



## Missoula Consolidated Planning Board Minutes

November 16, 2021, 6:00 PM

ZOOM Webinar

Voting members present: Shane Morrissey, Vice Chair (City Appointee), Josh Schroeder (Conservation Dist Appt), Andy Mefford (County Appt), Dave Loomis (County Appt), Micah Sewell (County Appt), Tung Pham (Mayor Appointee), Ellie Costello (City Alt)

Regular member(s) absent: Sean McCoy, Chair (County Appt), Neva Hassanein (Mayor Appointee)

Alternate(s) absent: Jim Bachand (County Alt)

### 1. Call to Order

[eScribe video](#)

[City of Missoula YouTube video](#)

Mr. Morrissey called the meeting to order at 6:01 p.m.

### 2. Roll Call

Donna McCammon called the roll.

### 3. Approval of Minutes from November 02, 2021

Ms. Costello moved; and Mr. Pham seconded the approval of the November 02, 2021, Missoula Consolidated Planning Board (MCPB) minutes as submitted. With a voice vote of all ayes the minutes were approved.

### 4. Public Comment

No public comment on items not on the agenda.

### 5. Staff Announcements

There were no staff comments.

### 6. Public Hearings

#### 6.1 Request to Revoke the Canyon Gate/Ole's Planned Variation – Matt Heimel, Missoula County, Community and Planning Services (CAPS)

Matt Heimel, AICP, Planner II, Missoula County, stated that Community and Planning Services (CAPS) received a revocation request of the Canyon Gate/Ole's Planned Variation from IMEG, representing Castle Rock Construction LLC; TFES LLC. This hearing will advance to the Board of County Commissioners (BCC) on December 9, 2021. The property, vacant lots adjacent to 3705 Highway 200 East, East Missoula, is bounded by Michigan Avenue and Minnesota Avenue between Clyde Street and Randle

Street in East Missoula, legally described as Lots 5-11 and Lots 16-26, Block 19, East Missoula Addition. An aerial image of the site location was provided.

Mr. Heibel explained that the intent statement of the C-R3 base zoning district is to provide for high density multiple-family development and limited commercial and professional office uses that would be compatible with adjoining residential uses in areas capable of being adequately served by public services.

The property is zoned C-R3 residential with the Canyon Gate/Ole's Planned Variation. Surrounding land uses and zoning are:

North: Highway / Commercial; C-C2 General Commercial

South: Residential; Un-zoned

East: Residential; C-C2 General Commercial

West: Commercial and Residential; C-C2 General Commercial

This site is designated as Neighborhood Center land use in the Missoula Area Land Use Element (2019), an amendment to the Growth Policy (2016). The Neighborhood Center land use designation is designed to be a neighborhood focal point and center of activity, providing opportunities for retail, service, and employment. Two additional goals of the Neighborhood Center are to provide services to residents within a five to ten-minute walk, and to accommodate higher intensity residential choices that contribute to countywide housing diversity.

Mr. Heibel provided background information on the Planned Variation. A Planned Variation is an amendment to particular zoning districts to provide differing standards, separate from the base zoning. The Canyon Gate/Ole's Planned Variation was adopted by the Board of County Commissioners on December 7, 2011, through the adoption of Resolution 2011-131. The intent of this Planned Variation was to provide attached housing units and has specific space and bulk requirements. The standards of the Planned Variation are intended to provide adequate yard and building area and promote an aesthetic neighborhood quality, while allowing for attached units. All requirements of the C-R3 zoning apply to the Planned Variation except for the reduced space and bulk requirements for minimum lot size, minimum lot width, and minimum side yard setbacks. Mr. Heibel displayed a slide depicting the approved development plan attached to the Planned Variation. He stated that the Planned Variation is valid only in conjunction with a specific development and landscaping plan. A development proposal may be approved for zoning compliance only if it complies with elements of the Planned Variation and the development plan.

Comparisons were made between the Planned Variation and C-R3 Zoning District

Minimum Lot Width: 40-feet in the Planned Variation; 50-feet in C-R3

Minimum Lot Size: 4,800 square feet in the Planned Variation; 5,400 square feet in C-R3

Side Yard Setback: Eliminated for attached housing units; C-R3 zoning district requires a minimum side yard setback of 5 feet or not less than one-third of the building height, whichever is greater.

Maximum Building Height: Two-story buildings per the application dated May 2011 in the Planned Variation; 125-feet in the C-R3 zoning district.

Residential Density: Up to 44 dwelling units per the development plan in the Planned Variation; Up to 59 dwelling units (36 dwelling units per acre) in C-R3

The applicant requested revocation of the Planned Variation with the option of developing the property up to 59 dwelling units. Revocation of the Canyon Gate/Ole's Planned Variation would result in the C-R3 zoning district and all provisions of the Missoula County Zoning Regulations being applicable to the subject property. The modified space and bulk requirements of the Planned Variation and the development plan requirement would no longer be applicable for this property.

Mr. Heibel advised board members that revocation of the Planned Variation would not mandate or condition the utilization of a specific use or site plan. Any permitted, conditional, or special exception use allowed in the C-R3 Zoning District may be pursued if the Planned Variation is revoked. He further explained that permitted uses are allowed by right, as long as it meets general design standards in chapter three of the zoning regulations. A conditional use still receives an administrative permit review, and it must meet some special design standards for particular uses as listed in chapter four of the zoning regulations. A special exception use has review criteria considered by the Board of Adjustment at a public meeting, for the final decision. He reminded board members that the findings of fact, criteria for Planned Variations, Conclusions of Law, and recommended motions are all included in the [staff report](#). Staff recommended approval of the request.

Public comments were received from residents of the East Missoula area objecting to the revocation request. Comments are included with the agenda.

Agency comments were provided:

City/County Environmental Health: The project must go through sanitation review under 76-4 MCA or cite an applicable exemption.

Montana Department of Transportation: MDT had no comments on the revocation and did provide comments regarding planning development at the site. MDT encourages no cut-through access via Michigan Avenue. In addition, the Randles Street approach with Old Mt 200/Speedway Avenue should be marked with pavement markings and the property traffic control device(s).

Mr. Heibel thanked Planning Board members for their attention and consideration.

#### **PRESENTATION BY APPLICANT'S REPRESENTATIVE** [6:17 p.m.]

Mr. Joe Dehnert, IMEG Corp, Land Use Planner, representing Castle Rock Construction LLC; TFES LLC., thanked Mr. Heibel for his detailed presentation and the CAPS staff for the recommendation of approval of the Planned Variation revocation. He displayed a slide showing the project site, which was approved in 2011, followed by an existing site photo. The project site is bounded by Michigan Avenue and Minnesota Avenue between Clyde Street and Randle Street in East Missoula. The property is currently vacant and is used to park miscellaneous vehicles and also used as a short-cut between Michigan and

Minnesota Avenues. This property is located within the Neighborhood Center per the Missoula Area Land Use Element. It is designed to be a neighborhood focal point and to provide opportunities with mix of neighborhood residential services, offices, retail, and institutional uses.

Mr. Dehnert stated that the proposed development aligns with the Growth Policy and would add more residences to the East Missoula community. Revocation of the Canyon Gate/Ole's Planned Variation would result in the C-R3 zoning district and all provisions of the Missoula County Zoning Regulations being applicable to the subject property. He stated that the proposed development plan adheres to the existing Land Use Element, and the existing C-R3 zoning regulations. It would also meet the regulations when the proposed [Missoula County Zoning Update](#) comes to a vote in 2022. The only item the proposed plan does not adhere to now is the Planned Variation, which is why they are requesting revocation and align with the intended zoning for this area as laid out in the Growth Policy. A slide was displayed showing the existing development plan, as approved with the Plan Variation. The existing plan has three multiplex buildings allowing for a maximum of 44 housing units. The proposed development plan, as the client envisions it now is three multi-plex buildings with 59 units. Mr. Dehnert stated that change in a community can be painful, but there is potential for these vacant lots. The 2021 Housing Report for Missoula County shows an increase in demand for housing options with a significant decrease in supply. Current residents of the East Missoula community are valid in their concerns; however, he asked residents to weigh their concerns against the need for housing in Missoula County as a whole. Concerns to date have focused on neighborhood character, potential increase in traffic, alley access, visibility, light pollution, the availability of utilities, and public services. Mr. Dehnert stated that they anticipated some opposition from the public; however, future families living in this development would most assuredly voice their support.

The proposed revocation of the Planned Variation means that the applicant could develop the property with a multi-family use that is permitted in the C-R3 Zoning District. The potential exists that this area could be zoned Neighborhood Center in the future county zoning code update, which has a more flexible take on density in this area. Mr. Dehnert stated that being concerned about increased density, while waiting for the future zoning, could be in opposition to that desire.

Mr. Dehnert asked board members for their recommendation of approval of the revocation of the Planned Variation to the Board of County Commissioners.

**PUBLIC COMMENT PERIOD OPENED** [6:23 p.m.]

Stephanie Lemburg, Montana Avenue, East Missoula sent a written comment previously, which is attached to the agenda. She had previously provided input for the [Missoula County Zoning Code update](#) and has been working with Andrew Hagemeyer, in the CAPS office, on the new zoning and the Neighborhood Center designation. She does not feel the threat of denser development is great, and they are willing to take their chances. Waiting could also help them find something more suitable to the neighborhood. She is opposed to a three-story apartment building in the middle of the neighborhood, surrounded by one-story buildings. She voiced concerns that this Planned Variation revocation was too close to the time when the new county zoning is anticipated to be finalized.

**PUBLIC COMMENT PERIOD CLOSED** [6:30 p.m.]

**PLANNING BOARD COMMENTS/DISCUSSION/QUESTIONS**

Mr. Loomis felt that the staff report, and comments were well done. He asked if planning staff could elaborate on how they addressed the public comments. Mr. Heibel stated that although he did not have any particular response to any one given comment, he did note the summary of comments in the staff report. He stated he would be happy to respond to any particular comment brought forward. Comments were directed towards particular uses, and he reminded board members that revocation of the Planned Variation could result in any use listed in C-R3 as an applicable potential use. Mr. Loomis asked about the 125-foot building height allowed in C-R3 and if any traffic improvements were being planned. Mr. Heibel stated that he was aware of the [East Missoula Highway 200 Corridor Plan](#); however, he was not aware of any immediate plans to install pedestrian infrastructure, such as sidewalks, on these properties. If this were to be developed, even with the Planned Variation, the current and/or potential revised code do not require off-site infrastructure improvements to sidewalks and right-of-way, which falls under subdivision review, not zoning.

Mr. Schroeder asked Mr. Heibel about key implications resulting from the revocation of the Planned Variation. He noted that density would change, up to a maximum of 59 units, and height would change, but what else would change? Mr. Heibel stated that those two items were correct; number of dwelling units and increase in height. He emphasized that any permitted, conditional, or special exception use in the C-R3 zoning district could be sought. He provided a slide demonstrating those uses in C-R3, as shown in Section 2.14:

**Permitted Uses:**

1. Single-family dwelling; mobile homes constructed prior to June 15, 1976, must be placed on a minimum of five (5) acres with fifty (50') foot front, rear, and side yard setbacks
2. Two-family dwelling
3. Multi-family dwelling not more than thirty-six (36) feet high
4. Board house
5. Private lodge or fraternal organization
6. Day care home
7. Community residential facility serving eight (8) or fewer persons
8. Agriculture, including any and all structures or buildings needed to pursue such activities
9. Open space land
10. Accessory buildings and uses

**Conditional Uses:**

1. Professional, business, and governmental office

2. Personal services
3. Multiple-family dwelling of more than thirty-six (36) feet high
4. Home occupation
5. Day care center
6. Community residential facility serving nine (9) or more persons

Special Exceptions:

1. Any of the permitted uses allowed in C-C1 districts
2. Parking lots of six (6) or more spaces for off-premise parking of commercial or business uses
3. Eating establishments, except drive-in and drive through restaurant establishments
4. Residential mini-warehouse
5. Public and quasi-public buildings and uses
6. Public utility installation
7. Seasonal commercial and temporary uses

Mr. Schroeder noted that the existing zoning does not allow for much mixed used development. Neighborhood Center is aimed at trying to provide a neighborhood focal point and center for activity, opportunities for retail, service, and employment. Mr. Heibel confirmed that professional services and businesses are allowed as conditional uses in C-R3., and any permitted uses allowed in C-C1 districts would be allowed as a special exception. Mr. Heibel stated that retail is not a Conditional Use but could be considered as a Special Exception.

Mr. Pham asked if the current Canyon Gate/Ole's Planned Variation had a building height limitation, other than two-stories. He shared Mr. Schroeder's concern that C-R3 has limited opportunities for mixed use development. Mr. Heibel stated that the resolution that adopted the Planned Variation did not explicitly identify building height; however, it does apply development to that specific development plan, which was for the 44-unit attached housing. Going back to the application, and associated documents, renderings were for two-story in height. To comply with the development plan, it would need to be a two-story building to meet what was described in the resolution. Mr. Pham stated that in 2011 a very specific development plan was tied to the Planned Variation; he asked if the objections being heard today were directed toward the current proposal, and not to the zoning as a whole. Mr. Heibel stated that this was correct.

Ms. Costello asked if staff knew the proposed future zoning for this property when the county's zoning code update is approved. Mr. Heibel stated that the [public working draft](#) has been available for review and study since its' release on May 18, 2021. It can be accessed by anyone at: <https://mc-zoning-update-mcgis.hub.arcgis.com/>. Mr. Heibel noted that the draft currently proposes a zoning district called "NC", for Neighborhood Center. Ms. Costello asked why the developer might desire to move ahead prior to finalization of the zoning code update, does this proposed plan not explicitly fit into the

rezone, or is it a timeline issue? Mr. Dehnert stated that if the Planned Variation is revoked it will open up the C-R3 zoning and all permitted, conditional, and special uses. The plan they presented is the preference of the property owner, although this is still subject to change as they still need to go through zoning compliance, and the review processes. The Neighborhood Center designation is more flexible, so if they were to wait until the property receives that designation in the zoning code update, it would have different options and availabilities and may allow for a denser development of this area. The developer would like to provide housing in the near future, as there is an immediate need. The project could be delayed 6 to 12 months if they waited for passage of the updated zoning code, and already it is projected that 18 months could pass before the approval process is complete. Ms. Costello asked what the process would look like if the project was not approved prior to the approval of the zoning code update. Mr. Dehnert stated that projects that are approved under existing zoning are vested for compliance with the zoning at the time of approval. If the project is approved prior to the zoning code update, it will move forward with CR-3, if it remains unapproved then it would need to comply with the new zoning. Mr. Heibel stated that, in general, that is how vesting works with zoning compliance permits.

Mr. Mefford felt that revoking the Planned Variation brings the base zoning closer to CR-3 and will provide more diversity. If the Neighborhood Center does come to fruition, it will be in even greater alignment. He asked about the existing zoning [map](#) in the application documents in the agenda packet. He asked if the highlighted area was to call out the site, or to call out the zoning since it is surrounded by C-C2 and some C-R3 also shows up. He asked staff to confirm that the underlying zoning is C-R3. Mr. Heibel stated that C-R3 is correct. Mr. Mefford asked about the binding nature of the Planned Variation, and if it remains with the property even through potential sale of the property. Mr. Heibel stated that Mr. Mefford was correct; the Planned Variation runs with the land. Mr. Mefford noted that he did not see any comments from the East Missoula Community Council. Mr. Heibel stated that he did not receive a comment directly signed by the East Missoula Community Council, although he sent them a request for comments during the agency notification process. Individual members of the council may have provided comments, but nothing signed directly by the East Missoula Community Council.

Mr. Schroeder asked for historical context of the Planned Variation. Secondly, would the current Planned Variation cease under the new zoning. Mr. Heibel stated that the Planned Variation would be considered a legacy district, so would be carried over if not revoked. Since this property is owned by one party they could opt to be rezoned, if so, the Planned Variation would cease. Mr. Heibel stated that the application from 2011 cited demand for apartment buildings at that time. In reviewing the minutes from those hearings, the intent seemed that a Planned Variation would establish the planned apartments on lot lines that would comply with the zoning. The East Missoula Addition has lot sizes that are legal non-conforming, created prior to the zoning, and are smaller than what the base zoning allows. While not explicitly stated in the document, the intent may have been to avoid future situations regarding zoning non-conformities if they were intended to be used as townhomes or condos, although at the time they were considering only rentals.

Mr. Sewell asked if the Planned Variation was implemented because C-R3 zoning did not allow attached units at the time. Mr. Heibel stated that the base zoning did not change, the Planned Variation was going to create a situation where non-conformities were

eliminated, so that the minimum lot width and size would conform to zoning. With the Planned Variation came a re-zone. The area had been historically C-C2, then C-R3, and then the Planned Variation was adopted with the intent of modifying space and bulk requirements. Mr. Sewell asked for confirmation that the Planned Variation was for this parcel only. Mr. Heimel confirmed that the Planned Variation is specific to this described lot.

Mr. Loomis voiced that removing the Planned Variation and falling back to the original C-R3 would make this property even less conforming to the Growth Policy designation of Neighborhood Center. He felt he could not support going back to the original zoning as he feels it moves the property further from the goals of the Neighborhood Center designation.

Mr. Morrissey asked if the Planned Variation had a specific site plan, inclusive of sidewalks, and building height, as represented in the rendering. He asked that if by revoking the Planned Variation the community would be getting less in terms of site infrastructure in the form of sidewalks. Mr. Heimel stated that it was not immediately clear if the sidewalk features depicted on the rendering were on or off-site. Mr. Dehnert explained that there are improvements in the new proposed development plan, generally there would need to be a landscaping plan, a boulevard plan, ADA ramps, and frontage improvements would be required by public works. Mr. Morrissey asked if the onus of putting sidewalks around the site for public use was on the developer. Mr. Dehnert stated that in his understanding, yes, the on-site proposal for sidewalks and landscaping plans would be provided by the developer. Mr. Morrissey noted that there were not a lot of agency comments and asked if there were any concerns regarding water and sewer. Mr. Heimel confirmed that he did not receive agency comments specific to water and sewer. The project will need to go through sanitation review. Montana Department of Transportation commented on approaches. Mr. Heimel clarified that although on-site sidewalks will be provided by the developer, zoning cannot require off-site infrastructure improvements, such as sidewalks. Zoning can mandate building height but cannot mandate sidewalks within the right-of-way as shown on a detail plan nor would this be required with the current development plan. The City of Missoula may have mechanisms to require sidewalks, but this is not triggered when applying for a permit in the county. Mr. Heimel stated that subdivision review has mechanisms to review street and sidewalk improvements, but no such off-site improvements can be mandated by zoning regulations.

Mr. Schroeder asked for clarification on the maximum building height; was it 36-feet or 125-feet in the C-R3 zoning? Mr. Heimel supplied that in the C-R3 district any building can be constructed, up to 125-feet; however, multi-dwelling buildings have a distinction on whether it is a permitted use or a conditioned use. If the multi-family building is going to be no more than 36-feet then it is permitted; however, once it exceeds 36-feet there are extra design standards in chapter four, but it could go to 125-feet. Side setbacks would then be approximately 42-feet, as it needs to be one third of the building height. Mr. Dehnert reminded Planning Board members that whatever development moves forward at this location, if the Planned Variation is revoked, it will need to comply with the Fair Housing Act. In compliance with the Fair Housing Act access to the public way must be included. In that case, additional improvements will be required.

**MOTION MADE BY MR. SEWELL, SECONDED BY MR. PHAM.**

## **DISCUSSION ON THE MOTION**

Mr. Schroeder felt that revocation of the Planned Variation would allow for greater flexibility to develop a project more in line with the Neighborhood Center designation. The site plan and development plan are 100% residential, and it only provides for the potential for that outcome. It also allows the developer to go to 125-foot with 59 housing units and not deliver on the neighborhood center vision for this area. He is inclined to support the motion but urged the developer to consider the meaning of having a Neighborhood Center designation, which is mixed use, to provide services, a center of activity, and opportunities for retail, service, and employment.

Ms. Costello agreed with Mr. Schroeder's comments on being a Neighborhood Center.

Mr. Loomis felt neither plan bodes well for the community of East Missoula, but at least they know what they are getting with the Planned Variation. He believes C-R3 is inconsistent with the Growth Policy and will never get this property into being a Neighborhood Center. He voiced disapproval of the proposal and the motion.

Mr. Schroeder stated that his understanding is that the intent of the C-R3 zoning district is to provide for high density multi-family development and limited commercial and professional office uses. He asked Mr. Heimel if that was a correct interpretation of C-R3. Mr. Heimel stated that it is a correct summary of the intent.

Mr. Loomis stated that taking away the Planned Variation gives any developer, including this one, the opportunity to build something even more inconsistent with Neighborhood Center. After reading the comments from the residents of East Missoula, Mr. Loomis stated he felt that C-R3 moves this property further from the goal of Neighborhood Center.

Mr. Schroeder felt that the project offered the potential to get closer to Neighborhood Center, based on the new development plan, although the potential exists to go either way.

Ms. Costello recognized the need for more housing units; the increase from 44 housing units to 59 housing units did not seem excessive, although she understands the comments from the residents. The residents are proactively giving input on the county zoning code update, and are part of that process, which needs to be taken into account.

Mr. Sewell was undecided, but stated he was inclined to support the revocation of the Planned Variation. The Planned Variation was put in place ten years ago, it is very restrictive in design, and has no capacity to be updated. Keeping the existing Planned Variation in place leaves a roadblock.

Mr. Schroeder found it interesting that nothing had been done with the proposed 44 housing units in the ten years since the Planned Variation was put in place.

Mr. Morrissey asked about the zoning in 2011, when the Planned Variation was adopted, and this property went from C-C2 to C-R3. Mr. Heimel stated that was correct. Mr. Morrissey asked if there was any consideration in bringing this back to the pre-2011 zoning of C-C2. Mr. Heimel stated that there was a re-zone request to go to C-C1 the summer of 2020; that request was subsequently denied. Mr. Morrissey stated that he was inclined to support the motion although he hears Mr. Loomis' and the community's concerns. The underlying C-R3 opens development potential to make this a

Neighborhood Center and if the developer does not get started with the project immediately it could be impacted by the county's zoning code update.

**Moved by:** Micah Sewell

**Seconded by:** Tung Pham

THAT the request to revoke the Canyon Gate/Ole's Planned Variation be approved, based on the findings of fact and conclusions of law contained in the staff report.

AYES: (6): Shane Morrissey, Josh Schroeder, Andy Mefford, Micah Sewell, Tung Pham, and Ellie Costello

NAYS: (1): Dave Loomis

ABSENT: (2): Sean McCoy, and Neva Hassanein

**Vote results: Approved (6 to 1)**

## **6.2 Consideration of the West Broadway Gateway Master Plan as an amendment to the Downtown Missoula Master Plan and as an amendment to the City Growth Policy - Annette Marchessault with MRA (City)**

Rob Piatkowski, Town Planner and Urban Designer, Dover Kohl and Partners (DKP), stated that they were engaged as the planning consultant to lead the West Broadway planning effort. DKP led the downtown Master Plan update, and the recently completed North Riverside Parks and Trails Master Plan. Missoula Redevelopment Agency (MRA) contributed \$40,000 in funding for this project and the remaining \$25,000 came from a Big Sky Trust Fund Planning Grant.

The Steering Committee was made up of:

- Business/Property Owners
- City Administration
- City Council
- Community Planning, Development & Innovation
- Dover Kohl and Partners
- Missoula Business Improvement District
- Missoula Economic Partnership
- Missoula Redevelopment Agency
- Montana Department of Transportation
- NS/WS Neighborhood Council

They met with many stakeholder groups:

- Business/Property Owners within the Study Area
- Business/Property Owners adjacent to the Study Area

- Developers
- Educational and Social Services
- Financial Institutions
- Housing Advocates
- Neighborhood Residents
- Technical - Parks & Environmental
- Technical - Transportation & Public Safety

Mr. Piatkowski provided a slide depicting the community planning and outreach process, which began in February 2021.

The *Envision West Broadway Final Draft Community Master Plan* grew out of the 2019 Downtown Missoula Master Plan update. The West Broadway plan area was identified as 15 acres bordered by West Broadway Street to the north, North California Street to the east, Russell Street to the west, and the Clark Fork River to the south. This area is less than one mile from downtown. Since completion of the Downtown Plan in 2019, several events occurred that elevated the importance of having a more detailed plan for the West Broadway area. The south side of the Russell/West Broadway Street intersection was completed; the City purchased the Sleepy Inn and two other small properties in the area; the City put in place a strategy to move the Missoula Water facilities to another location; the area was included in Missoula's only Opportunity Zone.

Five "Big Ideas" form the key recommendation of this plan. The five ideas came from community members, residents, businesses, and stakeholders, although specific details may change as the plan is implemented, the "Big Ideas" should remain intact. Mr. Piatkowski provided a summary for each of the five items.

1. Build the next great Missoula Neighborhood Center
  2. Be a good neighbor and respect local businesses currently on site
  3. Connect to the river and complete the path system.
  4. Help solve housing and commercial space affordability issues
  5. Create a unique entry experience to urban Missoula

Mr. Piatkowski explained each of these ideas, which are listed in full detail in <https://www.envisionwestbroadway.com/report> . Some of the key features are creating a new main street and public square perpendicular to West Broadway Street. Mr. Piatkowski stated that this would provide a connection from the residential westside neighborhood to the north. It would break up the large Missoula Water block into smaller blocks and create new frontages for residences and businesses. He pointed out that West Broadway Street is a state road, and the city has minimal influence over it; however, the city would have complete control over this new street/public square perpendicular to West Broadway. It is envisioned that the entire new main street and public street could be closed off for special events. Street sections were reviewed, and how these could be retrofitted by adding green infrastructure and traffic calming on-street parking.

Mr. Piatkowski stated that there already great businesses along the north and south sides of Broadway Street and within the planning area. The plan will make the option of redevelopment to all property owners within the site but also allow local and existing businesses to remain if they so choose. The plan recommends a "long green" from West Broadway Street to the Clark Fork River, as Mr. Piatkowski displayed slides of multiple viewpoints, amenities, and retail spaces. He stated that because the city has taken control of the easement for the Flynn-Lowney ditch there are new opportunities to re-imagine that space. The plan recommends low impact development (LID) and offers toolkits to guide green infrastructure placement. Bike-ability and sustainable practices were covered in the [report](#), and briefly touched on at the meeting.

Mr. Piatkowski emphasized that "Big Idea 4 - Help Solve Housing and Rental Space Affordability Issues" was one of the most important parts of the plan. He provided a snapshot on affordable housing: The median home price in Missoula in 2011 was \$200,000, and in 2021 it is \$419,535. The plan recommends a series of strategies for addressing affordable housing. Mr. Piatkowski stated that a large portion of the site is owned by the City of Missoula, giving the city control over future development. Strategies toward creating affordable housing: 1) Zoning and Planning, 2) Impact Fees, and 3) Finance and Funding.

Mr. Piatkowski stated that leveraging the city owned land, including Missoula Water Company, and the Sleepy Inn Site, are essential in creating affordable and market rate housing in this area. The plan recommends partnerships: 1) Public-Private Partnerships or Joint Development, 2) Partner with Non-Profit developer and/or Community Land Trust (CLT) or 3) Coordinate with Missoula Housing Authority. Strategies for tenant support and assistance were provided: 1) Expand the Housing Choice Voucher Program, 2) Protect Existing Residential Tenants, and 3) Limit Short-Term Rentals. The plan recommends affordable housing income targets based on a percentage of area median income (AMI), which is the annual income earned by a typical household in the Missoula area. The Plan recommends 18 to 25 units (35%) for households earning up to 30% of AMI, 18 to 25 units (35%) for households earning between 30% and 80% of AMI, and 14 to 20 (30%) units for households earning between 80 and 120% of AMI.

Big Idea Five is to "create a unique entry experience to urban Missoula". Mr. Piatkowski presented slides depicting recommended intersection improvements. An illustrative plan slide, with phases, was presented depicting the potential future build-out of the West Broadway area. He stated that the plan calls for 20,000 to 30,000 square feet of leasable spaces for retail and restaurant establishments, which translates to between eight and 15 shops, stores, and cafes; 10,000 to 15,000 square feet of leasable space for offices or community spaces; 100 to 130 market-rate townhomes and apartments; and 50 to 70 affordable units targeted to AMI amounts. The plan shows parking on-street as well mid-block locations, recommends four to six story buildings, although existing zoning allows for taller buildings, and recommends reducing parking requirements for affordable housing to have more space for housing rather than car storage.

Next steps and approvals:

November 17 City Council Land Use and Planning Committee Presentation

November 18 MRA Board Presentation and Neighborhood Forum Presentation

December 6 City Council Public Hearing

December 13 City Council Final Action

Late December Big Sky Trust Fund Submission

Linda McCarthy, Downtown Business Improvement District, stated that her office has worked with Dover, Kohl & Partners for the last four years, and this is a deeper dive on the Downtown Master Plan approved in 2019 and is an addendum to that. She emphasized that these plans do two things: firstly, they help provide a process for neighborhoods to provide input; secondly, they provide predictability for investors, developers, property owners, and businesses.

**PUBLIC COMMENT PERIOD OPENED [7: 49 p.m.]**

No public comments.

**PUBLIC COMMENT PERIOD CLOSED [7:57 p.m.]**

**PLANNING BOARD COMMENTS/QUESTIONS [7: 58 p.m.]**

Mr. Pham noted that much of the land on the western edge of this proposal is private, currently owned by Blue Ribbon Auto. He asked what would happen if they choose not to relocate. Mr. Piatkowski stated that they had spoken to the owners of Blue Ribbon Auto, and they have their own vision for the future of their business. This business would be in Phase Two or Three; Phase One has the perpendicular main plaza, so a lot of activity, green space, commercial uses, and housing would be incorporated with that phase. The plan would still create a new neighborhood center even without the redevelopment of the Blue Ribbon Auto property and other privately held lands. The plan would be smaller in scale and size and have less residential density if this happened. Mr. Piatkowski explained that the plan offers and suggests various incentives to encourage private landowners to develop in accordance with the plan. He stated that because the overall site is within the urban renewal district Tax Increment Financing (TIF) could be used to incentivize redevelopment if the landowner would like to redevelop if certain criteria were met. Mr. Piatkowski stated that the underlying zoning for Blue Ribbon is a PUD, the rest of the area is commercial. This area is within the design excellence overlay gateway district, which adds additional criteria. Mr. Pham asked Mr. Piatkowski if he envisions this as more of a neighborhood center or a destination for the community as a whole, and the implications for parking associated with either of those options. Mr. Piatkowski stated that a lot of the recommendations regarding businesses within the publicly held land is to have local serving uses; things that could benefit those already living and working in the area. The intended focus is to support the local community and not be designed to be pulling in tourists, although there is a possibility it could become more heavily visited due to great restaurants and/or shops, so it is important to incorporate substantial Mountain Line bus service and shelters and have a good biking and walking trail network. Mr. Piatkowski stated that parking could still become an issue; there is a large enough area available for a parking garage on the privately owned land, if it is something that is needed. The cost of parking is extremely expensive, and that cost

would get passed along to tenants in the housing. To maintain affordability the amount of provided parking needs to be lowered or accommodated on surface lots or streets.

Ms. Costello works at Western Cider, 501 North California Street, and was pleased that this redevelopment project had so much public engagement. She added that the California Street Pedestrian Bridge is well used and would tie this newly developed area neighborhood center to the developments across the bridge.

Mr. Mefford stated that he personally sees this as another City driven project with City control. Missoula already has a lot of great spaces and affordability becomes difficult when great spaces are built using public dollars, which has to be paid for by somebody, somehow. Although it is great planning and looks beautiful, he does not feel community members can afford another one. The presentation identified that ten years ago the median home price in Missoula was \$200,000, and it is now \$419,535. If you looked at 3% annual escalation, that \$200,000 home should be \$269,000. In the past decade it has increased 107%, instead of a cost of living increase of 34%. Things being done right now widen that margin. Mr. Mefford emphasized that Missoula has a lot of public spaces, even to the point that relocating a golf course is being discussed to make room for more housing. He strongly felt that public monies should be focused on other projects. He recalled the City purchase of the Sleepy Inn at the onset of the COVID-19 pandemic and the condemnation process of Mountain Water Company so it could be acquired by the City. What is stop the City from condemning other properties to make way for housing? The City purchased more office space for Missoula Water Company as they were "crammed in their offices"; however, Mr. Mefford noted that the doors to the water company remain locked. He was not convinced about the feasibility and affordability of the project.

Mr. Morrissey stated that the West Broadway Gateway project sounds great, but he was curious why this "gateway" project is on only one side of Broadway Street. Was any consideration given to including the neighborhood across the street also? Mr. Piatkowski stated that the plan focuses south of West Broadway Street. The main reason for that is because that is where the Sleepy Inn and Missoula Water are located, so the City has control over that land. West Broadway Street is a state highway and controlled by Montana Department of Transportation (MDT) so what happens on that street is critical for making the connection between the north and south sides, but the City is limited in what it can do. The plan advocates improvements to facilitate safer crossings, and that has to be done in coordination with MDT. Most of the strategies focus on what the city can do with the city-controlled land on the southside of West Broadway Street.

Annette Marchesseault, Missoula Redevelopment Agency, City of Missoula stated that Mr. Piatkowski hit the major points on why the north side of West Broadway Street was not included in the original study area. The study area explicitly excluded West Broadway Street as that could take all of the attention, leaving none for the land uses outside of the boundary of the street. During the study Dover Kohl and Partners looked at the area across the street and it is very broad on what could happen on the north side of West Broadway Street. Ms. Marchesseault felt that future development north of West Broadway Street would be consistent with what is being proposed on the south side of the street in this Master Plan. The West Broadway corridor is part of the design excellence review process in the city, so any development on the north side of West

Broadway Street needs to meet the design excellence criteria, which is in-line with what is being proposed in this Master Plan.

Mr. Piatkowski stated that funding will be in the form of grants, tax incentives through various federal programs for affordable housing, utilizing the opportunity zone for federal tax incentives, and direct funding through the urban renewal district. This urban renewal district is sunsetting in ten years, and TIF funding is proposed. He clarified that TIF financing are those monies generated within this specific area designated approximately 20-years ago which have to be re-used within that specific area for public purposes. Mr. Piatkowski stated this could be in the form of supporting different types of housing or building parks. As tax revenues increase within the study area the difference between what was being collected 20-years ago vs. the tax value now is put into a pool and re-invested within that area. This will not take general city funds but will utilize the TIF and the power of the urban renewal district, grants, the land value, and federal funding.

Ms. Morrissey asked Mr. Piatkowski if both the areas south and north of West Broadway Street were in the urban renewal district. Mr. Piatkowski and Ms. Marchesseault confirmed that they are in the same urban renewal district, and that TIF funding could still be utilized in the north area. Ms. Marchesseault stated that the area is also in Missoula's One Opportunity Zone, and design excellence is also a mechanism to get the kind of design they are seeking on the north side of West Broadway Street, as is TIF. She added that most likely assistance could be provided for building demolition or any sort of improvements within the public right-of-way. Whenever her office provides TIF assistance they request high excellence design of the developers. She felt there was a high likelihood that developers on both the north and south sides would be looking for TIF financing.

Mr. Sewell thanked the staff and presentation team for their report. He asked about impacts to the homeless population in this area and what percentage of new housing units would be dedicated to different levels of permanently affordable housing. He asked for details on how the percentages were decided. Mr. Piatkowski stated that those numbers arise from best practices for mixed income developments, which typically considers a 20-30% affordable market rate balance. The plan recommends that as a minimum and pushes for 50-70 units on the sites for affordable housing and tries to capture the spectrum of affordability from middle to lower income. He continued that the plan also recommends setting aside spaces for formerly homeless people to help with that issue. The plan ensures that this will be a mixed income community and the market rate components will help subsidize the cost of the more affordable units.

Ms. Costello asked about sustainability design standards. Mr. Piatkowski stated that when new public infrastructure is constructed the plan would recommend that sustainable and green infrastructure gets built above and beyond what the city might normally do. TIF can also be tied to green infrastructure and sustainability practices. Ms. McCarthy stated that the Zero Waste Plan for the City helps to initiate those types of projects and working with community partners and developers to do LEED buildings can help with that also. They have tools like TIF and Opportunity Funds to help leverage the private investment.

**MOTION MADE BY MS. COSTELLO, SECONDED BY MR. LOOMIS**

Mr. Schroeder stated he would support the motion, he felt it is a good vision and a good plan with good community input. Mr. Loomis agreed with Mr. Schroeder. Mr. Sewell stated he would also support the plan and appreciated the public space and corridor leading to the river and it will create a sense of place, contributing to what makes the city special. Ms. Costello appreciated the proximity of housing to the downtown area. Mr. Morrissey stated he would support the motion but would have liked to see it on both sides of West Broadway Street in order to be a gateway.

**Moved by:** Ellie Costello

**Seconded by:** Dave Loomis

BE IT RESOLVED THAT the Missoula Planning Board adopt the Envision West Broadway Community Master Plan as an amendment to the Downtown Missoula Master Plan, which is an amendment to the Our Missoula City Growth Policy; and,

BE IT FURTHER RESOLVED THAT the Missoula Planning Board recommends that the Missoula City Council adopt the Envision West Broadway Community Master Plan as an amendment to the Downtown Missoula Master Plan, which is an amendment to the Our Missoula City Growth Policy.

AYES: (6): Shane Morrissey, Josh Schroeder, Dave Loomis, Micah Sewell, Tung Pham, and Ellie Costello

NAYS: (1): Andy Mefford

ABSENT: (2): Sean McCoy, and Neva Hassanein

**Vote results: Approved (6 to 1)**

## **7. Communications and Special Presentations**

No communications nor special presentations.

## **8. Committee Reports**

Mr. Pham stated that the Transportation Policy Coordinating Committee (TPCC) met earlier in the day. [Link to the agenda for that meeting.](#) There was an amendment to the Long Range Transportation Plan (LRTP), the Orange Street Tunnel project was moved from illustrative to committed as a funding source was identified, the self-certification process was discussed in detail, and there was an amendment to the 2022-2026 Transportation Improvement Program.

## **9. Old Business**

### **9.1 US Hwy Follow-up Discussion**

Ms. Minnich, Missoula County Community and Planning Services (CAPS) stated that Mr. Schroeder had asked about the US Highway 93 corridor issues back in October. The initial discussion occurred at a Planning Board meeting on March 16, 2021. At that time Mr. Morrissey was on the TPCC and was going to bring it up to the representative from MDT at a TPCC meeting. They were originally going to try and get someone from MDT to come talk to the board and possibly provide a presentation. Mr. Morrissey received a response from MDT that they would like to interact with the Planning Board but had no information they would like to present. Ms. Minnich stated that they did provide a link to a

website with information on active projects. She could email them again if the board requested. Another option would be to have a board member draft a letter to be submitted to MDT and/or the Board of County Commissioners (BCC) on behalf of the planning board. Board members would review the drafted correspondence and agree that it represents planning board viewpoints and send it out as official correspondence from the Planning Board. A second option would be for board members to write their own letters to MDT and the BCC as public citizens. Finally, Ms. Minnich stated that Mr. Schroeder could attend a TPCC meeting as a public citizen, separate from Mr. Tung's position, as the Planning Board's representative to TPCC. Ms. Minnich stated she would reach out to MDT again; however, she could not make them come to a Planning Board meeting and provide a presentation or answer questions.

Mr. Schroeder stated that he would attend a TPCC meeting as a member of the public. He would draft a letter to MDT and the BCC to bring to a future Planning Board meeting for their review and input. Board members could vote the endorsement of the letter by the entire board, or it could be signed by board members as members of the public or signed by Mr. Schroeder alone as a public citizen. Ms. Minnich stated that Mr. Schroeder could also petition members of the public to sign the letter, lending greater support, if he wanted to go that route. Mr. Schroeder felt that Ms. Minnich should reach out to MDT again to at least provide statistics regarding severe accidents on this stretch of roadway. Mr. Pham will look into the TPCC self-certification process which codifies standards around metrics and will follow up with Mr. Schroeder to see if it could help the cause. Mr. Morrissey asked Ms. Minnich about the process to bring the letter before the Planning Board for approval. Ms. Minnich stated that it would become part of the public record and would look into how many members would need to approve the document for it to become a Planning Board endorsed letter.

**10. New Business and Referrals**

No new business nor referrals.

**11. Comments from MCPB Members**

Mr. Pham noted that the exact same East Missoula property discussed in the first hearing was brought before the Planning Board about a year ago, on [September 2, 2020](#). At that time the applicant was proposing storage units, for which the Planning Board recommended approval, but it was ultimately denied by the Board of County Commissioners. At tonight's hearing the developers came back with a plan for residential units. The community desires a neighborhood center, much like what was being proposed in the West Broadway Master Plan, but the options are limited: do nothing or approve housing. Mr. Pham felt the board acted appropriately in recommending approval of the housing units.

Ms. Minnich stated that all board members should be getting notices from their appointing bodies (i.e. - County Commissioners, Mayor's office, or City Council) on their interest in continuing to serve on the Planning Board.

**12. Adjournment**

Mr. Morrissey adjourned the meeting at 8:48 p.m.