

Missoula City Council Land Use and Planning Committee Minutes - DRAFT

**March 2, 2022
12:55 pm
ZOOM Webinar**

Members present: Stacie Anderson, Mirtha Becerra, Daniel Carlino, John P. Contos, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Sandra Vasecka, Heidi West

Members absent: Amber Sherrill

1. ADMINISTRATIVE BUSINESS

The meeting was called to order at 12:55 p.m.

1.1 Roll Call

Amanda Vermace called the roll.

1.2 Approval of the Minutes

1.2.1 Approval of the Minutes from February 9, 2022

The minutes were approved as submitted.

2. PUBLIC COMMENT

There was no public comment for items not listed on the agenda.

3. COMMITTEE BUSINESS

Gwen Jones joined the meeting at 1:02 p.m.

Stacie Anderson joined the meeting at 1:03 p.m.

3.1 River View Subdivision and Rezoning, 1923 River Road. Ms. Alex Eidam, Senior Planner, City of Missoula

<https://www.engagemissoula.com/river-view-subdivision-and-rezone>

Alex Eidam, Senior Planner, with the Community Planning, Development and Innovation department, introduced the item and gave some background on the applicants requesting the rezone and subdivision off River Road. She provided details on the location of the property. This included the existing conditions of the site as well as the proposed subdivision site plans. The proposal includes four variances that are being requested.

Ms. Eidam also presented the subdivision review criteria which covered land designation and current zoning of the parcel. She also added details on the proposed zoning request. The lot currently allows for ten dwelling units and if the proposed rezone is approved, the parcel would allow for nineteen lots/dwelling units to be built. Other topics in the criteria area covered also included Agriculture and Agricultural Water Users Facilities. It was

noted that the property falls within the Orchard Homes Irrigation District. Ms. Eidam further stated that the property would be served by city sewer and water services, solid waste disposal by Republic Services. She explained that cash donation in-lieu of dedication to the Lafray Park area. Additionally, there would be no impacts to schools. The city of Missoula would provide Fire and Law Enforcement services. Transportation options will also be incorporated within the proposed subdivision.

The four variances were covered. These variances included details for an installation of a new road, labeled "Road A", and the variance would be for the right-of-way width and street specification on Road A. The second variance pertains to a turnaround street, similar to a cul-de-sac. The third variance involves the block length since it does not meet the city's standard requirements. The last variance is regarding the right-of-way width on River Road. Ms. Eidam also covered a proposed trail that would link the subdivision to Lafray Park. She also expressed that no impacts would be made to wildlife lands or public lands.

Lastly, Ms. Eidam covered the staff recommendations for approval of the variances and the motions to approve the rezone and subdivision of the parcel. She quickly covered the conditions of approval that are included in the staff's recommendations.

The committee inquired about the outcome of the recommendations at the joint City and County Planning Board Public Hearing. Joseph Dehnert, with IMEG and representative of the applicants, gave a brief presentation on the proposal. Mr. Dehnert touched on the surrounding areas and how it would help with the infill of the city's development. He also touched on the road design and the parking that would be provided and safe pedestrian travel around the parcel. He also stressed that the project will align with the city's policies and also help with the rising concerns over affordable housing in the city.

The committee sought information on the conditions of approval for the project. They also discussed the pedestrian trail that would be installed and the connectivity to the surrounding area. Other items discussed included the property easements, floodplain and safeguards should updates change and place the property within the 100-year Floodplain. The committee sought clarification on the legality of the request along with information regarding a super majority vote should the proposed project receives the required percentage of protests from the neighboring properties. Additional discussion was held over the conditions of approval and clarifications on future improvements to River Road. Ms. Eidam was also asked to explain the difference between the current zoning density versus the density of the proposed zoning request. A comparison of the neighboring properties was also discussed. The committee also commented on the affordable housing issues in the city. They also discussed the type of homes that would be constructed on the site if the proposal is approved. A Home Owner Association (HOA) will likely be incorporated to the proposed subdivision lots. Parking layout, right-of-way requirements, and the rear set-back requirements for the properties were also touched on in the discussion. Additionally, the committee also commented on the boulevard landscaping. Clarification was provided over the water rights of the property.

The floor was open for public comment.

Karie Shelton, a neighbor to the proposed project site, expressed concerns over the safety issues on and around River Road. Ms. Shelton encouraged people to visit the area to see issues first hand.

Evelyn Fizell, another neighbor to the proposed project site, commented on a number of concerns for the proposal. She invited people to view the area. She commented on the community specifically the quality within the community and neighborhood character. She requested clarification over what the right-of-way requirements would be off River Road. Ms. Fizell also expressed concern over fire safety with multiple emergency vehicles that would arrive in the event of a fire. She also commented on whether the homes would be owned or rented and the affordability of the housing. Ms. Fizell expressed appreciation for the work that goes into presenting the proposal.

Jo Beck, HOA President of the Carter Orchards Homes, echoed the other public commenters. She expressed concerns over parking, snow removal, the surrounding neighborhood and the quality of life.

Richard Fizell, a neighbor to the proposed project site, commented concerns on the variances and conditions. Strong concern over River Road traffic and enforcement of the variances and conditions. He would also like to invite for the council and developer to meet with the neighbors. The Committee chair, Jordan Hess did explain the rules that circulate around proposals and open meeting laws.

Diane Stensland-Bickers, also lives near the proposed project site, urged council to approve the rezone and subdivision. She felt more affordable housing is needed and this project is not out of character for the area but does understand the frustrations coming from the Carter Orchard Homes community. Ms. Stensland-Bickers wanted to point out that the Carter Orchard Homes was granted approval for several variances. As a renter, she expressed the desire to buy and if the proposal is approved she may have an opportunity to purchase one of the homes. She also stated as a renter, she cares for her community and did not appreciate some of the comments made regarding renters.

The Committee held additional conversation regarding the River Road right-of-way concerns. Ms. Eidam gave some clarification to the concerns over the right-of-way. The item will be back to the Land Use and Planning Committee meeting next week on an as needed basis.

4. ADJOURNMENT

The meeting was adjourned at 2:43 p.m.