

**From:** [Neil Miner](#)  
**To:** [Jenny Baker](#)  
**Subject:** Hellgate Village Subdivision Variance Request  
**Date:** Friday, August 23, 2019 3:18:25 PM

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Hi Jenny,

Thanks for allowing us the opportunity to comment on the Variance Request as part of the Hellgate Village Subdivision. As you know, we just provided comment for the Second Agency Sufficiency Review for this subdivision, in which I discussed the Variance request. I am copying that email below, so that it may also be submitted as part of the comments for the Variance Request.

**From:** Neil Miner  
**Sent:** Friday, August 16, 2019 9:28 PM  
**To:** Anna Vickers <[avickers@wmggroup.com](mailto:avickers@wmggroup.com)>  
**Cc:** Mary McCrea <[McCreaM@ci.missoula.mt.us](mailto:McCreaM@ci.missoula.mt.us)>; Jenny Baker <[BakerJ@ci.missoula.mt.us](mailto:BakerJ@ci.missoula.mt.us)>  
**Subject:** RE: Hellgate Village - Second Agency Sufficiency Review

Anna,

*Thank you for the opportunity to comment on the Hellgate Village Second Agency Sufficiency Review.*

*In reviewing the application packet, the applicant is proposing a minor subdivision and then a townhome exemption development (TED) on 3 of the 5 lots, with the remaining two lots multi-family. Although through both the subdivision and TED process there are Parkland/Open Space requirements, the 35% landscaping requirement for the multi-family buildings does not require it to be a useable area. In addition, with the proposed multi-step approach of dividing and developing this parcel, the total area required for parkland dedication would be less than if the developer was required to provide the park land as part of the subdivision process.*

*Furthermore, the plans have shown utility easements that encumber the proposed common area of the TEDs. Townhome Exemption Development Standards, 20.40.180 G.3.c. states that the Public Open Space areas "Shall not include required.. public utility features."*

*Although the existing Pleasant View Park is within the recommended neighborhood park distance of this parcel, the park is close to, or has reached its capacity in terms of population served (2.5 acres/1000 population). As such, a new neighborhood park is needed south of this development, and new amenities within Pleasant View Park are needed to increase its serviceable population density.*

*The Parks department could support the proposed subdivision under one of the following conditions:*

- The developer provides cash-in-lieu under subdivision regulations; or*
- The developer relocates the public utility easements outside of the proposed*

*TED Open Space areas and meets all the requirements in 20.40.180 G. Parks and Trails, AND provides cash-in-lieu for the difference in area from the subdivision parkland dedication requirement of the entire parcel to that of the provided TED open space area.*

*Thank you,  
Neil*

**Neil Miner, PLA**  
**Parks and Trails Design/Development Manager**  
**Missoula Parks and Recreation**  
**600 Cregg Lane | Missoula, MT 59801**  
**406-552-6264**  
[www.missoulaparks.org](http://www.missoulaparks.org)  
[nminer@ci.missoula.mt.us](mailto:nminer@ci.missoula.mt.us)

Please let me know if you have any questions.

Thank You,  
Neil

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