone.

Grant Parker called to make a comment. He wanted to address misconceptions the developers made. He also added that the Rocky Mountain Elk Foundation has been listed as open land. The foundation has been having ongoing issues with trespassing and are concerned with the additional impact of the rezoning.

Holly and Gary Swartz, residents of Prospect called to comment. Ms. Swartz listed all the businesses in the area. There are no walking or bike paths. The area depends on driving. She also believes rezoning and higher density will create more problems which cannot be undone.

Torian Donohoe, public commenter, recalled a public hearing from August 2007 she attended. It was a time the Blackcat fire was raging. She stated a quote from the meeting which stated in case of wildlife fire, residents cannot get out of the area. She raised concerns that the Forest Service has not been contacted regarding the project.

Aaron Neilson, public commenter, encouraged committee members to read the public comments from other firefighters. They are experienced firemen. Density is one thing to consider in terms of the growth policy. He pointed out a study that indicated Grant Creek as a high risk for fires in 2005.

Discussion only

4. ADJOURNMENT

The meeting was adjourned 1:38 PM.