



**City of Missoula, Montana  
City Council Committee Agenda Item**

**Committee:** Climate, Conservation and Parks

**Item:** Easement Request Kiwanis Park

**Date:** July 1, 2022

**Sponsor(s):** David Selvage

**Prepared by:** David Selvage

**Ward(s) Affected:**

- |  |                                 |
|--|---------------------------------|
| <input checked="" type="checkbox"/> Ward 1 | <input type="checkbox"/> Ward 4 |
| <input type="checkbox"/> Ward 2            | <input type="checkbox"/> Ward 5 |
| <input type="checkbox"/> Ward 3            | <input type="checkbox"/> Ward 6 |
| <input type="checkbox"/> All Wards         | <input type="checkbox"/> N/A    |

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**Action Required:**

Approve easement to provide for emergency egress and safe gathering area in Kiwanis Park with recommended conditions

**Recommended Motion(s):**

I move the City Council: Approve an easement to provide for emergency egress and safe gathering area in Kiwanis Park for benefit of the Grantee's (MC Real Estate Development, LLC) parcels with conditions as outlined and authorize the Mayor to sign.

**Timeline:**

Committee discussion:	July 13, 2022
Council action (or sets hearing):	July 18, 2022
Public Hearing (if required):	<a href="#">Click or tap here to enter text.</a>
Final Consideration	<a href="#">Click or tap here to enter text.</a>
Deadline:	<a href="#">Click or tap here to enter text.</a>

**Background and Alternatives Explored:**

Caroline McCauley and Matt Sullivan Doing Business as MC Real Estate Development, LLC are requesting City grant an easement in Kiwanis Park to provide emergency egress and a safe gathering area to serve a proposed new 21 unit apartment complex on adjoining property. The easement request does not require substantive improvements to the park, but does require the affected portion of the park to remain open, clear of substantive improvements or obstructions. The easement request does not affect the adopted park master plan of record nor run contrary to parkland deed constraints. At their May 10, 2022, meeting the City's Park and Recreation Board considered the request and recommended approval of the easement with conditions.

Granting the requested easement would facilitate higher density redevelopment of the existing multi-family apartment buildings which are nearing the end of their useful life. Park Board recommended conditions on the easement protect park land and protect current and potential future park and recreational values. Recommended conditions also support crime prevention through environmental design. Potential concerns and discussion points:  
Will granting the easement materially affect/displace existing affordable housing? Will granting the easement materially affect park user or open space values? Is it appropriate to constrain use of public parklands as outlined?

**Financial Implications:**

None – no fee is proposed for granting the easement

**Links to external websites:**

None.