



MISSOULA

COMMUNITY PLANNING, DEVELOPMENT & INNOVATION

Development Services Division

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MEMO No. 2

TO: City Council

DATE: October 29, 2021

FROM: Dave DeGrandpre, Development Services

RE: **Annexation of Linda Vista 11th and 18th Supplements and Tract 3A of COS No. 6798**

At the City Council Land Use and Planning Committee meeting on Wednesday, October 27, 2021, committee members inquired whether the subject properties are included in the Missoula Urban Transportation District (MUTD) and if not, a condition of annexation approval requiring the landowner to petition into the district would be appropriate to help to meet the City's multi-modal transportation goals.

After reviewing the MUTD online district map and corresponding with Transit Planner Dan Stone, the Linda Vista 11th and 18th Supplements are within the district, but Tract 3A of Certificate of Survey No. 6798, which contains the 200-unit multi-dwelling complex, is not. Therefore, staff recommends the conditions of approval be amended as follows:

1. The applicant and owner of Linda Vista 18th Supplement and Tract 3A of Certificate of Survey No. 6798 at the time of petition for annexation shall file easements with the Missoula County Clerk and Recorder for all public water and sewer mains, fire hydrants, and City storm drainage facilities within Tract 3A of Certificate of Survey No. 6798, subject to review and approval by the City Engineer and City Geographic Information Systems office, prior to approval of the first sewer connection permit on a lot within Linda Vista 18th Supplement or within ninety (90) days of annexation, whichever comes first.
2. The applicant and owner of Linda Vista 18th Supplement and Tract 3A of Certificate of Survey No. 6798 at the time of petition for annexation, shall provide a maintenance agreement for Jim Loop and all internal streets within Tract 3A of Certificate of Survey No. 6798 that have not been accepted for maintenance by Missoula County or the City of Missoula filed with the County Clerk and Recorder, subject to review and approval of City Engineering, prior to approval of the first sewer connection permit on a lot within Linda Vista 18th Supplement, or within ninety (90) days of annexation, whichever comes first.

3. The applicant and owner of Linda Vista 18th Supplement and Tract 3A of Certificate of Survey No. 6798 shall submit a petition for the property to be included in the Missoula Urban Transportation District, subject to review and approval of Development Services, prior to approval of the first sewer connection permit on any lot within Linda Vista 18th Supplement or within ninety (90) days of annexation, whichever comes first.

~~34~~. The Resolution to annex the above property is not effective until the Petitioner complies with Conditions of Approval 1, ~~and 2,~~ and 3. In the event that Petitioner does not comply with Conditions of Approval 1, ~~and 2,~~ and 3 within 90 days of City Council approving this annexation, this Resolution shall

become null and void. Once Petitioner complies with Conditions of Approval 1, ~~and~~ 2, and 3, the City Clerk shall certify this Resolution and cause it to be filed with the Missoula County Clerk and Recorder's Office pursuant to Section 7-2-4607, MCA.

Finding of Fact number 12 could be amended as follows to support the new condition:

12. There are no transit routes serving this area. Route 12 is the closest route with a bus stop on 55th and Gharret Street approximately 1.5 miles from the subject property. The Linda Vista 11th and 18th Supplements are located within the Missoula Urban Transportation District, although Tract 3A of Certificate of Survey No. 6798 is not. Requiring the landowner to submit a petition for Tract 3A to be included in the district prior to annexation becoming official would help to meet adopted multi-modal transportation goals.

Staff offers the following amendment to the motion for Council's consideration in the event City Council chooses to add a condition to require petitioning into the Missoula Urban Transportation District:

Adopt/Deny a resolution to annex and incorporate within the boundaries of the City of Missoula Lots 2 through 8 in the Linda Vista 11th Supplement and a portion of Joy Drive adjacent, Lots 1 through 41, Common Area 1 and 2, and portions of Max Drive, Maggie Mae Drive and Guinevere Drive in the Linda Vista 18th Supplement and portion of Miller Creek Road, and Tract 3A of Certificate of Survey No. 6798 and a portion of Jim Loop Drive within the tract, all shown on Exhibits A and B and located in Section 13, Township 12 North, Range 20 West, and zone the property PUD Miller Creek View Addition, subject to conditions of annexation as amended and shown in Memo No. 1 and No. 2 dated October 21 and October 29, 2021, based on the findings of fact in the staff report and in the Memos.