

Planning Board Summary

River View Subdivision and Rezoning from RT 10 Residential (two-unit/townhouse) to RT 5.4 Residential (two-unit/townhouse)

PLANNING BOARD RECOMMENDATIONS:

Rezoning

On Tuesday, February 15, 2022, with 9 members present, the Missoula Consolidated Planning Board voted 8 ayes and 1 nay to recommend approval of adoption of an ordinance to rezone 1923 River Road from RT 10 Residential (two-unit/townhouse) to RT5.4 Residential (two-unit/townhouse) based on the findings of fact and conclusions of law in the staff report.

Subdivision Variances

The board also voted 8 ayes and 1 nay to recommend approval of all four variance requests as follows:

1. Approval of the variance request to allow a 29.5-foot-wide right-of-way and 25.5-foot-wide street width with one 7-foot-wide parking lane, and two 20-foot-wide easements containing 7-foot-wide boulevards, 5-foot-wide sidewalks, and 8-foot wide utility easements.
2. Approval of the variance request to allow for a turnaround street, Road A, further approving the variance from specific turnaround design standards including the requirements that turnarounds may not represent more than 15% of the total roadway miles in a subdivision, the right-of-way radius must be a minimum of 50 feet, and the pavement width must be a minimum of 45 feet.
3. Approval of the variance request to allow a block length at roughly 534 feet.
4. Approval of the variance request to allow the existing River Road 60-foot-wide right-of-way and proposed improvements.

Preliminary Plat (Subdivision) Application

The board voted 9 ayes and 0 nays to recommend approval of the preliminary plat application with the following motion:

Approval of the River View Subdivision preliminary plat application, subject to the recommended conditions of approval, based on the findings of fact and conclusions of law in the staff report, as amended in Memo No. 1 dated February 11, 2022.

Planning Board's Recommended Conditions of Approval:

1. The applicant shall show all dedicated public right-of-way for Road A on the face of the plat, subject to the review and approval of the City Engineer, prior to filing the final plat. *City Subdivision Regulations Section 3-020.3.B.*
2. The applicant shall show all proposed sidewalk and utility easements on the face of the plat and identify their width and purpose, subject to the review and approval of the City Engineer, prior to filing the final plat. *City Subdivision Regulations Section 3-060.1.*
3. The applicant shall pay for the cost of half street improvements to River Road along the entire frontage of the subdivision, subject to the review and approval of the City Engineer, and install those improvements or enter into an Improvements Agreement with financial security for future installation prior to filing of the final plat. *City Subdivision Regulations Section 3-020 Table .2A and Section 3-020.4.A.*
4. The following statement shall appear on the face of the final plat, in the covenants, conditions, and restrictions, and on each instrument of conveyance, "Acceptance of a deed for a lot within this subdivision shall constitute the assent of the owners to any future SID/SLID, based on benefit, for the upgrading of streets within this subdivision and River Road, including but not

limited to paving, curbs and gutters, non-motorized facilities, street widening, street lighting and drainage facilities". *City Subdivision Regulations Section 5-050.4(M&N); Missoula City Public Works Standards and Specifications, Chapter 12.*

5. All street and non-motorized improvements shall be designed and built in accordance with the City of Missoula Public Works Standards and Specifications and City of Missoula Subdivision Regulations (except as modified by variance), and comply with the Americans with Disabilities Act requirements, subject to the review and approval by Public Works and Mobility, prior to filing the final plat. *City Subdivision Regulations Section 3-020.2.*
6. The applicant shall design and install 30-foot wide shared driveways for Lots 1-8 and Lots 10-19 for lot pairs as shown on the preliminary plat and supplemental data sheets, subject to review and approval of the City Engineer, prior to filing of the final plat. *Preliminary Plat and Supplemental Data Sheets.*
7. The applicant shall include on the final plat one-foot no-access strips along the River Road frontage on Lots 1 and 19, along the Road A frontage except in locations of the shared driveways for Lots 1-8 and Lots 10-19, and at the hammerhead turnaround on Lots 8 and 12, as shown on the preliminary plat, subject to review and approval of the City Engineer. *Preliminary Plat and Effects on Public Health and Safety.*
8. The applicant shall submit complete grading and drainage plans showing proposed grades of streets, proposed drainage facilities, and a storm water pollution prevention plan for all lots, blocks and other areas meeting Montana Department of Environmental Quality standards, subject to the review and approval of the City Engineer, prior to filing the final plat. All drainage facilities shall be constructed in accordance with the approved plan. *City Subdivision Regulations Section 5-020.11.*
9. The applicant shall submit water supply, sewage disposal, and solid waste disposal plans subject to the review and approval from the City Engineer, City and County Health Department, and Montana Department of Environmental Quality prior to filing the final plat. *City Subdivision Regulations Section 3-070.*
10. The applicant shall meet the parkland dedication requirement by providing the monetary value of 11 percent of the net lotted area of the unsubdivided, unimproved, zoned land as required in the City Subdivision Regulations, Section 3-080, and provide calculations for the total lotted area, the parkland requirement, a Summary Appraisal Report, from the City Parks and Recreation hired appraiser, establishing the then-current fair market value, and a check for the required amount, subject to the review and approval from City Parks and Recreation, prior to filing the final plat. *City Subdivision Regulations Section 3-080.3.*
11. The applicant shall submit a boulevard landscaping plan for River Road and Road A subject to the review and approval from City Parks and Recreation, prior to filing the final plat. Boulevard landscaping shall be installed prior to final plat approval or included in an Improvements Agreement guaranteed by a security, subject to review and approval of City Parks and Recreation and Public Works and Mobility, prior to filing the final plat. *City Subdivision Regulations Section 5-050.4.C.*
12. The applicant shall provide plans for address signage and a fire hydrant plan, subject to the review and approval of City Engineering and City Fire, prior to filing the final plat. All approved fire protection improvements shall be installed in accordance with the approved plans. *City Subdivision Regulations Section 3-010.1.B and F.*
13. The applicant shall provide a street naming exhibit to be reviewed and approved by Development Services prior to filing the final plat. *City Subdivision Regulations Section 3-020.12.*
14. The applicant shall provide a street signage plan, including "No Parking" signage along the eastern side of Road A, in accordance with the Manual on Uniform Traffic Control Devices to be reviewed and approved by the City Engineer and City Fire Department with installation of approved signs prior to filing the final plat. *City Subdivision Regulations Section 3-020.4(H)(2).*

15. The applicant shall provide a Weed Management and Revegetation Plan that is appended to the covenants, conditions and restrictions, and provide evidence of plan implementation and noxious weed control subject to the review of Development Services prior to filing the final plat. *City Subdivision Regulations Section 5-020.14.K.*
16. The applicant shall provide documentation, as outlined in the Historic Preservation Officer's letter dated December 17th, 2021, to the Historic Preservation officer for review and approval, prior to filing the final plat. *City Subdivision Regulations Section 3-010.8 and Agency Comment Historic Preservation Officer.*
17. The applicant shall provide a final fire hydrant plan for review and approval of City Fire, prior to filing the final plat. All approved fire protection improvements shall be installed in accordance with the approved plan. *City Subdivision Regulations Section 3-010.1.F.*
18. The applicant shall reserve and sever the water rights from land within the subdivision through an appropriate legal or administrative process in compliance with MCA 76-3-504, subject to review and approval by Development Services or City Attorney, prior to final plat approval.
19. The applicant shall include following the statement on the face of the final plat, in the covenants, and on each instrument of conveyance severing the water rights to the subject property, subject to review of Development Services, prior to final plat approval:

"Irrigation water rights have been severed. Acceptance of a deed for a lot within this subdivision constitutes the acknowledgement of the lot owner that the water rights to the land have been severed and the land is classified as irrigated and may continue to be assessed for irrigation water delivery even though the water may not be deliverable."
(*Subdivision Regulations Section 3-060.4.A*).

Planning Board Discussion:

Planning Board discussion included the following:

- This is an appropriate place for a residential subdivision.
- This subdivision generally complies with the growth policy but perhaps not fully - would like to see more efforts toward housing affordability, sustainability of construction, and reuse of materials from the home that is planned to be demolished as part of this development. A more creative design would be welcome too.
- Housing affordability is impacted by housing supply. Although these homes are planned to be market-rate, this subdivision will increase the supply of moderately priced homes.
- The need for and timing of River Road improvements: It is good that 'complete street' improvements are planned and the developer will be required to contribute, but it would be better if improvements were made sooner (or already in place) to accommodate existing need as well as the expected impacts from this subdivision. On the other hand, improvements typically follow development and added demand, so this situation is not unusual.
- General discussion about the irrigation status of the property and agricultural land in the vicinity, as well as the desire to not negatively impact agricultural producers and irrigators. Sean McCoy said that despite the 'not prime' agricultural soils rating, the soils in this area are very productive.
- Questions about the T turnaround and whether it meets City Fire Department standards.
- Variances: The lot size, long and narrow configuration, and the lack of street connection options support the requested variances. On the other hand, the need for several variances does raise some concern.
- Public comments: Many of the comments were voiced by the neighbors adjacent to the proposed subdivision who had specific concerns around the increase to allowed density and the effects on traffic to River Road, which has a lack of existing infrastructure, off-street parking creating overflow into the neighborhoods, and the capacity for snow storage.

See the Planning Board Minutes for public comments and further Planning Board discussion.