

Missoula City Council Land Use and Planning Committee Minutes

**June 22, 2022
1:45 pm
ZOOM Webinar**

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

Members absent: Jordan Hess

1. ADMINISTRATIVE BUSINESS

1.1 Roll Call

Admin called the roll.

1.2 Approval of the Minutes

The minutes were approved as submitted.

1.2.1 Approval of the Minutes from June 8, 2022

2. PUBLIC COMMENT

There were no public comments on non-agenda items.

3. COMMITTEE BUSINESS

3.1 Appointment to the Historic Preservation Commission

Moved by: Gwen Jones

Promote Jackson Hill to the vacated voting member seat on the Historic Preservation Commission, with a term beginning immediately and ending on December 31, 2023.

AYES: (9): Mirtha Becerra, Daniel Carlino, John Contos, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, and Sandra Vasecka

ABSENT: (3): Stacie Anderson, Jordan Hess, and Heidi West

Vote results: Approved (9 to 0)

3.2 Public Forum Missoula County Fairgrounds Signs

Zoe Walters, Assistant Planner at Community Planning, Development & Innovation (CPDI) presented on Missoula County Fairgrounds Heritage Signs. The subject property is located on 1075 South Avenue West Missoula, MT 59801. For details please refer to the full video recording of the meeting and the attached staff report.

The item was presented to the committee for information only to allow public comments.

There is no motion or voting required in this meeting.
There was no public comment on this agenda item.

N/A - Information only

3.3 2900, 2920, and 2990 Expo Parkway / Grant Creek Village Development Agreement

Dave DeGrandpre, planning supervisor, at Community Planning, Development & Innovation (CPDI) presented on Expo Parkway/ Grant Creek Village Development Agreement. For more information please refer to the full video recording of the meeting and the attachments on the agenda item available online.

Mr. DeGrandpre added that the city staff has worked with the developer on legal language. On Monday, city council will vote on the rezoning. Because of the protests on the project two thirds of the voting is required to approve the rezoning.

Jim Nugent, City Attorney, for the city of Missoula provided clarification that if people pass, it will not be counted towards the three quarters vote. In other words, two thirds of those present and voting is required.

Nathan McLeod, Senior Landscape Architect from the city Park and Open Space Planning and Development went over some of the requirement for the development. The full list of the requirement is attached online. Alan McCormick, an attorney representing the KJA, went over the requirement they are in agreement with.

Dave DeGrandpre provided clarification that if the rezone does not pass the development agreement will be muted. Ryan Sudbury added that it will be taken into consideration in the future to make sure that the development agreement and the rezone does not happen at the same time.

Mr. DeGrandpre provided clarification that the no build zone are reflected on development map.

Committee member asked if living with wildlife, and an evacuation plan can be incorporated in the development plan.

Alan McCormick provided clarification that the agreement is binding between two parties. He added the applicant is trying to work with the Parks department on how to provide public connectivity despite it being a private property. Mr. McCormick mentioned the current city code is challenging to work with.

Daniel Carlino moved to amend the development agreement to delete section 2A.

Kim Birk, public caller, encouraged committee members to vote no to removing the section 2A.

Grant Parker, public caller, commented against removing section 2A.

Cameron, public caller, commented removing section 2A is a disruption.

Kristen Jordan made the motion to hold off the voting on of the amendment for after the voting on rezoning in city council meeting. No motion is needed to keep the item in committee report. Voting is required only if there is a disagreement on keeping the agenda item in committee. Kirsten Jordan withdrew her motion.

Some committee members were apposed to the motion because it would increase density. The motion to amend 2A did not pass.

Heidi West made a motion that the development agreement as currently amended with the changes suggested by the Parks department be moved to the City Council for final consideration. Ken Ault, the developer, stated he is willing to work with the city to address the bear problem and also address that in the agreement. By Friday afternoon, the amendment will be attached to the City Council Agenda to allow for public comment. Heidi West withdrew the motion.

Alan McCormick replied on the bus route and the covenant on living with wildlife .
Kody Swartz addressed the bus shelter. They incorporated it at the lower corner of the property.

Gwen Jones made the motion. It was opened to the public for comment.

Grant Parker, public caller, suggested having the developer agree to defend the city in case there are any legal mitigation related to the development agreement.

RT Cox, public caller, stated for city to have a better process. City did not reply to his comment and concerns.

Kim Birk, public caller asked question if they will have a chance to comment if rezoning passes.

Peggy Walker, public caller and a community resident, expressed her concerns on density and traffic.

Cameron, public caller, also expressed concern on density.

Authorize the Mayor to execute the development agreement dated _____ between KJA Development, LLC and the City of Missoula for Grant Creek Village located at 2900, 2920, and 2990 Expo Parkway consisting of two parcels legally described as Government Lot 4 and Portion B of COS 4831, and Amended Tract A of COS 3750, and Portion C of COS 4831, and Portion A of Commerce Center, Phase II, Amended in Section 5, Township 13 North, Range 19 West.

Moved by: Daniel Carlino

to amend the development agreement to delete section 2A

AYES: (2): Daniel Carlino, and Sandra Vasecka

NAYS: (8): Mirtha Becerra, John Contos, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, and Heidi West

ABSENT: (2): Stacie Anderson, and Jordan Hess

Vote results:Failed (2 to 8)

Moved by: Gwen Jones

move the developing agreement as discussed today with the recommended changes in regards to the items addressed to be voted on council.

AYES: (8): Mirtha Becerra, John Contos, Gwen Jones, Kristen Jordan, Jennifer Savage, Amber Sherrill, Sandra Vasecka, and Heidi West

NAYS: (2): Daniel Carlino, and Mike Nugent

ABSENT: (2): Stacie Anderson, and Jordan Hess

Vote results:Approved (8 to 2)

4. ADJOURNMENT

The meeting was adjourned at 3:47 PM